

City Council Minutes – February 26, 2002

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, February 26, 2002. 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, Hill and Price – 9. Mayor Felker presided –1.

AFTER THE MEETING was called to order, Councilmember Hecht 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:

A Communication requesting City Council consent to Shawnee County issuance of Industrial Revenue Bonds for United Methodist Homes, Inc., was presented.

Minutes of the Regular Meeting of February 19, 2002, were presented.

Councilmember Duffy asked why the City was asked to approve issuance of bonds for a project in the County for bonds that would be issued by the County.

The City Attorney requested that item be moved and considered at the end of the agenda to allow him to get information to answer that question.

Councilmember Dunn moved to move Item A, consent to Shawnee County issuance of IRBs for United Methodist Home, Inc. to the end of the agenda and approve Item B, the minutes of February 19, 2002. The motion seconded by Councilmember Lane carried unanimously.

(9-0-0)

PRESENTATION regarding the Topeka Zoo, was presented.

Mayor Felker presented information on the history of the zoo, including the city's financial commitment and zoo attendance for the past ten years. He noted that AZA had

expressed a concern about the city's long-term financial commitment to the zoo. He stated that even though the zoo has not received accreditation, it must comply with federal regulations. He stated that zoo staff has been concentrating on points the American Zoo and Aquarium Association (AZA) brought to their attention.

Mike Coker, Zoo Director presented information on benefits of the zoo; community expectations; changes at the zoo including new animal exhibits and the addition of larger animals; expanded educational programs; their working relationship with Friends of the Topeka Zoo (FTOZ); on-going staff training; and how they are getting the elephant program refocused and back on track. He explained the benefits of accreditation, and stated that they are working with AZA to regain their accreditation. He further briefed the council on improvements going on at the zoo. He also explained proposed plans for improvements included in an upcoming \$1.2 million project they would be bringing to the Council for approval for future zoo improvements.

Richard Wells, FOTZ Vice President appeared and explained that they provide support for the zoo in areas of education, conservation, capital fundraising and promoting community involvement in the zoo. He noted FOTZ's past and current financial commitment to the zoo. He stated that a corporation has offered a challenge grant for up to \$100,000 to match on the basis of 50 cents to the dollar for any money raised by FOTZ from other sources. These funds would be used to help pay for a new conservation education building, part of proposed future zoo improvements.

A discussion followed concerning accreditation, animal care, organizational issues, attendance, the zoo's marketing campaign and master plan.

Dr. Bert Opra appeared and offered his suggestions to assist the zoo in meeting the requirements for obtaining accreditation.

FINAL PLAT for Gardner Estates Subdivision No. 2 on property located at the northeast corner of SE Cuvier Street and SE Weekley Court within unincorporated Shawnee County, Kansas, was presented. (This was deferred from the meeting of February 19, 2002.)

Barry Beagle, Planning Department distributed a memo containing responses to the questions raised last week. He stated that the property is located within Shawnee County Sewer District No. 33 and will be connected to the existing public sanitary sewer system. He stated that the property owners have consented to annexation as part of the proposed replat. He explained that the property is located within the Primary Urban Service Area and designated by the 2010 Comprehensive Metropolitan Plan for low density residential land use. He stated that SE Cuvier Street is classified by the Transportation Plan as a Rural Collector.

Councilmember Dunn moved to accept the public dedication. The motion seconded by Councilmember Stubbs carried unanimously. (9-0-0)

ORDINANCE NO. 17796 introduced by Councilmembers Vanessa Hill, Lisa Stubbs, and Clark Duffy relating to establishing a Crime Prevention Fund, placed on first reading, February 19, 2002, was again presented.

Councilmember Hill requested that the next three ordinances relating to the crime prevention fund be combined for purposes of discussion.

Councilmember Hill gave the committee report and stated that only one ordinance was referred to committee, and the other two came about as a result of discussion in committee. She asked Chief Klumpp to comment on the ordinances.

Police Chief Klumpp appeared in support of the ordinances and stated that they realized they needed to do more in the area of crime prevention. He explained that the Police Department, Safe Streets, Battered Women's Task Force, and Crimestoppers were all involved in

crime prevention, and these funds would provide hard dollar costs for crime prevention across the community.

Councilmember Hecht stated that she supports the crime prevention program but she would abstain on the ordinances because she is the Director of the Battered Women's Task Force and they may have an opportunity to use some of these funds for crime prevention.

Councilmember Hill moved to accept the committee report. The motion seconded by Councilmember Dunn carried. Councilmember Duffy was out of the room. (8-1-0)

The ordinance was adopted on roll call vote as follows: Ayes: Councilmembers Pomeroy, Lane, Alcalá, Dunn, Stubbs, Hill, and Price-7. Noes: Councilmember Duffy was out of the room-1. Abstention: Councilmember Hecht -1.

