

## City Council Minutes – July 31, 2001

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, July 31, 2001. The Councilmembers of the City of Topeka met in regular session at 7:00 P.M., with the following Councilmembers present: Pomeroy, Alcalá, Lane, Dunn, Duffy, Stubbs, Hill, and Price—8. Councilmember Stanley was absent – 1. Mayor Felker presided –1.

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

THE CONSENT AGENDA was presented as follows:

A COMMUNICATION from Mayor Felker recommending the appointment of Harold Houck to serve on the Topeka/Shawnee County Metropolitan Planning Commission, for a term which expires December 31, 2003, was presented.

Minutes of the Regular Meeting of July 24, 2001, were presented.

CEREAL MALT BEVERAGE APPLICATIONS bearing the approval of the Chief of Police and City Inspectors was presented for Lakeview Amoco, 3000 Croco Road and Imperial Garden, 934 S. Kansas.

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

PROJECT BUDGET for Traffic Signal Improvement Project No. 14095 at SE 8<sup>th</sup> Avenue and SE Madison Street, in the amount of \$134,620, was presented.

ORDINANCE No. 17705 introduced by Mayor Felker, authorizing Traffic Signal Improvement Project No. 14095, located at SW 8<sup>th</sup> Avenue and SW Madison Street as more specifically described herein all pursuant to Topeka City Code § A12-1, placed on first reading July 24, 2001, was again presented.

Neil Dobler, Director of Public Works, gave the staff presentation.

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

The ordinance was adopted on roll call vote as follows: Ayes: Councilmembers Pomeroy, Alcalá, Lane, Dunn, Duffy, Stubbs, Hill, and Price –8.

ORDINANCE No. 17706 introduced by Councilmember John Alcalá authorizing the Committee for the Mexican Independence Day Celebration to hold events, placed on first reading July 24, 2001, was again presented.

The ordinance was adopted on roll call vote as follows: Ayes: Councilmembers Pomeroy, Alcalá, Lane, Dunn, Duffy, Stubbs, Hill, and Price –8.

ORDINANCE No. 17707 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, placed on first reading July 17, 2001, was again presented.

Councilmember Duffy gave the report from the Economic Development Committee. The committee recommended “do pass” by a 2-1 vote.

Councilmember Duffy moved to approve the committee report. The motion seconded by Councilmember Dunn carried unanimously. (8-0-0)

Councilmember Price explained the amendment to the ordinance.

Devin Sutherland, Executive Director of Downtown Topeka, Inc. explained why the amendment was being proposed.

Discussion followed concerning bus locations, trolley schedules, and extending the parking time.

Charles Criqui and Raymond Ayala appeared and commented on the ordinance.

Councilmember Price moved to adopt the ordinance as amended. The motion seconded by Councilmember Hill carried.

Discussion followed concerning downtown parking and the need for additional parking spaces.

The ordinance as amended was adopted on roll call vote as follows: Ayes: Councilmembers Pomeroy, Alcala, Lane, Dunn, Stubbs, Hill, and Price –7. Noes: Councilmember Duffy –1.

PROJECT BUDGET AND RESOLUTION No. 7176 introduced by Mayor Felker, describing Street Improvement Project No. 60574-B, which provides for the widening of SE 11<sup>th</sup> Street, between SE Indiana and SE Lime and between SE Locust and SE Lafayette and authorizing the same, in the amount of \$131,500, was presented.

Neil Dobler, Director of Public Works gave the staff report.

Councilmember Dunn questioned if the project had gone before the Community Development Advisory Council (CDAC).

Steve Ernst, Director of Housing and Neighborhood Development, indicated the program had been approved, but the Advisory Council had not reviewed the specific project.

Councilmember Alcala explained how projects in East Topeka had been approved.

Kevin Rooney, Real Estate Officer, explained that the CDAC approved the program as a whole, but neighborhood groups identified specific projects.

Councilmember Dunn moved to approve the project budget and resolution. The motion seconded by Councilmember Lane carried unanimously. (8-0-0)

PROJECT BUDGET AND RESOLUTION No. 7177 introduced by Mayor Felker, describing Street Improvement Project No. 60575-00 located south of 10<sup>th</sup> Avenue between SE Indiana Avenue and SE Lafayette and authorizing the same, in the amount of \$142,860, was presented.

