

## City Council Minutes – August 8, 2000

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, August 8, 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, Hill, and Gardner –8. Mayor Wagnon presided -1. Absent: Councilmember Lee -1.

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

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

Mayor Wagnon stated that Councilmember Lee was absent because she was out of town on vacation.

THE CONSENT AGENDA was presented as follows:

ORDINANCE NO. 17532 introduced by Mayor Joan Wagnon authorizing the City of Topeka, Kansas, to issue its Economic Development Revenue Bonds, Series 2000A (YMCA Project), to provide funds to finance the construction, furnishing and equipping of a new recreational health center at SW 37<sup>th</sup> and Chelsea in the City of Topeka, Kansas; to fund a deposit to a debt service reserve fund; to pay interest thereon through March, 2002; to pay certain costs of issuance related thereto; and authorizing and approving certain documents and actions in connection with the issuance of said bonds, placed on first reading August 1, 2000, was again presented.

Minutes of the Regular Meeting of August 1, 2000, were presented.

Councilmember Dunn moved to approve the consent agenda. The motion seconded by Councilmember Hill carried unanimously. (8-0-0)

ZONING PETITION (Z00/30) by R.A. Fulmer requesting to amend the District Zoning Classification from "E" Multiple-Family Dwelling District, "M-2" Multiple-Family Dwelling District, and "PUD" Planned Unit Development District ("C-4" Commercial use group category) all to "PUD" Planned Unit Development District ("R-3" Single Family Dwelling use group category) on property located at the northwest corner of SW 15<sup>th</sup> Street and SW Woodhull Street in the City of Topeka, Kansas, was presented.

ORDINANCE NO. 17533 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 about the northwest corner of SW 15<sup>th</sup> Street and SW Woodhull Street in the City of Topeka, Kansas from "E" Multiple-Family Dwelling District, "M-2" Multiple-Family Dwelling District, and "PUD" Planned Unit Development District, all to "PUD" Planned Unit Development District, placed on first reading August 1, 2000, was again presented. (Z00/30)

Barry Beagle, Planning Department gave the staff report.

Mayor Wagnon gave an opportunity for anyone present to speak.

Councilmember Carkhuff stated that he was opposed to the request for a variance of only a 15 foot setback because he was concerned that homes would be too close to the street. He also commented that approval of this request would set a precedence with future set back requests.

Mayor Wagnon asked Councilmembers to declare exparte communications.

Councilmember Alcalá stated that he had communications with people surrounding the development.

Councilmember Gardner moved to approve the petition and adopt the ordinance. The motion seconded by Councilmember Dunn carried. Councilmember Carkhuff voted "no". (7-1-0)

The ordinance was adopted on roll call vote as follows: Ayes: Councilmembers Pomeroy, Alcalá, McClinton, Dunn, Duffy, Hill and Gardner -7. Noes: Councilmember Carkhuff -1.

ZONING PETITION (Z00/32) by Elwanda Rogers Trustee and DR-DL Building Partnership requesting to amend the District Zoning Classification from "C-2" Commercial District to "C-3" Commercial District on property located at 801 SW 21<sup>st</sup> Street, in the City of Topeka, Kansas, was presented.

ORDINANCE NO. 17534 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 801 SW 21<sup>st</sup> Street in the City of Topeka, Kansas, from "C-

2" Commercial District to "C-3" Commercial District, placed on first reading August 1, 2000, was again presented. (Z00/32)

Barry Beagle gave the staff report.

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

Mayor Wagnon asked Councilmembers to declare exparte communications. There were no exparte communications declared.

Councilmember Carkhuff moved to approve the petition and adopt the ordinance. The motion seconded by Councilmember Alcalá carried. Councilmember McClinton voted "no". (7-1-0)

The ordinance was adopted on roll call vote as follows: Ayes: Councilmembers Pomeroy, Alcalá, Dunn, Carkhuff, Duffy, Hill, and Gardner -7. Noes: Councilmember McClinton -1.

ZONING PETITION (Z00/33) by Elizabeth M. Hiller Trust requesting to amend the District Zoning Classification from "R-1" Single Family Dwelling District to "I-1" Light Industrial District on an interior parcel, the centerline of which is approximately 1,200-feet east of N. Kansas Avenue and 1,220-feet north of U.S. Highway 24 in the City of Topeka, Kansas, was presented.

