

City Council Minutes – April 25, 2000

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, April 25, 2000. The Councilmembers of the City of Topeka met in regular session at 7:00 P.M., with the following Councilmembers present: Alcalá, McClinton, Dunn, Carkhuff, Duffy, Lee, Hill, and Gardner –8. Mayor Wagnon presided -1. Absent: Councilmember Pomeroy -1.

AFTER THE MEETING was called to order, prayer was offered by Mayor Joan Wagnon.

THE PLEDGE OF ALLEGIANCE was recited by those present in the chamber.

THE CONSENT AGENDA was presented as follows:

Mayor Wagnon stated that immediately following action on the consent agenda the Council would reconvene to the Executive Conference Room as a Committee of the Whole.

Councilmember Gardner asked why Presentations by Members of the Council and Public Comment were excluded from the agenda. He stated that those items should be presented unless there is a motion to suspend the rules to remove them. He asked for clarification from the City Attorney.

Linda Jeffrey, City Attorney stated that he was correct.

Hearing no motion to suspend the rules, Mayor Wagnon stated that she would add the items to the agenda following the Committee of the Whole session.

Councilmember Alcalá moved to extend the agenda to include the Committee of the Whole meeting and to stay in the Council Chambers so that the meeting could be televised. The motion was seconded by Councilmember Gardner.

Councilmember Gardner stated that he supported the motion because the meeting should be accessible to the public.

Councilmember Hill explained that the Committee of the Whole session on the budget was intended to be a dialogue among the nine Councilmembers facilitated by Bernie Hayen who is with the League of Kansas Municipalities.

Councilmember Pomeroy entered the chambers.

Following a discussion on televising all meetings of the Council, the motion failed. Councilmembers McClinton, Carkhuff, Duffy, Lee and Hill voted "no". (4-5-0)

Mayor Wagnon stated that the minutes for April 14 and 18, 2000 would be removed and placed directly following the consent agenda to divide the question at the request of Councilmember Alcalá.

A FINAL PLAT for Cloverleaf Addition Subdivision on property located at the northwest corner of US Hwy 24 and NW Rochester Road in the City of Topeka, Kansas, was presented.

CEREAL MALT BEVERAGE APPLICATION bearing the approval of the Chief of Police and City Inspectors was presented from A & A Inc., 2525 SW 29th Street.

Councilmember Dunn moved to approve the consent agenda except for the minutes. The motion seconded by Councilmember McClinton carried. Councilmembers Carkhuff and Duffy voted "no". (7-2-0)

Minutes of the Special Called Meeting of April 14 and Regular Meeting of April 18, 2000, were presented.

Councilmember Gardner asked the City Clerk to read the minutes of April 18, 2000.

Iris Walker, City Clerk read the minutes from the April 18, 2000 meeting.

Councilmember Duffy moved to correct the April 18, 2000 minutes on page 150, paragraph 8, first sentence to delete "according to the Walker Study" from the motion. The motion was seconded by Councilmember McClinton.

Councilmember Gardner asked the City Clerk to read page 150 of the April 18, 2000 minutes.

Iris Walker read page 150 of the minutes.

Councilmember Gardner stated that he did cite the Walker Study in his motion. He stated that he was incorrectly quoted by the Topeka Capital Journal.

Councilmembers Dunn stated that she would abstain because she did not remember that part of the discussion.

Councilmember McClinton stated that he would abstain because he was absent from last week's meeting.

The motion failed. Councilmembers Gardner, Hill and Alcala voted "no". Councilmembers Dunn and McClinton abstained. (4-3-2)

Mayor Wagnon withdrew the minutes of April 18, 2000 so that the City Clerk and City Attorney could review the tape from last week's meeting and bring the motion back verbatim.

Councilmember Pomeroy asked the City Attorney if a Councilmember is present but fails to vote, is it counted as a "no" or an "abstention".

Linda Jeffrey explained that the rules indicate that it takes five votes for an item to be passed. She stated that if they do not state that they are abstaining that means they are not participating.

Mayor Wagnon asked for a vote on the minutes of April 14, 2000.

The motion to approve the minutes of April 14, 2000 carried. Councilmembers Carkhuff and Duffy voted "no". (7-2-0)

Councilmember Carkhuff moved to dissolve into the Committee of the Whole and reconvene in the Executive Conference Room, 3rd floor, City Hall, for the purpose of the 2001 budget goal setting session. The motion was seconded by Councilmember McClinton.

Councilmember Gardner asked if Councilmember Carkhuff would yield to allow Public Comment and Presentations by Members of the Council.

Mayor Wagnon ruled his request out of order.

Councilmember Gardner made a substitute motion to convene into the Committee of the Whole in the Council Chambers and continue with the agenda. The motion seconded by Councilmember Alcala failed. Councilmembers Pomeroy, McClinton, Carkhuff, Lee and Duffy voted "no". (4-5-0)

Councilmember Gardner stated that he was opposed to the motion made by Councilmember Carkhuff because he wanted to hear from the public.

The original motion carried. Councilmembers Gardner, Hill, Dunn and Alcalá voted "no". (5-4-0)

Mayor Wagnon stated that they would return to Council Chambers following the Committee of the Whole meeting to finish the agenda.

Following the Committee of the Whole session in the Executive Conference Room, the Council reconvened in the Council Chambers.

PRESENTATIONS BY MEMBERS OF THE COUNCIL, were presented.

Councilmember Gardner asked the Chief Administrative Officer if the Watertower Plan they received was a revised plan or a new one.

John Arnold, CAO explained that it is a redevelopment plan, not a revised plan.

Councilmember Duffy distributed a revised copy of a resolution regarding "hate" that he previously submitted.

Councilmember Alcalá asked what changes were made to the draft Redevelopment Plan they had previously received. He also noted a change in the number of residential and commercial properties within the district.

John Arnold stated that they were minor changes to the wording and there were no financial changes. He explained that they recounted the properties in the district in terms of what was residential and what was business and eliminated four properties on Quincy.

Councilmember Dunn stated that she received pictures from a citizen regarding damage that done to the floor at the Oakland Community Center from the skateboard demonstration. She asked that the CAO check on the cost to fix the floor and who would be liable. She also stated that she received a letter expressing some concerns about youth working with the Weed and Seed Program last summer. She stated that she supports the program but they need to make sure that the youths are properly supervised. She asked if there were plans to have the program again this year because many youths count on that program to earn money during the summer.

Councilmember Hill asked for a status regarding the progress of the Skate Park. She thanked fellow Councilmembers for doing their part with submitting the budget goals to administration.

Councilmember Alcalá stated that he was given an update regarding the Skate Park. He stated that he was told the park would be completed in the fall and they were looking at ground breaking in May.

Councilmember Lee asked for a status regarding the no-smoking ordinance and sign ordinances that were being reviewed by Committee.

Councilmember Dunn asked for a status regarding the city manager form of government ordinance. She requested information regarding extension of the quarter-cent sales tax and getting it on the ballot. She also asked for a status report regarding the layoffs of maintenance employees at THA and a report of the Topeka Housing Authority operation.

NO FURTHER BUSINESS appearing the meeting was adjourned by unanimous consent.

Iris Walker
City Clerk