

City Council Minutes – May 2, 2000

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, May 2, 2000. The Councilmembers of the City of Topeka met in regular session at 7:00 P.M., with the following Councilmembers present: Pomeroy, Alcala, McClinton, Dunn, Carkhuff, Duffy, Lee, Hill, and Gardner –9. Mayor Wagnon presided -1.

AFTER THE MEETING was called to order, prayer was offered by Councilmember Alcala.

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

Mayor Wagnon stated that Item 4H, an ordinance relating to a zoning change at the intersection of SW 29th Street and SW Urish Road, would be withdrawn because proper notification was not given. She also stated that Items 3A and 3B, the Watertower Redevelopment Plan developer agreements and a resolution setting a public hearing to consider adoption of a redevelopment plan, would be withdrawn for two weeks because of the late arrival of one of the developer agreements.

THE CONSENT AGENDA was presented as follows:

A FINAL PLAT for Aquarian Acres Subdivision No. 8 on property located in the 2800 block of Aquarius Drive in the City of Topeka, Kansas, was presented.

A FINAL PLAT for John Hoffer Subdivision on property located on the east side of SW Topeka Boulevard, 215 feet north of SW 32nd Street in the City of Topeka, Kansas, was presented.

A COMMUNICATION requesting approval of the attached agreement which includes all of the counties in Northeast Kansas and the City of Topeka for the cooperative oversight of workforce development programs authorized by the federal Workforce Investment Act (WIA) of 1998, was presented.

CEREAL MALT BEVERAGE APPLICATION bearing the approval of the Chief of Police and City Inspectors was presented from Total #4172, 512 SW Topeka Boulevard.

Minutes of the Regular Meeting of April 25, 2000 and a correction to the Minutes of the April 18, 2000 meeting, were presented.

Councilmember Lee moved to approve the consent agenda. The motion seconded by Councilmember Dunn carried unanimously. (9-0-0)

CONTRACT NO. 30505 between the City of Topeka and the Kansas Association of Public Employees (KAPE), Technical and Fiscal Staff Unit providing for working conditions within the bargaining unit including wage adjustments for 2000 and 2001, was presented.

CONTRACT NO. 30506 between the City of Topeka and the Kansas Association of Public Employees (KAPE), Clerical, Service and Maintenance Unit providing for working conditions for those positions within the bargaining unit including wage adjustments for 2000 and 2001, was presented.

Kim Austin-Smith, Director of Human Resources gave the staff report. She explained that the changes to the current contract included a 3% salary increase effective July 1, 2000, and an additional personal leave day instead of a step increase for the year 2000. Effective January 1, 2001 a 3% salary increase would be given in addition to a step increase and the additional personal leave day would be eliminated. She stated that 365 employees are covered under the two contracts.

Councilmember Dunn moved to approve both of the labor union contracts. The motion was seconded by Councilmember Lee.

Councilmember Gardner stated that he was opposed to the motion because he had requested that a Council Committee be created so that they could be involved with discussions during labor negotiations.

Councilmember Alcalá asked if the representatives from KAPE were satisfied with the negotiations of the contract.

Mark Biswell, spokesman for KAPE stated that the process went well and it is a fair contract.

The motion to approve both contracts carried. Councilmember Gardner voted "no". (8-1-0)

A COMMUNICATION requesting approval to convert the current executive and management pay structure to the Broadbanding approach, was presented.

Kim Austin-Smith explained that the proposal is a structural change to how management and executive staff are paid. She explained the broadbanding concept and why they were recommending it.

Questions were raised about the range of compensation, the possibility of the plan allowing some managers to show favoritism and mechanisms in place for checks and balances with respect to compensation. It was also noted that the broadbanding concept is useful in reducing positions.

Kim Austin-Smith explained how broadbanding would be applied and stated that managers would be trained on how to set goals and measure performance.

Councilmember Alcalá stated that he would like to see increases based off cost savings. He asked how many employees were currently at their maximum.

Kim Austin-Smith stated that she would get back with him.

Councilmember Gardner expressed concern that there is potential for abuse. He suggested referring the proposal to committee for further discussion and review.

Councilmember Gardner moved to refer the proposal to the Finance, Audit and Administration Committee. The motion was seconded by Councilmember Alcalá.

Councilmember Lee made a substitute motion to refer the proposal to the Finance, Audit and Administration Committee and then to the Committee of the Whole. The motion seconded by Councilmember McClinton carried. Councilmembers Carkhuff and Duffy voted "no". (7-2-0)

AN ORDINANCE introduced by Mayor Joan Wagnon authorizing the issuance of \$6,850,000 aggregate principal amount of General Obligation Bonds, Series 2000-A, of the City of Topeka, Kansas, under the authority of K.S.A. 10-101 to 125, inclusive, K.S.A. 12-110c, K.S.A. 12-685 et seq., K.S.A. 12-6a01 et seq., Charter Ordinance No. 68 of the City and Home Rule Ordinance No. 17366 of the City, all as amended, was presented first reading.

AN ORDINANCE introduced by Mayor Joan Wagnon relating to the Capital City Downtown Business Improvement District, establishing the method of raising revenue and enforcement, amending City of Topeka Code §§ 42-38 and 42-40 and specifically repealing said original sections, was presented for first reading.

