

City Council Minutes – June 20, 2000

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, June 20, 2000. The Councilmembers of the City of Topeka met in regular session at 7:00 P.M., with the following Councilmembers present: Pomeroy, Alcalá, McClinton, Dunn, Carkhuff, Duffy, Lee, Hill, and Gardner –9. Mayor Wagnon presided -1.

Mayor Wagnon announced that there would be a Flag Ceremony given by the Boy Scouts, Troop 59 lead by Lou Mills, Scout Master.

AFTER THE MEETING was called to order, prayer was offered by Reverend Greg Wood, First Assembly of God.

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

THE CONSENT AGENDA was presented as follows:

ORDINANCE NO. 17517 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 Street and SW Urish Road, said land being annexed for all City purposes and hereby assigned to a specific City Council District in accordance with Section A2-18 of the Code of the City of Topeka and specifically repealing City of Topeka Ordinance No. 17504, placed on first reading June 13, 2000, was again presented. (A00/05)

CEREAL MALT BEVERAGE APPLICATION bearing the approval of the Chief of Police and City Inspectors was presented for Casey's General Stores, Inc., 600 SE Rice Road.

Minutes of the Regular Meeting of June 13, 2000, were presented.

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

ORDINANCE NO. 17518 introduced by Mayor Joan Wagnon annexing land to the City of Topeka, Kansas, in accordance with K.S.A. (1999 Supplement) 12-520, located on the south side of Kansas Turnpike

and approximately 1600 feet east of SE Adams Street, said land being annexed for all City purposes and hereby assigned to a specific City Council District in accordance with Section A2-18 of the Code of the City of Topeka, placed on first reading June 13, 2000, was again presented. (A00/06)

John Dugan, Director of Planning gave the staff report.

Councilmember Duffy expressed his concern that this type of development allows urban sprawl and emphasized the need to plan for neighborhoods.

Councilmember Gardner moved to adopt the ordinance. The motion seconded by Councilmember Pomeroy carried.

The ordinance was adopted on roll call vote as follows: Ayes: Councilmembers Pomeroy, Alcalá, Dunn, Duffy, Hill, Lee and Gardner-7. Councilmembers Carkhuff and McClinton left the meeting -2.

PRESENTATIONS BY MEMBERS OF THE COUNCIL, were presented.

Councilmember Alcalá asked for a status on the clean up of the Levin's property. He stated that the vegetation at 329 SE Lake, 1817 Seward, and the southeast corner of Seward and Gratton has not been cut this year.

Councilmember Gardner stated that the Council's budget increased by \$18,200. He stated that he was not part of the discussions and opposes it.

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

Iris Walker
City Clerk

Special Session

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, June 20, 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, Hill, Lee 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 June 20, 2000, at 7:00 P.M., in the Council Chamber, 214 East 8th Street to consider adoption of the Redevelopment Plan for WaterTower 2000.

Councilmember Gardner moved to extend the meeting until the end of the agenda. The motion seconded by Councilmember Dunn failed. Councilmembers Pomeroy, McClinton, Carkhuff, Duffy and Lee voted "no". (4-5-0)

Councilmember Alcala moved to allow questions to those commenting if they cannot stay until the end of the hearing. The motion seconded by Councilmember Dunn failed. Councilmembers Pomeroy, McClinton, Carkhuff, Duffy and Lee voted "no". (4-5-0)

John Dugan, Director of Planning gave the staff presentation. He explained the proposed boundaries and stated that it was a mixed land use area. He stated that the goal is to re-establish downtown and WaterTower is a key area for downtown redevelopment. He explained the benefits the project would bring to the downtown area and summarized the development within the district boundaries. He also explained the role of staff and Council.

John Arnold, Chief Administrative Officer for the City explained the uses and sources of funds, which total \$73.3 million. He noted that the risk protection is 7.4%, which is acceptable for this type of project. He stated that the project is considered to be feasible.

Mayor Wagnon gave an opportunity for anyone present to speak.

Several people appeared in support of the revised redevelopment plan. Comments made in support included: it would help provide a strong, attractive downtown; would be a good public/private partnership; the

City and tax base is not growing and the project would be beneficial for the community; currently business is dead after 3:00 p.m. and development could allow for business in the evenings and weekends; the project has created speculation about new businesses moving downtown; a vibrant downtown is an important part of a community and WaterTower is an important piece to make it happen; the project could allow young people in the neighborhood to have a place to work and hang out; and the growth in downtown is stagnant, WaterTower will bring people back downtown.

Several people appeared in opposition to the project. Comments made in opposition included: the City should not purchase property for the developer or use bonds for the project; the project is not needed, Topeka needs to celebrate what they have; revenue will be lost from downtown businesses because of competition; the distance between downtown and the redevelopment district will detract from the core downtown area; people don't go downtown because they are scared; residential property owners within the district want to be left alone, including removing the TIF district from their property; interested businesses should rise and fall on their own; opposed to Hoops, there are already plans for an indoor sports area; put homeless people in vacant houses in the district; opposed to using CDBG funds; and opposed because the district has significant US history.

Several people appeared who neither supported nor opposed the redevelopment plan and expressed their concerns about using \$500,000 of CDBG funds per year, and following HUD guidelines for use of federal funds.

Several people appeared and expressed interest in the possibility of developing a project within the district.

Questions were raised about the proposed hockey rink, Tax Increment Financing (TIF), project cost of the hotel, guest transient tax as it relates to the project, who would oversee the project, and issuance of bonds.

John Arnold, Beth Schafer and several people from the audience responded to the questions.

Edward Bailey, Consultant for the City appeared and responded to questions regarding the issuance of bonds and the level of risk involved with the project.

Beth Schafer stated that substantial changes to the plan would require a hearing.

Mayor Wagon explained that they would need to post a notice of issuance of bonds because that triggers a 60-day protest period.

Councilmember Pomeroy moved to extend the meeting until midnight. The motion was seconded by Councilmember Gardner.

Councilmember Gardner made a substitute motion to recess the public hearing until June 27, 2000 at 7:00 p.m. in the City Council Chambers and extend the meeting until the end of the agenda. The motion seconded by Councilmember Hill failed. Councilmembers Pomeroy, McClinton, Carkhuff, Duffy and Lee voted "no". (4-5-0)

The motion to extend the meeting until midnight carried. Councilmembers Alcalá, Carkhuff and Duffy voted "no". (6-3-0)

Councilmember McClinton moved to recess the public hearing at close of tonight's meeting and resume next week. The motion was seconded by Councilmember Pomeroy.

Councilmember Gardner made a substitute motion to recess the public hearing until June 27, 2000 at 7:00 p.m. in the City Council Chambers. The motion seconded by Councilmember Carkhuff carried. Councilmember Duffy voted "no". (8-1-0)

Councilmembers Carkhuff and McClinton left the meeting.

Councilmember Alcalá moved to extend the meeting until the end of the agenda. The motion seconded by Councilmember Dunn carried. Councilmember Duffy voted "no". Councilmember Gardner was out of the room. (5-2-0)

AN ORDINANCE introduced by Mayor Joan Wagnon, adopting the WaterTower 2000 Redevelopment Plan for the Watertower Place Redevelopment District, including authorizing the issuance and selling of full faith and credit tax increment bonds and temporary notes, all as provided for in K.S.A. 12-1770 et seq, was presented for first reading.

Iris Walker
City Clerk