ORDINANCE NO. 17535 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 an interior parcel, the centerline of which is approximately 1,200-feet east of N. Kansas Avenue and 1,220-feet north of U.S. Highway 24 in the City of Topeka, Kansas, from "R-1" Single Family Dwelling District to "I-1" Light Industrial District, placed on first reading August 1, 2000, was again presented. (Z00/33)

Barry Beagle gave the staff report.

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

Mayor Wagnon asked Councilmembers to declare exparte communications. There were no exparte communications declared.

Councilmember McClinton moved to approve the petition and adopt the ordinance. The motion seconded by Councilmember Carkhuff carried unanimously. (8-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Councilmembers Pomeroy, Alcala, McClinton, Dunn, Carkhuff, Duffy, Hill, and Gardner -8.

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Iris Walker  
City Clerk

## Special Session

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, August 8, 2000. The Councilmembers of the City of Topeka, Kansas met in special session at 7:00 P.M., with the following Councilmembers present: Pomeroy, Alcalá, Dunn, McClinton, Carkhuff, Duffy, Hill and Gardner –8. Mayor Wagnon presided -1. Absent: Councilmember Lee -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 August 8, 2000, at 7:00 P.M., in the Council Chamber, 214 East 8<sup>th</sup> Street to hear and answer questions or objections of tax payers relating to the proposed use of all funds and the amount of tax to be levied for the year 2001 Operating Budget as published.

Mayor Wagnon gave an opportunity for anyone present to speak.

Several people representing the following youth and social service groups appeared and expressed their concerns about the proposed cuts to the youth and social services funding for 2001: Arts Council of Topeka; Community Action; Topeka Day Care; Meals on Wheels; Community Resource Council; Children Youth and Family Resource Center; YMCA; Jayhawk Area Agency on Aging; Doorstep; Girls to Girls Program; YMCA Teen Pregnancy Program; East Topeka Senior Center; Breakthrough House; Volunteer Center of Topeka; and Housing and Credit Counseling, Inc. They asked the Council to consider the impact cuts in funding would have on the community, and urged support of their programs at or above their current levels of funding.

Dean Ferrell, Chair of GO! Topeka appeared and requested \$250,000 for their 2001 budget. He explained their recruiting efforts to find an executive director.

Questions were raised about the contract between the City and GO! Topeka and how the funds are being used from a legal standpoint, and how GO! Topeka was formed.

Pat Michaelis, Executive Director of GO! Topeka appeared and explained the history of his involvement with GO! Topeka. He explained their goals and presented information on how they planned to reach them.

Councilmember Gardner requested a copy of the contract between Pat Michaelis and GO! Topeka. He also requested a report of the prospects that they have lost, those they are currently working with, sites available for development and any existing businesses they have been working with to retain.

Councilmember Duffy asked if GO! Topeka would be interested in competitively bidding economic development services for the City. He expressed concerns about Western Resources and the Menninger Foundation not being contacted by GO! Topeka. He asked what the criteria is for contacting existing businesses that are considering leaving Topeka.

Pat Michaelis stated that the board would need to discuss whether they would want to go through the bidding process. He gave an overview of the number of companies that have been contacted and stated that they hoped to exceed their contractual requirements.

Representatives from the Kansas International Air Guard, Topeka Railroad Days, Heartland Park, and the Kansas Expocentre appeared and presented their requests for funding out of the Transient Guest Tax funds for 2001.

Mayor Wagnon noted that it was nearly 11:00 p.m. and she still had a stack from those who signed up to speak on the budget. She suggested finishing the hearing and deferring the remainder of the agenda until next week. She stated that she could rearrange the agenda so that those items, including those who signed up for public comment, could be first on next week's agenda. She stated that she would need a motion to do that if that was agreeable with the Council.

Councilmember Gardner moved to extend the meeting until the end of the public hearing. The motion seconded by Councilmember Pomeroy carried. Councilmembers Alcala and Hill voted "no". Councilmember Carkhuff was out of the room. (5-3-0)

Presentations for funding requests were also heard from Topeka Performing Arts Center, Keep America Beautiful and the Topeka Convention and Visitor's Bureau.

Councilmember McClinton left the meeting.

Several citizens appeared and commented on the proposed budget. They also offered suggestions on ways to reduce the budget.

Councilmember Gardner moved to close the public hearing and adjourn the meeting. The motion seconded by Councilmember Hill carried unanimously. (7-0-0)

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Iris Walker  
City Clerk