

## City Council Minutes – April 23, 2002

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, April 23, 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, Hecht, Duffy, Stubbs, Hill and Price –8. Absent: Councilmember Dunn -1. Mayor Felker presided –1.

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

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

Mayor Felker explained why there was no business listed on the agenda. He stated that he just returned from Boston and was not sure he would get back in time for a meeting this evening. He stated that staff notified him that there were only two agenda items for Council consideration, and neither one was time sensitive. He also noted that Councilmember Dunn had announced that she would be attending a Press to Press meeting for women in communication and would not be available to attend the council meeting this evening

Councilmember Alcalá made a motion to adjourn the meeting based on the City Council Rule 5.2 stating that the agenda must be delivered to the Councilmembers at least twenty-four hours prior to the council meeting. He stated that he did not receive the agenda in the allotted time. Councilmember Alcalá asked for a legal explanation of this rule. The motion was seconded by Councilmember Lane.

Mayor Felker asked the City Clerk if the agenda had been distributed in the usual manner.

In response, City Clerk, Iris Walker stated that the agenda had been distributed Friday afternoon, April 19, 2002, to the Council Office and Administration, posted to the Internet, and e-mailed.

City Attorney, Brenden J. Long explained City Council Rule 5.2. In his opinion the twenty-four hour rule only applies to items being considered on the agenda that would require action of the Council, such as ordinances and resolutions.

The motion to adjourn failed. Councilmembers Pomeroy, Hecht, Duffy, Stubbs and Price voted "no". (3-5-0)

Mayor Felker stated that he would be leaving the meeting and asked for a motion to nominate a Councilmember to chair the meeting.

Councilmember Duffy nominated Councilmember Pomeroy. The motion seconded by Councilmember Price carried unanimously. (8-0-0)

Councilmember Duffy made a motion to remove from the Policy Committee, pursuant to City Council Rule 6.12, an ordinance amending City of Topeka Code Section 18-221 relating to cat permit fees. The motion seconded by Councilmember Price carried. Councilmember Hill voted "no". (7-1-0)

Councilmember Duffy made a motion to remove from the Policy Committee, an ordinance amending City of Topeka Code Section 18-107 relating to dog permit fees. The motion seconded by Councilmember Price carried. Councilmember Hill voted "no". (7-1-0)

Councilmember Duffy made a motion to remove from the Policy Committee, an ordinance amending City of Topeka Code Section 18-239 relating to dog impoundment fees. The motion seconded by Councilmember Stubbs carried unanimously. (8-0-0)

Councilmember Duffy made a motion to remove from the Policy Committee, an ordinance amending City of Topeka Code Sections 18-2 and 18-8 relating to vicious dogs. The motion seconded by Councilmember Stubbs carried unanimously. (8-0-0)

REPORTS OF COMMITTEES AND OFFICERS, were presented.

Councilmember Lane announced the Public Health and Safety Committee meeting on April 29, 2002, at 4:00 p.m., in Room 255.

PRESENTATIONS BY MEMBERS OF THE COUNCIL, were presented.

Councilmember Pomeroy inquired on the status of the Zoo Study Committee.

In response, Interim Chief Administrative Officer, Dave Graversen stated that he had received eight names from the Councilmembers appointing the committee however, he is awaiting the Mayor's decision on appointment of a chair person.

Councilmember Duffy distributed an ordinance relating to redemption of a cat after payment of impoundment fees, and requested that it be considered for first reading May 7, 2002.

Councilmember Duffy expressed his concern with the lack of agenda business and felt that there are several issues the City Council should address at this time. He stated that he felt the most pressing issue was to move ahead with the recommendations of the Crime Summit.

Councilmember Pomeroy requested a status report on the recommendations of the Crime Summit.

Councilmember Stubbs thanked Neil Dobler, Mark Green, Miriam Berke and Kelley Haller for their fast, courteous response to neighborhood concerns. She also thanked Kim Austin-Smith for the additional information she provided concerning the labor contracts.

PUBLIC COMMUNICATIONS AND COMMENTS, were presented.

Dr. Masters and Michael Bell appeared to speak under public comments.

In response to public comments, Councilmember Stubbs requested that public hearing notices on the use of CDBG funds be published in the Topeka Capital Journal as well as the Metro News so that as many as possible receive notification.

NO FURTHER BUSINESS appearing the meeting was adjourned by unanimous consent at 7:45 p.m.

---

Iris Walker  
City Clerk