

City Council Minutes – October 10, 2000

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, October 10, 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 Dennis Lee Rogers.

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

THE CONSENT AGENDA was presented as follows:

A FINAL PLAT for North Topeka Golf Center Subdivision on property located about the north side of U.S. Highway 24 at NE Madison Street in the City of Topeka, Kansas, was presented.

A FINAL PLAT for Shuman Subdivision on property situated between SE Minnesota Avenue and the Kansas Turnpike and south of the easterly extension of SE 34th Street in the City of Topeka, Kansas, was presented.

ORDINANCE NO. 17557 introduced by Mayor Joan Wagnon and Councilmembers Samuel Carkhuff and James McClinton, amending City of Topeka Ordinance No. 17452, which exempts certain property, more specifically property owned by Co-Nect-It Frame Corporation from ad valorem taxation for economic development purposes, pursuant to the provisions of the Code of the City of Topeka, Chapter 138, Article III, and located at approximately 1100 SE Rice Road and specifically repealing said original ordinance, placed on first reading October 3, 2000, was again presented.

RESOLUTION NO. 7096 introduced by Mayor Joan Wagnon authorizing the City of Topeka, Kansas, pursuant to KSA 12-1740 et seq., and City of Topeka Ordinance No. 16232, to cancel an Indenture of Trust between the City and UMB Bank, N.A., as "Trustee", terminate a lease purchase agreement between the City and Mainline Printing, Inc., and to sell and transfer certain property financed with the City's Industrial Revenue Bonds Series 1990 (Mainline Printing Inc., Project) to Mainline Printing, Inc., was presented.

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

ORDINANCE NO. 17561 introduced by Mayor Joan Wagnon and Councilmembers Sam Carkhuff and Duane Pomeroy repealing City of Topeka Ordinance Nos. 16199 and 16453, establishing the Watertower Place Redevelopment District, placed on first reading September 19, 2000, was again presented.

Councilmember Pomeroy gave the committee report and moved for approval of the report. The motion seconded by Councilmember Dunn carried. Councilmembers Carkhuff and Lee voted "no". (6-2-0)

Frank Meade, area resident and property owner appeared and stated that the Tax Increment Financing (TIF) was not the right tool for the area.

Councilmember Pomeroy asked if he would be interested in development if the size of the TIF area was shrunk.

Frank Meade stated that he would not be interested in developing within a TIF district. He stressed the need for an Urban Renewal Development Corporation for economic development in Topeka.

Following discussion on development possibilities if the district were downsized, Councilmember Alcalá asked if it was possible for the City to downsize the TIF District.

Linda Jeffrey, City Attorney stated that if the ordinance was approved the TIF District would be completely eliminated, and if there is interest it would be necessary to create another TIF District.

Councilmember McClinton clarified that the Council has not blocked local development in the WaterTower District.

Vic Miller, Attorney representing nine property owners within the WaterTower District appeared and stated that he would like the TIF removed so the property owners can get on with their lives.

Joseph Ledbetter and David Price appeared and stated that the TIF district should be abolish.

Frank Kirdoll appeared and stated that the ordinance as proposed does not repeal Ordinance numbers 16199 and 16453. He asked for clarification of what was being repealed.

Councilmember Pomeroy moved to amend the ordinance on line 12 after 16453 to insert, ",attached hereto and incorporated by reference as if fully set forth herein,". The motion was seconded by Councilmember Alcala.

Councilmember Carkhuff moved to table the ordinance until January 9, 2001. The motion seconded by Councilmember Lee failed. Councilmembers Pomeroy, Alcala, McClinton, Dunn, Hill, and Gardner voted "no". (3-6-0)

The motion to amend carried unanimously. (9-0-0)

Councilmember Duffy commented that they should make sure there is no potential development on the table and if so, what would take the place of the TIF District as an alternative.

Several Councilmembers agreed that they should abolish the TIF so the burden that has been placed on the people living within the district could be lifted.

Councilmember Lee expressed concern about the direction of planning within the district by private development if the TIF is abolished.