AN ORDINANCE introduced by Mayor Joan Wagnon and Deputy Mayor Sam Carkhuff authorizing Topeka 2000, Inc. to hold "Thursday Live - Meet Me Downtown" events at certain times in 2000, was presented for first reading.

A JOINT SHAWNEE COUNTY RESOLUTION AND CITY OF TOPEKA ORDINANCE introduced by Mayor Joan Wagnon, amending Chapter 48 of the Code of the City of Topeka, Comprehensive Zoning Regulations for the City of Topeka and unincorporated areas of Shawnee County by creating X-Mixed Use Districts and the OS-Open Space District, providing use regulations therefore and providing performance standards, was presented for first reading. (ACZR00/01)

A JOINT SHAWNEE COUNTY RESOLUTION AND CITY OF TOPEKA ORDINANCE introduced by Mayor Joan Wagnon, relating to Day Care Facilities, Type II, amending Article XXXV, Definition of the Topeka City Code, Chapter 48, Topeka City Code § 48-15.02 (c) C-1 Conditional Uses, Topeka City Code § 48-17.02 (b) C-3 Provisional Uses, Topeka City Code § 48-18.02 (b) C-4 Provisional Uses, Topeka City Code § 48-19.02 (b) C-5 Provisional Uses, and Topeka City Code § 48-20.02 (c) I-1 Conditional Uses, was presented for first reading. (ACZR00/02)

AN ORDINANCE introduced by Mayor Joan Wagnon annexing land to the City of Topeka, Kansas, in accordance with K.S.A. (1999 Supplement) 12-520, located at the southeast corner of SW 10th and SW Urish Road, and said land being annexed for all City purposes, is hereby assigned to a specific City Council District in accordance with Section A2-18 of the Code of the City of Topeka, was presented for first reading. (A00/05)

AN ORDINANCE introduced by Mayor Joan Wagnon relating to the vacation of a 20 foot wide public alley as dedicated by Walnut Grove Subdivision, City of Topeka, Shawnee County, Kansas, on property located

between SW Harrison Street and SW Van Buren Street running between SW 19th Street and SW 20th Street, City of Topeka, Kansas, was presented for first reading. (V00A/3)

Mayor Wagnon left the meeting.

AN ORDINANCE introduced by Mayor Joan Wagnon amending the "District Map" referred to and made a part of the Zoning Ordinances by Section 48-1.04 of the Code of the City of Topeka, by providing for certain changes in zoning on property located at the northwest corner of SE Adams Street and SE 45th Street in the City of Topeka, from "PUD" Planned Unit Development District (single family usage) to "R-1" Single Family Dwelling District, was presented for first reading. (Z00/19)

AN ORDINANCE introduced by Mayor Joan Wagnon amending the "District Map" referred to and made a part of the Zoning Ordinances by Section 48-1.04 of the Code of the City of Topeka, by providing for certain changes in zoning on property located on the west side of the Kansas Turnpike Interchange situated between SE 21st Street and the Kansas Turnpike in the City of Topeka, Kansas from "C-4" Commercial District and "C-4" Commercial District with Resolution of Intent for "I-2" Heavy Industrial District and "I-1" Light Industrial District all to "I-2" Heavy Industrial District, was presented for first reading. (Z00/18)

REPORT FROM THE CHIEF ADMINISTRATIVE OFFICER, was presented.

John Arnold, CAO stated that the equipment and lights for Garfield Park are scheduled for installation in the fall. He stated that the Skateboard Park bid opening would be May 10, 2000. He stated that Blaisdell Pool would open June 15, 2000. He also reported that attendance and revenues are up at the Topeka Zoo and announced that a Public Works picnic would be held at the Zoo on Friday, May 12, 2000 from 5:00 p.m. to 9:00 p.m.

Councilmember Alcalá asked how long the equipment and lights for Garfield Park have been sitting waiting for installation.

John Arnold stated that he would have to get back with him on that information.

Rogers Brazier appeared for questions. He reported on the request for information by Councilmember Dunn regarding damage that was done to the Oakland Community Center floor. He stated that damage to the floor did not happen from the recent skateboard demonstration but is a result of overall usage.

REPORTS OF COMMITTEES AND OFFICERS, were presented.

Councilmember Gardner announced that the Community Development Committee would meet Monday, May 8, 2000 at 5:30 p.m. in the Council Office to discuss the final plat for Drakes Farm Subdivision.

Councilmember Lee announced that the Public Health and Safety Committee would meet Monday, May 8, 2000 at 5:30 p.m. in the Executive Conference Room to discuss two claim appeals and the Safe Streets Program, "Safe Solutions".

Councilmember Dunn announced that the Finance, Audit and Administration Committee would be meeting next week to discuss the proposed Broadbanding pay plan.

PRESENTATIONS BY MEMBERS OF THE COUNCIL, were presented.

Councilmember Alcala expressed concerns regarding environmental code issues not being addressed within his district, specifically the Levin property. He asked staff to address these issues because the problem seems to be getting worse. He also stated that he has received several complaints regarding debris being left on front porches and in yards of residential areas and asked if it could be cleaned up.

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

Iris Walker
City Clerk