

City Council Minutes – May 23, 2000

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, May 23, 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.

THE CONSENT AGENDA was presented as follows:

RESOLUTION NO. 7064 introduced by Mayor Joan Wagnon, adopting an amended 2000 Capital Budget for the City of Topeka, Kansas, and specifically rescinding City of Topeka Resolution No. 6998, was presented.

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

PRESENTATION by GO Topeka regarding the sales tax proposal for Economic Development, was presented.

A JOINT SHAWNEE COUNTY AND CITY OF TOPEKA RESOLUTION NO. 7066 introduced by Mayor Joan Wagnon and Shawnee County Commission Chair Ted Ensley concerning the imposition of a countywide sales tax for economic development, was presented.

Pat Michaelis, Chairman of GO Topeka, Board Members, and several business leaders appeared to explain why they were proposing to extend the current one-quarter cent sales tax, which would be placed on the August 1, 2000, primary ballot. They also explained the proposed economic development visions for Topeka.

Questions were raised about the current tax base and tax dollars already being allocated, the allocation of funds by non-elected officials, where land could be acquired for future development, the educational system, governmental procedures, and economic development strategies.

Several people appeared to comment about the proposal. Comments included: place the money in a City fund so the allocation of funds can be approved by Council; support a broad tax base for economic growth; there needs to be funding for technical training; we should prepare for our future today; we need to bring new industry to Topeka so that existing businesses can grow; let the citizens vote on the proposed tax extension; there needs to be development ready land; and support economic development but oppose an increase in taxes.

Mayor Wagnon explained the structure of the proposal.

Several Councilmembers commented that a strategy needs to be in place for economic growth and development and time throughout the next two years to negotiate the structure of the proposal.

Councilmember McClinton moved to approve the resolution. The motion was seconded by Councilmember Lee.

Councilmember Duffy distributed a revised copy of the resolution and made a motion to amend by removing lines 12 through 22, 25 through 30, 36 except for the word "development", 37, 38, 40 except for the words "electors of the County", 41, 42, 44 replace the words "August 1, 2000 primary" with "November 7, 2000 general" and insert "monies collected therefrom shall be pledged towards economic development by the City and County" after the words "electors of the County" on line 40. The motion was seconded by Councilmember Gardner.

Councilmember Dunn called the question.

The motion to amend failed. Councilmembers Pomeroy, McClinton, Lee and Hill voted "no". Councilmember Carkhuff was out of the room. (4-5-0)

Councilmember Alcalá made a motion to amend line 44 by replacing the language "August 1, 2000, primary" with "November 7, 2000, general". The motion seconded by Councilmember Dunn carried.

Councilmembers Pomeroy and McClinton voted "no". Councilmember Carkhuff was out of the room. (6-3-0)

Councilmember Dunn moved to amend the resolution to include the language, "a portion of the monies collected therefrom shall be distributed by contract to the Growth Organization of Topeka and Shawnee County

Inc. (GO Topeka) in accordance with the restrictions and conditions set forth in the interlocal agreement". The motion was seconded by Councilmember McClinton.

Councilmember Dunn called the question.

The motion carried. Councilmember Gardner voted "no". (8-1-0)

Councilmember Dunn moved to extend the meeting until the end of the agenda. The motion seconded by Councilmember Hill carried. Councilmembers McClinton, Carkhuff and Duffy voted "no". (6-3-0)

Councilmember Gardner moved to amend the resolution to add the following ballot question language after line 45, "Shall the following be adopted, shall the County wide retailer sales tax in the amount of one-quarter cent to provide revenue to finance County wide economic development and infrastructure development be levied in Shawnee County, Kansas to take effect January 1, 2003 and expire four years after its effective date" and remove the language "designed to expand the workforce and creation of new jobs". The motion was seconded by Councilmember Duffy.

Several Councilmembers expressed their opposition to the motion.