Councilmember Duffy moved to amend the ordinance on line 17 to become effective on "December 15, 2000". The motion was seconded by Councilmember Lee.

Councilmember Gardner stated that he was opposed to extending the time to abolish the TIF.

The motion to amend carried. Councilmembers Alcala, Dunn, Hill and Gardner voted "no". (5-4-0)

Councilmember Alcala stated that he supports the ordinance as amended because the original ordinance may not pass, which would keep the TIF alive.

The ordinance as amended was adopted on roll call vote as follows: Ayes: Councilmembers Pomeroy, Alcala, McClinton, Dunn, Duffy, Lee, and Hill -7. Noes: Councilmembers Carkhuff and Gardner -2.

ZONING PETITION (Z00/34) by Fidelity Development, Inc. requesting to amend the District Zoning Classification from "I-1" Light Industrial District to "PUD" Planned Unit Development District on property

extending between the Kansas Turnpike and SE 45th Street, the centerline of which is approximately 1,000-feet east of South Topeka Boulevard in the City of Topeka, Kansas, was presented.

Barry Beagle gave the staff report and explained the petition for zoning reclassification for the property extending between the Kansas Turnpike and SE 45th Street and the petition for property on the south side of the Kansas Turnpike, west of SE Oakview Lane (Z00/46).

Councilmember Alcalá asked for a copy of the drainage report.

Mayor Wagnon gave an opportunity for anyone present to speak.

Vern Jarboe, Attorney representing the applicant appeared to explain the project and answered questions. He stated that the restrictions in Oakview Lane would be applied to the 10-acre improvement. He also stated that the developer would maintain the park.

Brian Smith, Attorney representing some of the residents in Oak Hills Subdivision stated that the residents are in agreement and recommend approval subject to deed restrictions. He stated that they have no opinion on the sidewalks. He also stated that their concerns surrounding the project have been addressed.

Councilmember Carkhuff expressed concerns about needed improvements to 45th Street, and stated that traffic would be a problem.

Mike Engler, representative of Bartlett and West Engineers appeared to explain the two phases of the project. He stated that the intersection of 45th and Adams would be improved at the cost of the developer after Phase I is complete.

Councilmember Gardner moved to approve the petition and adopt the ordinance. The motion was seconded by Councilmember Dunn.

Mayor Wagnon asked Councilmembers to declare *exparte* communications.

Each Councilmember stated that they had *exparte* communications with people involved with the project.

The motion carried. Councilmembers Alcalá, Carkhuff, Duffy and Lee voted "no". (5-4-0)

ORDINANCE NO. 17567 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 north side of SE 45th Street, the centerline of which is approximately 1,000-feet east of SW Topeka Boulevard in the City of Topeka, Kansas, from "I-1" Light Industrial District to "PUD" Planned Unit Development District, placed on first reading September 5, 2000, was again presented. (Z00/34)

The ordinance was adopted on roll call vote as follows: Ayes: Councilmembers Pomeroy, McClinton, Dunn, Hill, and Gardner –5. Noes: Councilmembers Alcala, Carkhuff, Duffy, and Lee -4.

ZONING PETITION (Z00/46) by Fidelity Development, Inc. requesting to amend the District Zoning Classification from "I-1" Light Industrial District to "R-1" Single Family Dwelling District on property located on the south side of the Kansas Turnpike, the centerline of which is approximately 310-feet west of SE Oakview Lane in the City of Topeka, Kansas, was presented.

Mayor Wagnon asked Councilmembers to declare exparte communications.

Each Councilmember stated that they had exparte communications with people involved with project.

Councilmember Dunn moved to approve the petition and adopt the ordinance. The motion seconded by Councilmember Gardner carried. Councilmembers Carkhuff and Duffy voted "no". (7-2-0)

ORDINANCE NO. 17568 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 south side of the Kansas Turnpike, the centerline of which is approximately 310-feet west of SE Oakview Lane in the City of Topeka, Kansas, from "I-1" Light Industrial District to "R-1" Single Family Dwelling District, placed on first reading October 3, 2000, was again presented. (Z00/46)

The ordinance was adopted on roll call vote as follows: Ayes: Councilmembers Pomeroy, Alcala, McClinton, Dunn, Lee, Hill, and Gardner –7. Noes: Councilmembers Carkhuff, and Duffy -2.