ORDINANCE NO. 17797 introduced by Councilmembers Vanessa Hill, Lisa Stubbs, and Clark Duffy relating to municipal court assessments amending City of Topeka Code § 50-50, Municipal court assessments, and specifically repealing said original section, placed on first reading February 19, 2002, was again presented.

The ordinance was adopted on roll call vote as follows: Ayes: Councilmembers Pomeroy, Lane, Alcalá, Dunn, Stubbs, Hill, and Price-7. Noes: Councilmember Duffy was out of the room-1. Abstention: Councilmember Hecht -1.

ORDINANCE NO. 17798 introduced by Mayor Felker relating to Article II, Municipal Court, amending City of Topeka Code § 50-26, Court costs and fees, and specifically repealing said original section placed on first reading December 4, 2002, was again presented.

The ordinance was adopted on roll call vote as follows: Ayes: Councilmembers Pomeroy, Lane, Alcalá, Dunn, Stubbs, Hill, and Price-7. Noes: Councilmember Duffy was out of the room-1. Abstention: Councilmember Hecht -1.

A COMMUNICATION requesting Council approval to appoint Dave Graversen as Acting Chief Administrative Officer in accordance with Charter Ordinance A2-32, was presented.

Councilmember Dunn questioned Mr. Graversen's credentials for holding the position of Interim Chief Administrative Officer.

Councilmember Pomeroy moved to approve the appointment. The motion seconded by Councilmember Stubbs carried. Councilmembers Dunn and Hecht voted "no". (7-2-0)

RESOLUTION NO. 7220 introduced by Mayor Felker relating to a lease purchase agreement for a storage area network system for all city microcomputers, was presented.

Bill Ritter, Information Technology Director explained that the term for the lease purchase agreement is zero percent interest for the five year lease purchase agreement.

Councilmember Hill moved to approve the resolution. The motion seconded by Councilmember Lane carried unanimously. (9-0-0)

AN ORDINANCE introduced by Mayor Felker, authorizing Project No. 14086-00, which provides for the replacement of a traffic signal system located at the intersection of SW/SE 12th Street and South Kansas Avenue, as more specifically described herein, all pursuant to Section A12-1 of the Code of the City of Topeka, was presented for first reading.

A Communication requesting City Council consent to Shawnee County issuance of Industrial Revenue Bonds for United Methodist Homes, Inc., was presented.

Brenden Long, City Attorney explained that pursuant to K.S.A. 12-1741b(b) the City of Topeka must consent to issuance of Industrial Revenue Bond projects located within three miles

of the corporate limits of the City of Topeka, and that is why the communication was placed on the agenda.

Councilmember Pomeroy asked what would happen to their current facility and residents.

The City Attorney stated that they did not have that information.

Councilmember Pomeroy moved to defer action on the communication for one week.

The motion seconded by Councilmember Duffy carried unanimously. (9-0-0)

PRESENTATIONS BY MEMBERS OF THE COUNCIL, were presented.

Councilmember Pomeroy commented on the street improvement on Huntoon at 12th Street and stated that there are two lanes except for McAlister. He stated that it creates a bottleneck and asked what could be done about it.

Neil Dobler, Public Works Director stated he was not familiar with that particular intersection and he would check it out and report back.

Councilmember Alcalá commented on an e-mail that he received from Frank Sabitini expressing a concern that suspects in custody are being turned loose because charges are not filed within twenty-four hours of their incarceration. He stated that they need to determine if the problem was with the Police Department getting reports to the District Attorney or if there was a problem with the District Attorney's office so that the problem can be resolved.

Councilmember Hecht stated that she appreciated Mr. Sabitini's e-mail and suggestion that the business community get involved as well because it takes the entire community to help in the fight against crime.

Councilmember Duffy stated that he wanted to clarify an error he made about annexation and incorporation. He stated that he had Assistant City Attorney, Beth Schafer prepare a document comparing the two, and he will make it available to the Council and whoever else is

interested in receiving the information. He also distributed a resolution authorizing allocation of \$15,000 to Go Connection for administration of the Small Business Program for the remainder of the year, and asked that it be placed on a future agenda.

Councilmember Pomeroy stated that he also wanted to clarify an error. He stated that he previously stated that he had not received the proposed changes relating to the Housing and Neighborhood Development Department, but he had in fact received them.

Councilmember Dunn asked for an update on the Washburn Lane Lighting Project. She also asked for information on a brick project on Randolph.

PUBLIC COMMUNICATIONS AND COMMENTS:

Betty Phillips appeared to speak for public comments.

NO FURTHER BUSINESS appearing the meeting was adjourned by unanimous consent at 9:50 p.m.

Iris Walker
City Clerk