

City Council Minutes – December 18, 2001

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, December 18, 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, Hecht, Duffy, Stubbs, and Price – 8. Councilmember absent: Hill - 1. Mayor Felker presided – 1.

Councilmember Hill was absent due to a fire in her home.

AFTER THE MEETING was called to order, the invocation was given by Reverend Don Anderson of East Topeka United Methodist Church.

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

THE CONSENT AGENDA was presented as follows:

COMMUNICATION from Mayor Felker recommending the appointment of Kevin Robertson and the re-appointment of Gwynne Harris and Jim McInerney to the Topeka Convention and Visitors Bureau Board of Directors was presented.

COMMUNICATION from Mayor Felker recommending the re-appointments of Kay Houser, Trini Perez, and Ted Heim to the Community Corrections Advisory Board was presented.

Minutes of the Regular Meeting of December 11, 2001, were presented.

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

Mayor Felker moved the Executive Session item forward in the agenda.

Councilmember Dunn moved to adjourn into Executive Session for ten minutes to discuss a legal matter. The motion seconded by Councilmember Stubbs carried.

Councilmember Duffy voted "no." (7-1-0)

After ten minutes had passed, the Council reconvened in open session. A motion was made and seconded to extend the executive session for 12 minutes. Councilmembers Pomeroy and Duffy voted “no”. (6-2-0)

The Council returned to open session after 22 minutes. The Mayor reported that no action had been taken.

A PROJECT BUDGET in the amount of \$250,000 AND ORDINANCE NO. 17776 introduced by Mayor Felker authorizing Project No. 30196-02, which provides for the replacement of the existing mini-train depot in Gage Park, as more specifically described herein, all pursuant to Section A12-1 of the Code of the City of Topeka, placed on first reading December 11, 2001, was again presented.

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

The ordinance was adopted on roll call vote as follows: Ayes: Councilmembers Pomeroy, Alcalá, Lane, Dunn, Hecht, Duffy, Stubbs, and Price - 8. Absent: Councilmember Hill - 1.

2002 STATE LEGISLATIVE POLICY STATEMENT was presented was presented.

John Arnold, Chief Administrative Officer gave the staff report.

Councilmember Price explained his proposed addition of redemption of abandoned buildings to the legislative policy statement.

Councilmember Duffy explained his proposed addition of allowing members of a governing body to introduce amendments to the zoning code.

Councilmember Dunn moved to add the two amendments to the legislative policy statement. The motion seconded by Councilmember Price carried unanimously. (8-0-0)

Councilmember Lane moved to approve the legislative policy statement as amended.

The motion seconded by Councilmember Stubbs carried unanimously. (8-0-0)

A COMMUNICATION regarding the Real Estate Officer's Report and approval to dispose of City of Topeka surplus real property was presented.

Kevin Rooney, Real Estate Officer gave the staff report. He noted that item “m” of the Real Estate Officer’s Report on each of these parcels sets forth the procedure for disposal that he is seeking approval of tonight. He explained that after visiting with the Topeka Metropolitan Planning Department and learning that any lot that does not encroach upon the side yards, front setback lines or rear setback lines would meet the codes to be developed, he is recommending a modification to the disposal method for the property at 1324 Lincoln and 1413 Tyler. On those two properties he recommended adding a line to item “m” as follows: Bid property to the public, if no interest bid property to the abutting property owners.

Councilmember Duffy moved to approve the communication with the amendment. The motion seconded by Councilmember Price carried unanimously. (8-0-0)

A COMMUNICATION regarding an amendment to the 2001 Consolidated Plan and notifying Council of the 30-day public comment period was presented.

Jeff White, Interim Director for Housing and Neighborhood Development Department gave the staff report.

Councilmember Duffy stated that the Economic Development Committee discussed the issue and voted to proceed as outlined.

Discussion followed concerning micro-loans and the desire to utilize them in 2002.

Discussion followed concerning NIA support for the project.

Dyana Morgan, tenant of Botwin Company for 14 years expressed her experience about the type of work and lack of maintenance the Botwin Company provides.

Councilmember Alcalá confirmed that he has heard concerns from other tenants as well.

No action was taken on the communication.

A GRANT to the TLC Resource Center for relocation assistance was presented.

Jeff White gave the staff report.

Discussion followed concerning the allocation process and the actions that caused the resource center to move.

Jeff White explained that the allocation would come from the General Fund.

Councilmember Hecht expressed her opposition to approval of the grant because she felt it was not fair to those who had followed the process for receiving social service funds and it could set a precedent.

Councilmember Duffy moved to authorize reimbursement up to \$7,495 for the direct expenses associated with relocation. The motion seconded by Councilmember Lane carried. Councilmembers Alcalá, Lane, and Hecht voted "no." (5-3-0)

RESOLUTION NO. 7212 introduced by Mayor Felker cancelling the Council meetings of December 25, 2001, and January 1, 2002, was presented.

Discussion followed concerning the possibility of having an additional meeting in January.

Councilmember Lane moved to adopt the resolution. The motion seconded by Councilmember Stubbs carried unanimously. (8-0-0)

A PROJECT BUDGET in the amount of \$346,328 AND RESOLUTION NO. 7213 introduced by Mayor Felker regarding Facility Improvement Project No. 29010-5, which

provides for the removal and disposal of the existing odor control unit and duct work at Ash Street Pump Station and installation of a new odor control unit and new duct work, and authorizing the same was presented.

Neil Dobler, Public Works Director gave the staff report.

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

REPORT FROM THE CHIEF ADMINISTRATIVE OFFICER:

John Arnold, Chief Administrative Officer provided an update on the end of the year financial report.

John Arnold reported that the insurance consultant indicated insurance claims are \$30-70 billion as a result of terrorism. Insurance companies have put exclusions on anything involving terrorism. Property and casualty insurance are to be updated as of January 1, 2002, for the City of Topeka. There is a possibility that the City of Topeka will not be able to get insurance.

REPORTS OF COMMITTEES AND OFFICERS:

Mayor Felker read a letter of thanks from Mayor Giuliani of New York.

PRESENTATIONS BY MEMBERS OF THE COUNCIL:

None were given.

Councilmember Pomeroy asked the administration to propose solutions to the issues surrounding illegal signs in the City of Topeka.

PUBLIC COMMUNICATIONS AND COMMENTS:

Ted Mize, Jason Chaika, Ryan Freed, Victor Beltz, Joann Peavler, Yvonne May, Charles Criqui, and L. S. Wheeler III appeared to speak for Public Comments.

NO FURTHER BUSINESS appearing the meeting was adjourned at 8:50 p.m. by unanimous consent.

Iris Walker
City Clerk