ZONING PETITION (Z00/29) by Affordable Residential Communities, LP III, and the Kansas Turnpike Authority requesting to amend the District Zoning Classification from "RR-1" Residential Reserve District, "R-1" Single Family Dwelling District and "M-2" Multiple Family Dwelling District all to "PUD" Planned Unit Development District on property located generally at the southeast corner of the Kansas Turnpike and SE Adams Street in the City of Topeka, Kansas, was presented.

Barry Beagle gave the staff report. He noted that protest petitions were filed.

Mayor Wagnon gave an opportunity for anyone present to speak.

Stan Lawrence, Project Manager for Affordable Residential Communities (AFC) appeared and stated that they have talked to the area residents and worked through issues surrounding the project.

George Schlotsky, area resident appeared and stated that he supports the ordinance as long as wise decisions are made. He stated that he was also speaking on behalf of other residents in the area.

Councilmember Dunn moved to approve the petition and adopt the ordinance. The motion was seconded by Councilmember Hill.

Mayor Wagnon asked Councilmembers to declare exparte communications.

Councilmembers Alcalá, McClinton and Dunn stated that they had exparte communications with people involved with project.

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

ORDINANCE NO. 17564 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 southeast corner of the Kansas Turnpike and SE Adams Street in the City of Topeka, Kansas, from "RR-1" Residential Reserve District, "R-1" Single Family Dwelling District and "M-2" Multiple Family Dwelling District all to "PUD" Planned Unit Development District ("R-4" use group category), placed on first reading October 3, 2000, was again presented. (Z00/29)

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

A JOINT SHAWNEE COUNTY RESOLUTION AND CITY OF TOPEKA ORDINANCE NO. 17562 introduced by Mayor Joan Wagnon relating to provisional uses for the "C-2" commercial district, amending City of Topeka Code § 48-16.02(b) Use Regulations, provisional uses and Article XXVI, Additional Regulations and specifically repealing said original § 48-16.02(b), placed on first reading October 3, 2000, was again presented. (ACZR00/3)

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

ORDINANCE NO. 17563 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 southeast corner of SW 21st Street and SW Urish Road in the City of Topeka, from "R-1" Single Family Dwelling District to "C-2" Commercial District, placed on first reading October 3, 2000, was again presented. (Z89/41)

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

ZONING PETITION (Z00/42) by Edwin M. Hughes requesting to amend the District Zoning Classification from "R-1" Single Family Dwelling District to "O&I-1" Office and Institutional District on property located on the north side of SE 6th Avenue, the centerline of which is approximately 160-feet west of SE Rice Road in the City of Topeka, Kansas, was presented.

Councilmember Alcalá moved to approve the petition and adopt the ordinance. The motion was seconded by Councilmember Dunn.

Mayor Wagnon asked Councilmembers to declare exparte communications.

Councilmembers Alcala and Dunn stated that they had communications with the neighbors and their Neighborhood Improvement Association (NIA).

The motion carried. Councilmember Carkhuff was out of the room. (8-1-0)

ORDINANCE NO. 17565 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 north side of SE 6th Avenue, the centerline of which is approximately 160-feet west of SE Rice Road in the City of Topeka, Kansas from "R-1" Single Family Dwelling District to "O&I-1" Office and Institutional District, placed on first reading October 3, 2000, was again presented. (Z00/42)

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

ZONING PETITION (Z00/43) by Frank and Esta Meade requesting to amend the District Zoning Classification from "C-4" Commercial District all to "C-5" Commercial District on property located within the block bounded by SE 10th Street, SE 11th Street, SE Quincy Street, and SE Monroe Street in the City of Topeka, Kansas, was presented.

