

City Council Minutes – June 26, 2001

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, June 26, 2001. The Councilmembers of the City of Topeka met in regular session at 7:00 P.M., with the following Councilmembers present: Pomeroy, Alcala, Lane, Dunn, Stanley, Duffy, Hill, and Price–8. Mayor Felker presided -1. Absent: Councilmember Stubbs –1.

AFTER THE MEETING was called to order, the Mayor asked for a moment of silent meditation.

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

THE CONSENT AGENDA was presented as follows:

Mayor Felker stated that Item 3A, a Final Plat for Urban Hills Subdivision No. 16, would be pulled from the consent agenda and discussed separately as requested by Councilmember Duffy.

MINUTES of the Regular Meeting of June 19, 2001 were presented.

Councilmember Pomeroy moved to approve the minutes. The motion seconded by Councilmember Hill carried unanimously. (8-0-0)

A FINAL PLAT for Urban Hills Subdivision No. 16 on property located on the north side of NW Melba Drive Court within unincorporated Shawnee County, Kansas, was presented.

Councilmember Duffy noted that the final plat does not include a consent to annex, which is required by City ordinance.

Councilmember Duffy moved to defer the Final Plat until July 10, 2001. The motion seconded by Councilmember Lane carried unanimously. (8-0-0)

A COMMUNICATION requesting Council approval to transfer \$200,000 from the 2001 General Fund Contingency line item to pay the cost of the first year of the Microsoft Enterprise Agreement, was presented.

Councilmember Stanley stated that the State's Chief Information Technology Officer visited with City staff to review the contract. He noted that there is a huge penalty in the pricing arrangement for additional PC's.

Councilmember Stanley moved to approve the communication. The motion seconded by Councilmember Dunn carried unanimously. (8-0-0)

PROJECT BUDGET for the Traffic Signal Installation Project No. 14092 at SE 6th Avenue and SE Madison Street, in the amount of \$129,956, was presented.

Neil Dobler, Director of Public Works appeared to answer questions.

Councilmember Alcala moved to approve the project budget and adopt the ordinance. The motion seconded by Councilmember Hill carried unanimously. (8-0-0)

ORDINANCE NO. 17695 introduced by Mayor Felker, authorizing Traffic Signal Improvement Project No. 14092, located at SW 6th Avenue and SW Madison Street as more specifically described herein all pursuant to Topeka City Code Section A12-1, placed on first reading June 19, 2001, was again presented.

The ordinance was adopted on roll call vote as follows: Ayes: Councilmembers Pomeroy, Alcala, Lane, Dunn, Stanley, Duffy, Hill, and Price—8. Councilmember Stubbs was absent.

A COMMUNICATION from Councilmember Vanessa Hill requesting Council approval of funding not-to-exceed \$4,000 for the Topeka Capitals Baseball Team from the Transient Guest Tax contingency line item to help with operating expenses, was presented.

Councilmember Hill yielded to Jack Alexander for a brief presentation.

Jack Alexander, Board Member gave the history of the Capitals Baseball Team. He stated that the organization is made up of volunteers except for the coaches and urged the Council to approve the request.

Councilmember Dunn moved to approve the communication. The motion seconded by Councilmember Lane carried unanimously. (8-0-0)

Councilmember Duffy moved to suspend the rules to add an item to the agenda. The motion seconded by Councilmember Lane carried unanimously. (8-0-0)

Councilmember Duffy moved to approve a communication to authorize the expenditure of \$10,000 for the Topeka Swim Association from the Transient Guest Tax Contingency Fund. The motion seconded by Councilmember Lane carried unanimously. (8-0-0)

Councilmember Duffy moved to reinstate the rules. The motion seconded by Councilmember Alcala carried unanimously. (8-0-0)

A COMMUNICATION to the Council that the 2001 Consolidated Action Plan will include prior years HOME Investment Partnership funds for approved programs including housing development, housing rehabilitation and homeownership, was presented.

John Arnold, Chief Administrative Officer stated that Housing and Urban Development (HUD) does not require Council action because the programs have already been approved. He stated that the communication is being presented for information purposes.

Steve Ernst, Director of Housing and Neighborhood Development stated that the department has three years worth of prior HOME dollars. He noted that HUD requires them to move the funds from all prior years to the current year.

Councilmember Lane asked if he could amend the amount of allocations.

Councilmember Lane commented that this is money that they were not anticipating to receive and moved to amend the request to divide the amount equally among the four applicants, \$137,500 each. The motion was seconded by Councilmember Dunn.

Councilmember Hill asked if the amounts were for specific projects.

Councilmember Pomeroy commented that the final determination should be made by the Council, but should not be made at the last minute.

Steve Ernst stated that \$516,000 must be committed or they would lose these funds.

Jimmy Bullocks, Starduster's Crime Prevention appeared and explained that the original intention for their project was to put in eight new homes. He stated that they have not received funding from the Topeka

Opportunity to Own Program (TOTO) since 1996. He stated that the homes are rent-to-own and their program allows an applicant to purchase their home at the end of a twenty-year rental period. He stated that the money that is paid in rent is applied to the cost to purchase the home.

Councilmember Pomeroy made a substitute motion to leave the allocations of \$100,000 each to the Community Action Agency and TOTO II, and decrease the funding for Cornerstone of Topeka from \$300,000 to \$200,000 and increase funding for Stardusters from \$50,000 to \$150,000. The motion was seconded by Councilmember Alcalá.