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

A COMMUNICATION submitting a request for Council approval of funding from the Transient Guest Tax Fund of \$21,000 for the Topeka Performing Arts Center (TPAC), \$2,500 for Ballet Midwest, and \$2,500 for Metro Ballet of Topeka, was presented.

Councilmember Alcalá asked to separate TPAC item from the other requests.

Harold Hansen, Director of TPAC, appeared and explained the request.

Discussion followed regarding TPAC's impact on economic development, quality of life issues, and budget considerations.

Councilmember Stubbs moved to approve TPAC's request. The motion seconded by Councilmember Hill carried. Councilmembers Alcalá and Lane voted "no." (6-2-0)

Katherine Garlinghouse and Ann Fries of Metro Ballet of Topeka, appeared and explained the requests.

Councilmember Dunn moved to approve the requests of Ballet Midwest and Metro Ballet of Topeka for \$2,500 each. The motion seconded by Councilmember Alcalá carried unanimously. (8-0-0)

A COMMUNICATION authorizing publication of the Notice of Hearing for the 2002 City of Topeka Operating Budget scheduled for 7:00p.m. on August 14, 2001, was presented.

Discussion was held on which budget should be published, the councilmembers' desires concerning reserves and projected financial position for the next five years.

Jim Langford, Budget Director, suggested increasing the general fund line item by \$1.7 million to provide opportunity to use possible windfall monies.

Councilmember Dunn moved to approve the publication of the notice of hearing as suggested. The motion seconded by Councilmember Pomeroy carried. Councilmember Duffy voted "no." (7-1-0)

Councilmember Duffy asked whether the Capital Improvement Budget would need to be increased.

AN ORDINANCE introduced by Mayor Felker adopting an amendment to neighborhood revitalization plan as provided for in K.S.A. (2000 Supp.) 12-17, 114 *et seq.*, Neighborhood Revitalization Act, was presented for first reading.

REPORT FROM THE CHIEF ADMINISTRATIVE OFFICER:

John Arnold, Chief Administrative Officer, reported that Farmland Foods, Inc. announced they are closing their plant. In addition, Menningers Foundation may not move to Texas.

Mayor Felker announced that he has been working with Governor Graves regarding Menningers and strategies to keep them in Topeka. He has also been working with management at Farmland Foods, Inc.

Discussion followed concerning retaining companies and GO Topeka's activities.

PRESENTATIONS BY MEMBERS OF THE COUNCIL:

Councilmember Lane presented a memorandum regarding the closing of Farmland Foods, Inc. Discussion followed concerning strategies to encourage Farmland Foods, Inc. to stay open in Topeka.

Councilmember Lane requested follow-up on parking permits exchange. Neil Dobler, Director of Public Works, replied that the exchange should be completed within 60 days.

Councilmember Dunn asked about the graphics store that went out of business, and whether they have a tax incentive obligation to the City.

Councilmember Pomeroy reminded staff that any time there is a public meeting, the doors should be unlocked. He also expressed appreciation for all Councilmembers and the Mayor for coming to the Crime Summit. There were over 230 individuals attending. There will be on going committees from the Crime Summit.

Councilmember Stubbs requested that the Director of the Topeka Convention and Visitors Bureau could devise an agreement concerning Promote Topeka policies.

Councilmember Alcalá will submit a proposal he has been working on for bed tax monies for the Council to review as well.

Councilmember Alcalá reported that GO Topeka is waiting for more funding before they can be very effective.

Councilmember Dunn requested an accounting of GO Topeka.

**PUBLIC COMMUNICATIONS AND COMMENTS:**

Clara Simmons, Shawn Jefferson, Allen Page, and Dominecka Smith appeared to speak for Public Comments.

Councilmember Dunn requested an update on the sidewalk on Golf Park and on Garfield Street.

Councilmember Alcalá requested a clarification on the 3% error margin on census tracts.

Councilmember Hill moved to adjourn into the Committee of the Whole for the purpose of discussing the 2002 budget. The motion seconded by Councilmember Price carried unanimously. (8-0-0)

Following budget presentations by Public Works Department and Municipal Court, Councilmember Duffy moved to recess the Committee of the Whole meeting and reconvene the Council meeting. The motion seconded by Councilmember Hill carried unanimously. (8-0-0)

NO FURTHER BUSINESS appearing the meeting was adjourned at 12:00 a.m. by unanimous consent.

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Iris Walker, City Clerk