Councilmember McClinton moved to approve the petition and adopt the ordinance. The motion was seconded by Councilmember Carkhuff.

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

Mayor Wagnon asked Councilmembers to declare exparte communications.

Councilmembers Alcala that he has had communications with people involved with the request.

The motion carried unanimously. (9-0-0)

ORDINANCE NO. 17566 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 within the block bounded by SE 10th Avenue, SE 11th Street,

SE Quincy Street and SE Monroe Street in the City of Topeka, Kansas, from "C-4" Commercial District and "C-5" Commercial District all to "C-5" Commercial District, placed on first reading October 3, 2000, was again presented. (Z00/43)

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

Councilmember Alcalá moved to extend the meeting until the end of the agenda. The motion seconded by Councilmember Gardner failed. Councilmembers McClinton, Lee, and Hill voted "no". Councilmember Carkhuff "abstained". Councilmember Duffy was out of the room. (4-4-1)

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 NW Central Avenue approximately 325-feet south of NW Broad Street in the City of Topeka, from "R-1" Single Family Dwelling District to "C-4" Commercial District, was presented for first reading. (Z73/27)

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 SE Jefferson Street approximately 300-feet south of SE 28th Street in the City of Topeka, from "M-1" Two Family Dwelling District to "C-4" Commercial District, was presented for first reading. (Z73/30)

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 situated between NE U.S. Highway 24 and NE Grantville Road approximately 510-feet west of NE Goldwater Road in the City of Topeka, from "R-1" Single Family Dwelling District to "I-2" Heavy Industrial District, was presented for first reading. (Z80/12)

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 east side of SE California Avenue approximately 980-feet south of SE 25th Street in the City of Topeka, from "C-2" Commercial District to "C-4" Commercial District, was presented for first reading. (Z80/19)

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 north side of SE 43rd Terrace situated between SE Minnesota Avenue and SE Michigan Avenue; on the east side of SE Michigan Avenue situated between SE 43rd Terrace and SE 45th Street; and, on the west side of SE Michigan Avenue situated between SE 44th Street and SE 45th Street in the City of Topeka, from "R-1" Single Family Dwelling District to "M-1" Two Family Dwelling District, was presented for first reading. (Z80/27)

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 38th Street and SE Colfax Place in the City of Topeka, from "R-1" Single Family Dwelling District to "M-2" Multiple Family Dwelling District, was presented for first reading. (Z80/36)

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 north side of SW 6th Avenue and approximately 240-feet east of SW MacVicar Avenue in the City of Topeka, from "PUD" Planned Unit Development District ("M-2" use group category) to "C-4" Commercial District, was presented for first reading. (Z83/1)

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 northeast corner of SW 29th Street and SW Villa West Drive in the City of Topeka from "R-1" Single Family Dwelling District to "O&I-1" Office and Institutional District, was presented for first reading. (Z85/56)

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 SW Orchard Street approximately 130-feet north of SW 6th Avenue in the City of Topeka, from "R-2" Single Family Dwelling District to "C-4" Commercial District, was presented for first reading. (Z86/8)

Councilmember Alcala moved to extend the meeting until 11:15 p.m. The motion was seconded by Councilmember Dunn.

Councilmember McClinton made a substitute motion to extend the meeting to allow public comment only, and then adjourn. The motion seconded by Councilmember Lee carried. Councilmembers Alcala, Dunn, Hill and Gardner voted "no". (5-4-0)

Following public comment, the meeting was adjourned.

Iris Walker
City Clerk

Special Session

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, October 10, 2000. The Councilmembers of the City of Topeka 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 Tuesday, October 10, 2000, at 7:00 P.M., in the Council Chamber, 214 East 8th Street in conjunction with vacation request V00A/05 by Stormont-Vail Health Care, Inc., owners, to vacate a 20-foot wide alley right-of-way, generally located about the northeast corner of SW 10th Street and SW Lane Street, in the City of Topeka, Kansas.

Barry Beagle, Planning Department gave the staff report and said it is recommended for approval.