The motion failed. Councilmembers Pomeroy, McClinton, Dunn, Carkhuff, Lee, and Hill voted "no". (3-6-0)

The motion to approve the resolution as amended carried. Councilmembers Duffy and Gardner voted "no". (7-2-0)

Councilmember Dunn stated that she supported the resolution because people should be given the right to vote.

Mayor Wagnon withdrew Item 4B, a resolution which adopts a relocation policy for WaterTower 2000.

PROJECT BUDGET AND RESOLUTION introduced by Mayor Joan Wagnon, describing Street Improvement Project No. 60557 which provides cutback parking improvements along the east side of SW Jackson Street and the north side of SW 10th Street, adjacent to Memorial Hall and authorizing the same, was presented.

Jeff White, Director of Public Works gave the staff report.

Bruce Baugh, Project Engineer for the State of Kansas appeared to answer questions.

Several Councilmembers spoke in opposition to the proposal because it would remove some of the older trees and landscaping from downtown. They commented that other parking alternatives should be considered rather than sacrificing the aesthetics for a small amount of parking spaces.

Councilmember Pomeroy moved to defer the project budget and resolution until June 6, 2000 to review possible alternatives. The motion seconded by Councilmember Dunn carried. Councilmembers Carkhuff and Gardner voted "no". (7-2-0)

A RESOLUTION introduced by Mayor Joan Wagnon, establishing a Convention and Tourism Committee, pursuant to K.S.A. 12-1695 and K.S.A. 12-16, 101, was presented.

Deputy Mayor Carkhuff referred the resolution to the Policy Committee.

AN ORDINANCE introduced by Mayor Joan Wagnon, authorizing Improvement Project 14085, which provides for the installation of a new mast arm traffic signal system at SE 6th Avenue and SE Monroe Street as more specifically described herein, all pursuant to Section A12-1 of the Code of the City of Topeka, was presented for first reading.

AN ORDINANCE introduced by Mayor Joan Wagnon, authorizing Improvement Project 14093, which provides for the installation of a new mast arm traffic signal system at SE 8th Street and SE Monroe Street as more specifically described herein, all pursuant to Section A12-1 of the Code of the City of Topeka, was presented for first reading.

AN ORDINANCE introduced by Mayor Joan Wagnon approving the proposed improvements to the Municipally owned water system of the City of Topeka, Shawnee County, Kansas, by removing and replacing the existing 12 inch main waterline supported by the existing Westgate Bridge with a new 24 inch waterline and doing all other things necessary and incidental thereto, and authorizing the publication of the Notice of Intention

of the Governing Body of the City of Topeka, Kansas, to make such improvements and to issue and sell Revenue Bonds of said City to pay the cost thereof, was presented for first reading.

AN ORDINANCE introduced by Mayor Joan Wagnon, authorizing City of Topeka Project No. 13126, which provides for preliminary design and right-of-way review for a new parking garage at 9th and Kansas as more specifically described herein, all pursuant to Section A12-1 of the Code of the City of Topeka, was presented for first reading.

REPORT FROM THE CHIEF ADMINISTRATIVE OFFICER, was presented.

John Arnold, CAO reported about weeds within the City. He stated that Neighborhood Services annual weed season began on May 1, 2000 to clean up weeds and lawns throughout the City.

REPORTS OF COMMITTEES AND OFFICERS, were presented.

Councilmember Pomeroy stated that the Economic Development Committee met May 18, 2000 and took action on two ordinances regarding the Uniform Building Code and Downtown Revitalization.

Councilmember Lee stated that the Public Health and Safety Committee met on May 22, 2000 to discuss claim appeals. She stated that the Safe Streets Program gave them a presentation regarding mediation procedures.

PRESENTATIONS BY MEMBERS OF THE COUNCIL, were presented.

Councilmember Alcalá requested a list of names of people who were involved with calculating the market and assessed values, projected sales tax revenues and parking fees for the WaterTower 2000 Redevelopment Plan. He also requested a copy of the contract with Hoops, Inc. He read a letter that he received from a constituent regarding Neighborhood Services and environmental issues within the City.