Councilmember Duffy asked for a description of what the projects are and where they were located.

Steve Ernst explained the projects and their locations.

Councilmember Lane stated that he would support Councilmember Pomeroy's motion and called the question.

The substitute motion carried unanimously. (8-0-0)

Councilmember Alcalá requested that future requests of this type come before the Council for approval.

Councilmember Dunn agreed and commented that they need to have input in the areas they represent.

RESOLUTION NO. 7162 introduced by Topeka City Council Public Health and Safety Committee Members Vanessa Hill, Lisa Stubbs and Clark Duffy, supporting the efforts of the Downtown Redevelopment Code Applications Committee, was presented.

Councilmember Hill explained the resolution.

Devin Sutherland, Director of Downtown Topeka, Inc. explained what the Committee wanted to do. He stated that the resolution would allow them to review how the Topeka building codes fit future development downtown.

Councilmember Hill moved to approve the resolution. The motion seconded by Councilmember Price carried unanimously. (8-0-0)

RESOLUTION NO. 7163 introduced by Mayor Felker authorizing a grant not to exceed \$17,000 from the park land acquisition and development fund for the purpose of purchasing a tract of land adjacent to the Historic Monroe School and Cushinberry Park, was presented.

Bill Riphahn, Director of Planning and Development gave the staff presentation.

Councilmember Stanley suggested that City staff obtain more than one appraisal when purchasing property.

Councilmember Alcala asked if trees and shrubs would be planted around the parking lot.

Bill Riphahn stated that landscaping has been included in the project.

Councilmember Hill moved to approve the resolution. The motion seconded by Councilmember Price carried unanimously. (8-0-0)

RESOLUTION NO. 7164 introduced by Mayor Felker authorizing a grant not to exceed \$12,000 from the park land acquisition and development fund for the purpose of acquiring easements and purchasing land for constructing a walking trail along Deer Creek, was presented.

Bill Riphahn gave the staff report.

Councilmember Alcala moved to approve the resolution. The motion was seconded by Councilmember Dunn.

Mayor Felker stated that they could establish a policy that would require three appraisals on property being purchased by the City if that was the desire of the Council.

Councilmember Duffy commented that this is a good project in a good location. He also stated that it would be a good opportunity for future projects.

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

AN ORDINANCE introduced by Mayor Felker, relating to nuisances, amending Topeka City Code § 66-27(2) and specifically repealing Topeka City Code § 66-27(2), was presented for first reading.

AN ORDINANCE introduced by Mayor Felker regulating traffic within the corporate limits of the City of Topeka, Kansas, amending Standard Traffic Ordinance Section 30 and repealing the original Section, was presented for first reading.

AN ORDINANCE introduced by Mayor Harry Felker relating to animals; amending the provisions of Sections 18-2, and 18-8 relating to vicious animals and repealing the original Sections; also repealing Sections 18-90, 18-141, 18-142, 18-143, 18-144, 18-145, 18-146, 18-147, 18-148, 18-149, 18-150, 18-151, 18-152, 18-153, 18-154, 18-155, 18-156, 18-157, 18-158, 18-159, 18-171, 18-172, 18-173, 18-174, 18-175, 18-176, 18-177, 18-178, and 18-179, was presented for first reading.

Deputy Mayor Dunn referred the ordinance to the Policy Committee.

AN ORDINANCE introduced by Councilmembers John Alcalá and Betty Dunn relating to Merchant Guard appeals and license qualifications; amending Sections 30-420 and 30-421 of the Code of the City of Topeka (1994), as amended, and repealing the original sections, was presented for first reading.

REPORT FROM THE CHIEF ADMINISTRATIVE OFFICER, was presented.

John Arnold, Chief Administrative Officer distributed a notebook on unsafe structures and abandoned houses so that Councilmembers could track their restoration process. He also provided a status report on the small business loan program and a comparative cost analysis with regard to special assessments in the County verses special assessments in the City.

REPORTS OF COMMITTEES AND OFFICERS, were presented.

Councilmember Duffy announced that the Economic Development Committee would meet Friday, July 6, 2001.

Mayor Felker distributed a report on the City's lobbying contract with Pinegar and Smith.

REPORT on the Team Topeka Youth Project, was presented.

Arnold Jack, Team Topeka Youth Project stated that they work with approximately fifty youth. He stated that the length of the program is nine weeks with one week of orientation. He stated that their mission is

to provide youth with opportunities so that they could be competitive in the job market. He noted that they teach the youth skills to prepare them for work and money management.

Karen Wright, Team Topeka Youth Project stated that nine staff members have been assigned to approximately seven students and they stay with them the entire summer. She stated that they have placed students at the Meter Center, Municipal Court, City's Planning Department, Secretary of State's Office, Senator Minority Leader Office, Let's Help, Topeka Zoo, the League office, Central Park, and the Boy's and Girl's Club of Topeka.

PRESENTATIONS BY MEMBERS OF THE COUNCIL, were presented.

Councilmember Pomeroy asked for a point of personal privilege to announce that his oldest son was getting married on Saturday, June 30, 2001.

Councilmember Alcalá asked if the flags in front of City Hall could be replaced.

Connie DiPasquale, John Kester, Mindy Rogovin, Angela Waters, L.S. Wheeler III, Joann Peavler, Raymond Ayala appeared and spoke during public comment.

NO FURTHER BUSINESS appearing the meeting was adjourned at 10:00 p.m.

Iris Walker, City Clerk