Councilmember Pomeroy expressed disappointment with the way the parking lot looks.

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

Councilmember Dunn moved to close the public hearing. The motion seconded by Councilmember Gardner carried. Councilmember Pomeroy voted "no". (8-1-0)

ORDINANCE NO. 17558 introduced by Mayor Joan Wagnon relating to the vacation of a 20 foot public alley right-of-way as dedicated within the Westlawn Addition to the City of Topeka, Kansas, and generally located about the northeast corner of SW 10th Street and SW Lane Street in the City of Topeka, Shawnee County, Kansas, placed on first reading October 3, 2000, was again presented. (V00A/05)

Councilmember Duffy suggested deferring the ordinance for one week to find out why the applicant proceeded without the proper authority.

Councilmember Gardner moved to adopt the ordinance. The motion seconded by Councilmember Dunn carried. Councilmembers Pomeroy, McClinton, Duffy, and Lee voted "no". (5-4-0)

The ordinance was adopted on roll call vote as follows: Ayes: Councilmembers Alcala, Dunn, Carkhuff, Hill, and Gardner –5. Noes: Councilmembers Pomeroy, McClinton, Duffy, and Lee-4.

Iris Walker
City Clerk

Special Session

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, October 10, 2000. The Councilmembers of the City of Topeka 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 Tuesday, October 10, 2000, at 7:00 P.M., in the Council Chamber, 214 East 8th Street in conjunction with vacation request V00A/06 by Pediatric Associates of Topeka, P.A., owners, to vacate a 20-foot wide public alley located on the west side of SW Saline Street, the centerline of which is approximately 140-feet north of SW 6th Avenue in the City of Topeka, Kansas.

Barry Beagle gave the staff report and said it is recommended for approval.

Mayor Wagnon gave an opportunity for anyone present to speak.

Arthur Glassman, Attorney representing the applicant appeared and asked for approval of the request.

Darrell Warren appeared to represent his mother and expressed opposition because it would create an increased flow of traffic on the north/south alley.

Gerald Skinner, area property owner to the north appeared and stated that he had no objections to the vacation because it would not create problems with traffic.

Councilmember Gardner asked if the alley could be blocked on the west end.

Arthur Glassman stated that it could possibly increase the traffic if the alley was blocked on the west end. He stated that leaving it open would probably be in the best interest of the property owner and the public.

Councilmember Dunn moved to close the public hearing. The motion seconded by Councilmember Gardner carried. Councilmember Carkhuff was out of the room. (8-1-0)

ORDINANCE NO. 17559 introduced by Mayor Joan Wagnon relating to the vacation of a 20-foot wide public alley as dedicated by Arlington Heights Subdivision, City of Topeka, Shawnee County, Kansas, on property located on the west side of SW Saline Street, the centerline of which is approximately 140-feet north

of SW 6th Avenue in the City of Topeka, Kansas, placed on first reading October 3, 2000, was again presented.

(V00A/06)

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

Iris Walker
City Clerk

Special Session

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, October 10, 2000. The Councilmembers of the City of Topeka met in special 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.

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 Tuesday, October 10, 2000, at 7:00 P.M., in the Council Chamber, 214 East 8th Street in conjunction with vacation request V00E/01 by Home Depot U.S.A., Inc., owners, to vacate a 16-foot wide sanitary sewer easement located approximately 600-feet east of SW Wanamaker Road and approximately 240-feet south of SW 11th Street in the City of Topeka, Kansas.

Barry Beagle gave the staff report and said it is recommended for approval.

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

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

ORDINANCE NO. 17560 introduced by Mayor Joan Wagnon relating to the vacation of a 16-foot wide sanitary sewer easement as dedicated by Home Depot Addition, City of Topeka, Shawnee County, Kansas, on property located approximately 600-feet east of SW Wanamaker Road and approximately 240-feet south of SW 11th Street in the City of Topeka, Kansas, placed on first reading October 3, 2000, was again presented. (V00E/01)

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

Iris Walker
City Clerk