

City Council Minutes – March 5, 2002

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, March 5, 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 Duffy 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:

Minutes of the Regular Meeting of February 26, 2002, were presented.

Councilmember Dunn made a correction to the last page of the minutes. She stated that she asked for information on a brick project on Randolph instead of Garfield

Councilmember Hill moved to approve the consent agenda with the correction to the minutes. The motion seconded by Councilmember Lane carried unanimously. (9-0-0)

A COMMUNICATION requesting City Council consent to Shawnee County issuance of Industrial Revenue Bonds for United Methodist Homes, Inc. was presented. (This was deferred from the meeting of February 26, 2002.)

Dean Edson, Executive Director of United Methodist Home appeared and stated that they are ceasing their operation at the United Methodist Home and relocating residents to Aldersgate when the expansion is completed. He explained that they will save \$1 million a year in operating costs by consolidating their operation at Aldersgate. He stated that the Topeka Bible Church has purchased their old facility. He also stated that they signed a consent to annexation in 1992.

Councilmember Dunn moved to accept the communication. The motion seconded by Councilmember Hill carried unanimously. (9-0-0)

A PROJECT BUDGET in the amount of \$153,170 and AN ORDINANCE NO. 17799 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, placed on first reading February 26, 2002, was again presented.

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

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

A PROJECT BUDGET in the amount of \$170,000 and AN ORDINANCE introduced by Mayor Felker authorizing Project No. 30182-00, which provides for design and development of detailed cost estimates for construction of a new Zoo Administration Building, as more specifically described herein, all pursuant to Section A12-1 of the Code of the City of Topeka, placed on first reading January 8, 2002, was again presented.

Councilmember Dunn noted that a 1998 newspaper article stated that the Council allocated \$190,000 for zoo maintenance improvements. She stated that she would like to know how those funds were used before approving additional funds for zoo improvements.

Councilmember Duffy stated that he would like the zoo to be accredited before making major improvements. He also questioned if there was a Master Plan for the zoo. He stated that he would like information on those two issues before proceeding with significant changes to the zoo.

Councilmember Alcala moved to defer the project budget and ordinance for one week. The motion seconded by Councilmember Pomeroy carried unanimously. (9-0-0)

RESOLUTION NO. 7221 introduced by Mayor Harry Felker to use Transient Guest Tax funds for the purchase of a portable wheel chair lift to be used at Topeka Performing Arts Center and authorizing the same, was presented.

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

A RESOLUTION introduced by Councilmember Clark Duffy designating expenditure from the 2002 General Fund budget to fund operating costs for Go Connection, was presented.

Councilmember Duffy moved to defer the resolution for one week. The motion was seconded by Councilmember Dunn.

JoAnn Peavler was asked to explain what she found out about the \$250,000 that was allocated for the Eastboro Shopping Center. She stated that it was her understanding that money that has paid back from that loan, and funds not utilized could be used for the Microloan Program.

Following further discussion relating to the possibility of available CDBG funds for the Microloan Program, the motion to defer for one week carried unanimously. (9-0-0)

A PROJECT BUDGET in the amount of \$12,104,120 and RESOLUTION NO. 7222 introduced by Mayor Harry Felker, describing Improvement Project No. 29091-4-1B which provides for the rehabilitation of the Oakland Treatment Plant and authorizing the same, was presented.

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

AN ORDINANCE introduced by Mayor Harry Felker relating to the vacation of a 15-foot wide strip of alley right-of-way located between NW Clay Street and NW Buchanan Street as dedicated by Forest Addition, City of Topeka, Shawnee County, Kansas, was presented for first reading. (V02A/1)

AN ORDINANCE introduced by Mayor Harry Felker relating to the vacation of a 10-foot wide strip of alley right-of-way located within and adjacent to the west line of Forest Addition lying north and south of NW Railroad Street, City of Topeka, Shawnee County, Kansas, was presented for first reading. (V02A/2)

AN ORDINANCE introduced by Mayor Harry Felker relating to the vacation of NW Buchanan Street, a 35-foot wide strip of right-of-way located on either side of NW Railroad Street as dedicated by Forest Addition, City of Topeka, Shawnee County, Kansas, was presented for first reading. (V02S/1)

AN ORDINANCE introduced by Mayor Harry Felker relating to the vacation of NW Railroad Street, a 35-foot wide strip of unimproved right-of-way located west of the west line of NW Clay Street as dedicated by Forest Addition and I.W.B. Grant Addition, City of Topeka, Shawnee County, Kansas, was presented for first reading. (V02S/2)

AN ORDINANCE 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 south side of NE US Highway 24 approximately 1,300 feet west of NE Meriden Road in the City of Topeka, Kansas, from "R-1" Single Family Dwelling District and "C-4" Commercial District all to "C-4" Commercial District, was presented for first reading. (Z02/5)

Neil Dobler, Interim Planning Director stated that a legal protest has been filed on this petition, and it will require all nine Councilmembers to be present and 7 out of 9 votes for approval.

The Mayor stated that it will be placed on the agenda on April 2, 2002 so that all Councilmembers would be present.

REPORT FROM THE CHIEF ADMINISTRATIVE OFFICER, was presented.

Dave Graversen, Acting Chief Administrative Officer distributed an updated budget sheet from the Budget Director. He also distributed some information on the status of the negotiations between SMG and the Topeka Performing Arts Center and stated that those negotiations were on-going. He also reported on information requested last week relating to the Washburn Lane Lighting Project and provided an explanation of what was approved.

PRESENTATIONS BY MEMBERS OF THE COUNCIL, were presented.

Councilmember Alcala stated that a pad lock order was served on the property at 1111 Forest and that was a good accomplishment toward solving that problem in that neighborhood. He also stated that he wanted to make the public aware that the Plaza Inn, 3802 South Topeka Blvd. houses sex offender parolees who have no place to go and that is not a good situation for that area.

Councilmember Duffy asked if there is a final report relating to the Housing and Neighborhood Development Department. He also asked for information about proposals for the Kansas Avenue and Topeka Boulevard Bridge.

PUBLIC COMMUNICATIONS AND COMMENTS:

Lazone Grays, Frank Kirtdoll, Echo Zebo, Michael Bell, David Heard and Bob Sherbourne appeared to speak for public comments.

NO FURTHER BUSINESS appearing the meeting was adjourned by unanimous consent
at 9:20 p.m.

Iris Walker
City Clerk