

## City Council Minutes – July 17, 2001

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, July 17, 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, Stubbs, Hill, and Price–9. Mayor Felker presided –1.

AFTER THE MEETING was called to order, prayer was offered by Reverend Arnold Myers, Prince of Peace Lutheran.

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

Councilmember Stanley moved to suspend the rules to add a resolution to the agenda relating to the Operating Budget for FY2002. The motion was seconded by Councilmember Dunn.

Councilmember Stanley stated that the resolution requests that the Mayor submit a budget with no increase in the mill levy. He commented that he was presenting the request so that if approved the Mayor would have time to submit a no-increase budget.

Councilmember Dunn stated that the proposed budget was not realistic and the taxpayers could not afford it.

Mayor Felker stated that he tried to address Council priorities and other priorities of the community.

The motion to add the resolution to the agenda carried unanimously. (9-0-0)

Mayor Felker stated that the Resolution would be placed directly following Agenda Item 7A.

Councilmember Dunn moved to reinstate the rules. The motion seconded by Councilmember Stanley carried unanimously. (9-0-0)

THE CONSENT AGENDA was presented as follows:

RESOLUTION NO. 7169 introduced by Mayor Felker and Councilmember Duane Pomeroy relating to a low income housing tax credit project by AMO Housing I, L.P., was presented.

A COMMUNICATION from Mayor Felker recommending the re-appointments of Carol Ramirez Albott, Nancy Perry and Joan Donnelly to the Juvenile Corrections Advisory Board, was presented.

A CEREAL MALT BEVERAGE APPLICATION bearing the approval of the Chief of Police and City Inspectors was presented for Fairlawn Express, 706 SW Fairlawn Road.

MINUTES of the Regular Meeting of July 10, 2001 were presented.

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

ORDINANCE NO. 17698 introduced by Mayor Harry Felker authorizing the issuance of \$29,665,000 aggregate principal amount of General Obligation Improvement and Refunding Bonds, Series 2001-B, of the City of Topeka, Kansas, under the authority of K.S.A. 10-101 to 125, inclusive, K.S.A. 10-427 et seq., K.S.A. 12-110c, K.S.A. 12-685 et seq., K.S.A. 12-6a01 et seq., K.S.A. 12-1736 et seq., and Charter Ordinances Nos. 68 and 74 of the City, all as amended, placed on first reading July 10, 2001 was again presented.

RESOLUTION NO. 7167 introduced by Mayor Harry Felker prescribing the form and details of the General Obligation Improvement and Refunding Bonds, Series 2001-B of the City of Topeka, Kansas, in the aggregate principal amount of \$29,665,000 the issuance of which was authorized by the City pursuant to its Ordinance No. 17698 adopted and approved July 17, 2001; and authorizing certain other documents and actions in connection with the issuance of the bonds, was presented.

RESOLUTION NO. 7168 introduced by Mayor Harry Felker authorizing and directing the issuance of Temporary Notes, Series 2001-B of the City of Topeka, Kansas, in the aggregate principal amount of \$6,065,000 for the purpose of providing funds to pay the cost of renewing a portion of the principal amount of the Series 2000-A Temporary Notes of said City, dated May 15, 2000, and for the purpose of providing funds to pay a portion of the cost of certain improvements in said City, was presented.

Mike McMahon, Financial Advisor appeared to answer questions.

Randy Bailes, Director of Financial Services explained that they received four bids for the bonds and seven bids for the notes. He stated that Painewebber, Inc. was awarded the bid for the bonds with an interest

rate of 4.6195 percent, and noted that it is the lowest interest rate on a 20-year bond issue since 1972. He stated that Morgan Keegan was awarded the bid for the notes with an interest rate of 2.6785 percent.

Councilmember Stubbs moved to adopt the ordinance and approve both of the resolutions. The motion seconded by Councilmember Hill carried unanimously. (9-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Councilmembers Pomeroy, Alcalá, Lane, Dunn, Stanley, Duffy, Stubbs, Hill, and Price –9.

PROJECT BUDGET for the Planning and Route Study for replacement of the Topeka Boulevard Bridge over the Kansas River, Project No. 12053-03, Part A, in the amount of \$200,000, was presented.

Neil Dobler, Director of Public Works stated that the request is for preliminary planning for the bridge project.

Councilmember Duffy stated that they need to decide if they want to replace the bridge in four years, and if so, they should establish some type of savings program now. He suggested that they ask GO Topeka if they had \$40 million would they invest it in replacing the bridge or do something else with it.

Councilmember Stanley suggested finding an interim solution that would buy the City some time so that the Council could address the larger funding issue.

Councilmember Dunn moved to approve the project budget and adopt the ordinance. The motion seconded by Councilmember Hill carried unanimously. (9-0-0)

ORDINANCE NO. 17701 introduced by Mayor Felker, authorizing Bridge Improvement Project No. 12053-03, Part A, which provides for Planning and Route Study for the removal and replacement of the existing Topeka Blvd. Bridge all pursuant to Topeka City Codes A12-1, placed on first reading July 10, 2001, was again presented.