Councilmember Dunn noted that \$4 million of the original one-quarter cent sales tax went towards the City's indebtedness and asked that this be a continued effort.

Mayor Wagnon stated that she would be present next Tuesday, May 30, 2000 to discuss the proposed relocation policy.

Councilmember Carkhuff complimented the Public Works Department and Traffic Engineering staff for installation of the pedestrian traffic signal at 33rd and Burlingame.

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

Iris Walker
City Clerk

Special Session

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, May 23, 2000. The Councilmembers of the City of Topeka, Kansas met in special 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.

NOTICE OF PUBLIC HEARING

Notice is hereby given that there will be a special meeting of the Councilmembers of the City of Topeka, Shawnee County, Kansas held on May 23, 2000, at 7:00 P.M., in the Council Chamber, 214 East 8th Street for the purpose of hearing any and all complaints that may be made as to the validity and fairness of the assessments on file in the office of the City Clerk, on all lots, parcels and pieces of ground liable for the cost of improvement, same being Lateral Sanitary Sewer Improvement Project No. 40879, authorized by Resolution No. 6971, adopted and approved March 23, 1999.

Bill McCarter, Engineering Department gave the staff report.

Mayor Wagnon gave an opportunity for anyone present to speak. No one appeared.

Councilmember McClinton moved to close the public hearing. The motion seconded by Councilmember Gardner carried unanimously. (9-0-0)

ORDINANCE NO. 17507 introduced by Mayor Joan Wagnon, apportioning and levying a special assessment on certain lots and pieces of ground in the City of Topeka, Shawnee County, Kansas, for the improvement of Lateral Sanitary Sewer Improvement Project No. 40879 with piping, manholes, engineering and all other contingencies needed to complete Lateral Sanitary Sewer Improvement Project No. 40879, as defined and described in Resolution No. 6971, adopted and approved March 23, 1999, placed on first reading May 16, 2000, was again presented.

The ordinance was adopted on roll call vote as follows: Ayes: Councilmembers Pomeroy, Alcala, McClinton, Duffy, Dunn, Carkhuff, Hill, Lee and Gardner-9.

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NOTICE OF PUBLIC HEARING

Notice is hereby given that there will be a special meeting of the Councilmembers of the City of Topeka, Shawnee County, Kansas held on May 23, 2000, at 7:00 P.M., in the Council Chamber, 214 East 8th Street regarding the proposed issuance by the City of its Economic Development Revenue Bonds (YMCA Project), Series 2000-A (the "Series 2000-A Bonds"), in a principal amount of approximately \$8,500,000 under K.S.A. 12-1740 through 12-1749d, inclusive, for the purpose of providing funds to (i) finance the construction, furnishing and equipping of a new 38,000 square foot health center (the "Facility") located at 37th and Chelsea in southwest Topeka, Kansas, (ii) fund a deposit to the Debt Service Reserve Fund for the Series 2000-A Bonds, and (iii) pay certain expenses associated with the issuance of the Series 2000-A Bonds.

Kathy Moellenberndt, GO Topeka appeared to explain the request.

Mayor Wagnon gave an opportunity for anyone present to speak.

Several people appeared to explain the request and how funding would be used if approved.

Councilmember Dunn moved to close the public hearing. The motion seconded by Councilmember Lee carried unanimously. (9-0-0)

RESOLUTION NO. 7065 introduced by Mayor Joan Wagnon expressing the intent of the City of Topeka, Kansas, to issue its Economic Development Revenue Bonds in the maximum principal amount of \$8,500,000 to both finance various improvements benefiting the Young Men's Christian Association of Topeka, Kansas, and promote, stimulate and develop the economic welfare of both the City and the State of Kansas, was presented.

Councilmember Dunn moved to adopt the resolution. The motion seconded by Councilmember Lee carried unanimously. (9-0-0)

Iris Walker
City Clerk