

## City Council Minutes – February 20, 2001

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, February 20, 2001. 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, and Hill –8. Mayor Wagnon presided -1. Absent: Councilmember Gardner-1.

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

Mayor Wagnon announced that Iris Walker, City Clerk, is recovering from a knee replacement surgery and Susan Cunningham, Records Manager, would be filling in for her.

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

THE CONSENT AGENDA was presented as follows:

Mayor Wagnon stated that there was a request to divide the question. She stated that Item 2C, a Communication regarding a claim appeal for James Reilly, would be removed from the consent agenda and placed directly following.

RESOLUTION NO. 7131 introduced by Mayor Joan Wagnon relating to the leasing of privately owned property for the purpose of Topeka Police Department helicopter landing and storage, pursuant to Topeka City Code § 2-460 (c), was presented.

A FINAL PLAT for Fairlawn Executive Plaza Subdivision No. 8 on property located about the north side of SW 22<sup>nd</sup> Street and east of SW Belle Avenue in the City of Topeka, Kansas, was presented.

Minutes of the regular meeting of February 13, 2001, were presented.

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

A COMMUNICATION from the Public Health and Safety Committee recommending denial of claim appeal for James Reilly, was presented.

Councilmember Lee gave the committee report and moved for acceptance of the report and approval of the communication. The motion seconded by Councilmember Duffy carried unanimously. (8-0-0)

ORDINANCE NO. 17653 introduced by Mayor Joan Wagnon providing for fair housing practices in the City of Topeka and amending the City of Topeka Code by the addition of the following language, placed on first reading February 13, 2001, was again presented.

Elias Garcia, Director of the Human Relations Commission gave the staff report. He stated that the Human Relations Commission (HRC) and the Mayor's office have been working with Housing and Urban Development (HUD) to draft a fair housing ordinance for the City of Topeka that meets all requisites for substantial equivalency under Title 8 of the national fair housing law. He noted that this would allow the City to settle fair housing disputes locally.

Reverend John Clemmons, Chair of the Human Relations Commission appeared in support of the ordinance. He commented that the ordinance would allow HRC to do more with affordable and comfortable housing.

Lt. Col. Bill Richards Sr., Vice-Chair of the Human Relations Commission appeared to answer questions and recommended approval of the ordinance.

Becca Vaughn, Topeka Independent Living Resource Center (TILRC) appeared in support of the ordinance. She commented that they would like to partner with the City to work with fair housing issues within the City of Topeka.

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

A JOINT SHAWNEE COUNTY RESOLUTION AND CITY OF TOPEKA ORDINANCE NO. 17654 introduced by Mayor Joan Wagnon pertaining to an amendment to the text and maps of the Topeka-Shawnee County Comprehensive Metropolitan Plan, placed on first reading February 13, 2001, was again presented. (CPA00/6)

John Dugan, Director of Planning gave the staff report.

Bill Riphahn, Parks and Recreation Department appeared and explained the plan. He stated that it establishes a plan for the future of trails within the City and County and also provides a method for completion.

Councilmember Duffy commended the Planning and Parks and Recreation staff who worked with developing the plan and stated that it includes the elements necessary for implementation. He commented that it would provide economic vitality to the City.

Larry Rhodes, Bill Lucero, and Dr. Charles Benjamin appeared in support of the plan. They commented that trails throughout the City and County provide access for pedestrians and bicyclists, and improve the quality of life.

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

AN ORDINANCE introduced by Mayor Joan Wagnon, authorizing Improvement Project No. 13126-00, which provides for the construction of a 272 stall parking garage at approximately 9<sup>th</sup> Street and Kansas Avenue as more specifically described herein, all pursuant to K.S.A. 12-1736 et seq., was presented for first reading.

A JOINT SHAWNEE COUNTY RESOLUTION AND CITY OF TOPEKA ORDINANCE introduced by Mayor Joan Wagnon pertaining to an amendment to the text and map of the Topeka-Shawnee County Comprehensive Metropolitan Plan, was presented for first reading. (CPA00/7)

Mayor Wagnon stated that a copy of the eleven ordinance that were amended at last week's Council meeting have been distributed to the Council for review.

David Clemmons, Joe Ledbetter, Ray Martinez, and Cecil Grist appeared and spoke during public comment.

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

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Iris Walker  
City Clerk

## Special Session

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, February 20, 2001. 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, and Hill-8. Mayor Wagnon presided -1. Absent: Councilmember Gardner -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, February 20, 2001, at 7:00 P.M., in the Council Chamber, 214 East 8<sup>th</sup> Street in conjunction with Vacation Request V01E/1 by Woodbridge Development Company, Inc., owner of Lots 14, 15, 16 and 17, Block "B", Woodbridge Subdivision No. 2, to vacate a portion of an existing 50-foot wide public utility and drainage easement located between I-70 and SW Woodbridge Drive, in the City of Topeka, Kansas.

John Dugan, Director of Planning 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 Lee moved to close the public hearing and adopt the ordinance. The motion seconded by Councilmember Hill carried unanimously. (8-0-0)

ORDINANCE NO. 17651 introduced by Mayor Joan Wagnon relating to the vacation of a portion of a 50-foot wide public utility and drainage easement as dedicated by Woodbridge Subdivision No. 2, City of Topeka, Shawnee County, Kansas on property located between I-70 and SW Woodbridge Drive, the centerline of which is approximately 1,750-feet east of SW Wanamaker Road in the City of Topeka, Kansas, placed on first reading February 13, 2001, was again presented. (V01E/1)

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

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John Dugan, Director of Planning 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 and adopt the ordinance. The motion seconded by Councilmember Carkhuff carried. Councilmember Dunn voted "no". (7-1-0)

ORDINANCE NO. 17652 introduced by Mayor Joan Wagnon relating to the vacation of a 2-foot portion of a public right-of-way as dedicated by Ritchie's Addition, City of Topeka, Shawnee County, Kansas, on property located at the northwest corner of SE Monroe and SE 13<sup>th</sup> Street in the City of Topeka, Kansas, placed on first reading February 13, 2001, was again presented. (V01S/2)

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

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Iris Walker  
City Clerk