The ordinance was adopted on roll call vote as follows: Ayes: Councilmembers Pomeroy, Alcalá, Lane, Dunn, Stanley, Duffy, Stubbs, Hill, and Price –9.

ORDINANCE NO. 17702 introduced by Mayor Harry Felker 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 NW Independence Avenue, the centerline of which is approximately 720-feet west of NW Topeka Boulevard in the City of Topeka, Kansas, from “R-1” Single Family Dwelling District and “I-1” Light Industrial District all to “PUD” Planned Unit Development District (“I-1” use group category) and repealing City of Topeka Ordinance No. 17683, placed on first reading July 10, 2001, was again presented. (Z01/5)

The ordinance was adopted on roll call vote as follows: Ayes: Councilmembers Pomeroy, Alcalá, Lane, Dunn, Stanley, Duffy, Stubbs, Hill, and Price –9.

AN ORDINANCE introduced by Councilmember Gary Price, relating to block zone parking, amending Section 19 of City of Topeka Ordinance no. 17635 and specifically repealing said original Section 19 of City of Topeka Ordinance No. 17635, was presented for first reading.

RESOLUTION NO. 7170 introduced by Councilmember Stanley, requesting the Mayor to prepare a budget for the City of Topeka, year 2002, that requires no increase in the City’s mill levy from 2001, and present that budget to the City Council, was presented.

Councilmember Stanley stated that the resolution makes no criticism of the Mayor. He stated that they need to demonstrate that they have considered two alternatives.

Councilmember Stanley moved to suspend the rules and adopt the resolution. The motion seconded by Councilmember Dunn carried unanimously. (9-0-0)

Councilmember Price moved to reinstate the rules. The motion seconded by Councilmember Hill carried unanimously. (9-0-0)

REPORT FROM THE CHIEF ADMINISTRATIVE OFFICER, was presented.

John Arnold, Chief Administrative Officer stated that the Finance Department has completed the Comprehensive Annual Financial Report for 2000 and it is available for review.

REPORTS OF COMMITTEES AND OFFICERS:

Councilmember Dunn announced that the Policy Committee would meet Wednesday, July 18, 2001 at Noon.

PRESENTATIONS BY MEMBERS OF THE COUNCIL, were presented.

Councilmember Dunn requested a review of the ordinance that allows officers to wear uniforms off-duty.

David Price, Pat Mullin, Tina Cripps, Pallas Holtz, and Jessica James appeared for public comment.

Councilmember Hill moved to adjourn into the Committee of the Whole for the purpose of discussing the 2002 budget. The motion seconded by Councilmember Duffy carried unanimously. (9-0-0)

Following budget presentations by Human Resources and the Police Department, Councilmember Stanley moved to recess the Committee of the Whole meeting. The motion seconded by Councilmember Stubbs carried unanimously. (9-0-0)

NO FURTHER BUSINESS appearing the meeting was adjourned at 11:10 p.m.

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Iris Walker, City Clerk

## **Special Session**

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, July 17, 2001. The Councilmembers of the City of Topeka met in special session at 7:00 P.M., with the following Councilmembers present: Pomeroy, Alcalá, Lane, Dunn, Stanley, Duffy, Stubbs, Hill, and Price –9. Mayor Felker 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, July 17, 2001, at 7:00 P.M., in the Council Chamber, 214 East 8<sup>th</sup> Street in conjunction with vacation request V01A/3 by Topeka Habitat for Humanity, Inc., owner, to vacate a 15-foot wide alley extending south of SE 10<sup>th</sup> Avenue between SE Lime and SE Lawrence Streets.

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

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

ORDINANCE NO. 17699 introduced by Mayor Harry Felker relating to the vacation of a 15-foot wide alley extending south of SE 10<sup>th</sup> Avenue between SE Lime and SE Lawrence Streets, City of Topeka, Shawnee County, Kansas, placed on first reading July 10, 2001, was again presented. (V01A/3)

The ordinance was adopted on roll call vote as follows: Ayes: Councilmembers Pomeroy, Alcalá, Lane, Dunn, Stanley, Duffy, Stubbs, Hill, and Price –9.

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

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

ORDINANCE NO. 17700 introduced by Mayor Harry Felker relating to the vacation of the north 6-feet of a 20-foot wide public utility easement on Lot 7, Block “C”, Clarion Woods Subdivision No. 3 and located at 5217 SW 40<sup>th</sup> Terrace in the City of Topeka, Shawnee County, Kansas, placed on first reading July 10, 2001, was again presented. (V01E/5)

The ordinance was adopted on roll call vote as follows: Ayes: Councilmembers Pomeroy, Alcalá, Lane, Dunn, Stanley, Duffy, Stubbs, Hill, and Price –9.

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Iris Walker, City Clerk