

City Council Minutes – July 18, 2000

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, July 18, 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.

AFTER THE MEETING was called to order, prayer was offered by Father Gardner, Our Lady of Guadalupe.

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

Iris Walker, City Clerk distributed a revised Council agenda. She explained that the project budgets that went along with the ordinances on the consent agenda were inadvertently not listed on the agenda but were included with the ordinances in the Council packet.

Linda Jeffrey, City Attorney stated that the distribution of a revised agenda imposed no legal concerns.

Councilmember Pomeroy moved to accept the revised agenda. The motion seconded by Councilmember Lee carried unanimously. (9-0-0)

Councilmember McClinton moved to withdraw an ordinance from the Community Development Committee. He explained that the ordinance would complete the zoning change under a resolution of intent on property located at SE 2nd Street and SE California. The motion was seconded by Councilmember Gardner.

Councilmember Alcalá expressed his concern about some legal costs associated with the property and stated that was one reason why it was sent to committee.

Councilmember Gardner made a substitute motion to withdraw the ordinance from committee for placement on next week's agenda. The motion seconded by Councilmember McClinton carried unanimously. (9-0-0)

Mayor Wagnon stated that Item 2B, a revised project budget and ordinance for McDonald Ball Field, would be removed from the Consent Agenda and discussed directly following as requested by Councilmember Dunn.

THE CONSENT AGENDA was presented as follows:

PROJECT BUDGET for a new storm sewer system, Project No. 50006, Phase 5 along Jackson Street from Crane Street south to 6th Street, in the amount of \$3,500,000, was presented.

ORDINANCE NO. 17528 introduced by Mayor Joan Wagnon approving cost estimates of the proposed improvements to the municipally owned storm water sewer utility system of the City of Topeka, Shawnee County, Kansas, by constructing a new storm sewer system along Jackson Street from Crane Street to 6th Street and doing all other things necessary and incidental thereto, and authorizing the publication of the notice of intention of the Council 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, placed on first reading July 11, 2000, was again presented.

PROJECT BUDGET for the renovation upgrade of the City Hall elevator, in the amount of \$100,000, was presented.

ORDINANCE NO. 17529 introduced by Mayor Joan Wagnon, authorizing Improvement Project No. 170310, which provides for the upgrading of the operational system of the City Hall elevator as more specifically described herein, all pursuant to Section A12-1 of the Code of the City of Topeka, placed on first reading July 11, 2000, was again presented.

ORDINANCE NO. 17527 introduced by Councilmember John Alcala authorizing Fiesta Mexicana to sell and dispense cereal malt beverages during the Fiesta, at specified locations and times, placed on first reading July 11, 2000, was again presented.

Minutes of the Regular Meeting of July 11, 2000, were presented.

Councilmember Gardner moved to approve the consent agenda as amended. The motion seconded by Councilmember Hill carried unanimously. (9-0-0)

REVISED PROJECT BUDGET for lighting improvements for McDonald Ball Field, in the amount of \$133,602, was presented.

ORDINANCE NO. 17530 introduced by Mayor Joan Wagnon, Councilmembers Sam Carkhuff, Betty Dunn, Vanessa Hill and James McClinton, authorizing McDonald Field Ball Diamond Lighting Project No. 30213, which provides for the design and construction of new ball field lighting at McDonald Field Ball Diamond, specifically described herein, all pursuant to Section A12-1 of the Code of the City of Topeka and specifically repealing City of Topeka Ordinance No. 17445, placed on first reading July 11, 2000, was again presented.

Councilmember Dunn stated that was she opposed to such a substantial increase in cost to the original project budget that was approved.

Councilmember Gardner moved to approve the project budget and adopt the ordinance. The motion seconded by Councilmember Hill carried. Councilmember Dunn voted "no". (8-1-0)

The ordinance was adopted on roll call vote as follows: Ayes: Councilmembers Pomeroy, Alcalá, McClinton, Carkhuff, Duffy, Hill, Lee and Gardner –8. Noes: Councilmember Dunn -1.

RESOLUTION NO. 7079 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. 7064, was presented.

Councilmember McClinton moved to approve the resolution. The motion seconded by Councilmember Duffy carried. Councilmember Gardner voted "no". (8-1-0)

AN ORDINANCE introduced by Mayor Joan Wagnon, relating to the issuance of licenses by the City, amending City of Topeka Code § 30-30 and specifically repealing said original section, placed on first reading July 11, 2000, was again presented.

Councilmember Lee gave the committee report.

Councilmember Lee moved to accept the committee report. The motion seconded by Councilmember Duffy carried. Councilmembers Alcalá and Dunn voted "no". (7-2-0)

Councilmember Gardner moved to amend the language to strike "under this or some other chapter" and insert the specific citations for the licenses. The motion was seconded by Councilmember Dunn.

Questions were raised about the extent of background checks necessary for various licenses issued by the City Clerk.

Chief Forster, Police Department explained why the ordinance was necessary.

Councilmember Gardner suggested deferring the ordinance for one week to explore possible amendments.

Deputy Mayor Carkhuff referred the ordinance back to the Public Health and Safety Committee for further review.

Mayor Wagnon stated that Item 3C, an ordinance relating to taxicab fares, has been withdrawn from the agenda.

A CHARTER ORDINANCE introduced by Councilmember Betty Dunn relating to a change in the form of government for the City of Topeka, Kansas, repealing Charter Ordinance Numbers 65, 66, 72, 73, and 75, and any other Ordinance in conflict herewith, was presented for first reading.

Councilmember Dunn moved to adjourn into the Committee of the Whole for the purpose of discussing the 2001 budget. The motion seconded by Councilmember Hill carried unanimously. (9-0-0)

Following the Committee of the Whole discussion, Councilmember Dunn moved to recess the Committee of the Whole meeting until July 25,2000. The motion seconded by Councilmember Duffy carried unanimously. (9-0-0) (The Committee of the Whole minutes are attached.)

PRESENTATIONS BY MEMBERS OF THE COUNCIL, were presented.

Councilmember Alcalá requested a status of the reimbursement that was authorized by Council for a bill that was submitted by Patricia McClellan for printing costs of material provided to the Neighborhood Improvement Associations.

Councilmembers Carkhuff and McClinton stated that they have noticed several streetlights that are out and asked staff to check on getting those fixed.

Jeff White, Director of Public Works stated that people could contact the pothole hotline to report street lights that were out.

Councilmember Dunn stated that she has received calls from people complaining that scorekeeper positions at Rueger Park are being filled by relatives of current employees.

Rogers Brazier, Director of Parks and Recreation explained that these positions are difficult ones to fill. He stated that he would look into the matter.

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

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

Iris Walker
City Clerk