

City Council Minutes – March 6, 2001

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, March 6, 2001. The Councilmembers of the City of Topeka met in regular session at 7:00 P.M., with the following Councilmembers present: Alcalá, McClinton, Dunn, Duffy, Lee, Hill, and Gardner –7. Temporary Chair Pomeroy presided -1. Absent: Mayor Wagnon and Councilmember Carkhuff -2.

John Arnold, Chief Administrative Officer called the meeting to order in the absence of the Mayor and Deputy Mayor.

Susan Cunningham, acting City Clerk asked for nominations for a Temporary Chair. Councilmember Dunn moved to elect Councilmember Pomeroy as Temporary Chair. The motion seconded by Councilmember Alcalá carried unanimously. (8-0-0)

Temporary Chair Pomeroy stated that Mayor Wagnon was absent because she was visiting family and Councilmember Carkhuff was absent because he was ill.

AFTER THE MEETING was called to order, prayer was offered by Tom Watson, El Shaddai Ministries Church of God in Christ.

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

Presentation by TPAC, was presented.

Don Lilya, Topeka Performing Arts Center (TPAC) appeared and gave the presentation. He reported on the events that have been held and explained the future of TPAC.

Barry Williams, actor and performer in the "Sound of Music" appeared to present Council with an anniversary cake symbolic of celebrating the public and private partnership that created TPAC.

THE CONSENT AGENDA was presented as follows:

RESOLUTION NO. 7133 introduced by Councilmember Betty Dunn relating to housing tax credits for rental housing through Century Pacific, was presented.

RESOLUTION NO. 7134 introduced by Councilmember Jim Gardner, expressing the City Council's support for participating in the Western Resources, Inc. and Kansas Gas and Electric Company rate case, was presented.

A FINAL PLAT for Senne Subdivision on property located at the southwest corner of NW Vail Avenue and Highway 24 Frontage Road in the City of Topeka, Kansas, was presented.

A FINAL PLAT for Sherwood Estates Subdivision No. 60 on property located at 7500 SW Cannock Chase within unincorporated Shawnee County, Kansas, was presented.

Minutes of the regular meeting of February 27, 2001, were presented.

CEREAL MALT BEVERAGE APPLICATIONS bearing the approval of the Chief of Police and City Inspectors were presented from the following:

A & A Inc.	1107 SW 6 th Street
Los Compadres Restaurant	930 S Kansas Avenue
Hunam Restaurant	5005 W 29 th Street

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

A JOINT SHAWNEE COUNTY RESOLUTION AND CITY OF TOPEKA ORDINANCE NO. 17656 introduced by Mayor Joan Wagnon pertaining to an amendment to the text and map of the Topeka-Shawnee County Comprehensive Metropolitan Plan, placed on first reading February 20, 2001, was again presented.

(CPA00/7)

John Dugan, Director of Planning gave the staff report. He summarized the elements that make up the Historic Preservation Plan.

Marge Bradshaw appeared in support of the plan and asked for financial support for the "Friends of the Free State Capitol".

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 absent -1.

AN ORDINANCE introduced by Mayor Joan Wagnon authorizing the issuance of \$6,240,000 aggregate principal amount of General Obligation Bonds, Series 2001-A (Parking Garage), of the City of Topeka, Kansas, under the authority of K.S.A. 10-101 to 125, inclusive, and Charter Ordinance No. 68 of the City, all as amended, was presented for first reading.

A JOINT SHAWNEE COUNTY RESOLUTION AND CITY OF TOPEKA ORDINANCE introduced by Mayor Joan Wagnon, amending Chapter 48 of the Code of the City of Topeka, Comprehensive Zoning Regulations for the City of Topeka and unincorporated areas of Shawnee County by creating D-Downtown Districts, providing use regulations therefor and providing performance standards, was presented for first reading.

AN ORDINANCE introduced by Mayor Joan Wagnon relating to the vacation of a 23-foot wide portion of SE 2nd Street public right-of-way as dedicated by Midway Subdivision, City of Topeka, Shawnee County, Kansas, on property located on the north side of SE 2nd Street, the centerline of which is approximately 200-feet west of SE Lawrence Street in the City of Topeka, Kansas, was presented for first reading. (V01S/3)

AN ORDINANCE introduced by Mayor Joan Wagnon relating to the vacation of a 30-foot wide platted building setback as dedicated by Shadywood Subdivision, City of Topeka, Shawnee County, Kansas, on property located at 3244 SW Timberlake Lane, in the City of Topeka, Kansas, was presented for first reading. (V01SB/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 southwest corner of NW Vail Avenue and Highway 24 Frontage Road from "R-1" Single Family Dwelling District and "C-4" Commercial District all to "I-1" Light Industrial District in the City of Topeka, Kansas, was presented for first reading. (Z01/3)

REPORT FROM THE CHIEF ADMINISTRATIVE OFFICER, was presented.

John Arnold, Chief Administrative Officer distributed an article regarding elephants to Council for their review. He also reported that funds for childhood and adolescent youth programs were not budgeted in 2001.

REPORTS OF COMMITTEES AND OFFICERS, were presented.

Councilmember Lee announced that the Public Health and Safety Committee would meet Tuesday, March 13, 2001 at 5:30 p.m. in the City Council Chambers to discuss claim appeals and the rules and funding of Municipal Court.

PRESENTATIONS BY MEMBERS OF THE COUNCIL, were presented.

Councilmember McClinton expressed outrage about the incident that happened outside the Mayor's office after last week's election.

Councilmember Lee expressed disappointment about the incident that happened outside the Mayor's office after last week's election and asked the perpetrators to apologize to the citizens and youth of the City.

Councilmember Gardner stated that he received a letter noting the importance of opposing Senate Bill 298 because of the impact it would have on the City. He requested that the Chief Administrative Officer contact the city's lobbyists so they could provide testimony on the bill and report back if any action by the council was needed.

Greg Inkmann, Palace Holtz, Michael McNown, Jesus Campos, Pat Delapp, Yolanda Mayweather, Curtis Pitts, Joaquin Padilla, David Price, Chloe Hough, Charles Criqui, Frank Kirtdoll, Sherry Bear, and Eugene Connelly appeared and spoke during public comment.

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

Iris Walker
City Clerk