

City Council Minutes – May 28, 2002

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, May 28, 2002. The Councilmembers of the City of Topeka met in regular session at 7:00 P.M., with the following Councilmembers present: Pomeroy, Alcala, Lane, Dunn, Hecht, Duffy and Price – 7. Mayor Felker presided –1. Absent: Councilmembers Stubbs and Hill –2.

AFTER THE MEETING was called to order, prayer was offered by Lee Martin, Topeka Police Department Chaplain.

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

ORDINANCE NO. 17839 introduced by Mayor Harry Felker authorizing the City of Topeka, Kansas, to issue its taxable Industrial Revenue Bonds, Series B2002, (Hill's Project) in the maximum principal amount of \$15,000,000 for the purpose of purchasing, acquiring, constructing, improving, equipping and installing certain facilities; authorizing execution of a trust indenture by and between the City and the Commerce Trust Company, in the City of Kansas City, Missouri, as trustee; authorizing the City to lease said project to Hill's Pet Nutrition, Inc.; and authorizing execution of a lease by and between said City and Hill's Pet Nutrition, Inc., placed on first reading May 21, 2002, was again presented.

Councilmember Alcala stated that he was employed by Hill's and would not participate in discussion or voting on this issue.

Councilmember Duffy asked for a more detailed description of the project and where the equipment would be located.

In response, Phil Wolfe, Bond Counsel stated that the equipment will be installed at the manufacturing facility located at 320 NE Crane.

Councilmember Dunn asked how many jobs will be created and what the salary would be, for these jobs.

In response, Kathy Moellenberndt, Go Topeka explained that the opening of this facility should create thirty jobs in the first year and approximately forty-eight in the second year.

Phil Wolfe stated that the new positions will pay approximately thirty dollars an hour.

Councilmember Lane moved to adopt the ordinance. The motion seconded by Councilmember Dunn carried. (6-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Councilmembers Pomeroy, Lane, Dunn, Hecht, Duffy and Price -6. Absent: Councilmembers Stubbs and Hill -2.

ORDINANCE NO. 17840 introduced by Mayor Harry Felker relating to mechanical trade, amending City of Topeka Code § 26-252, Grandfather provisions for certain mechanical licenses; § 26-254, Application and examination; § 26-256, Same-Master, § 26-257, Same-Journeyman, and specifically repealing said original sections, placed on first reading May 21, 2002, was again presented.

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

The ordinance was adopted on roll call vote as follows: Councilmembers present: Pomeroy, Alcalá, Lane, Dunn, Hecht, Duffy and Price – 7. Absent: Councilmembers Stubbs and Hill –2.

ORDINANCE NO. 17841 introduced by Mayor Harry "Butch" Felker authorizing Downtown Inc. and The Topeka Convention and Visitors Bureau to hold "Downtown Live - Meet Me Downtown" events at certain times in 2002, placed on first reading May 21, 2002, was again presented.

Devin Sutherland, Executive Director of DTI appeared for questions.

Councilmember Alcala moved to adopt the ordinance. The motion seconded by Councilmember Lane carried unanimously. (7-0-0)

The ordinance was adopted on roll call vote as follows: Councilmembers present: Pomeroy, Alcala, Lane, Dunn, Hecht, Duffy and Price – 7. Absent: Councilmembers Stubbs and Hill –2.

A PROJECT BUDGET and RESOLUTION NO. 7235 introduced by Mayor Felker authorizing an expenditure not to exceed \$65,000 from the zoo improvement reserve fund for the purpose of constructing a quarantine facility were presented.

Mike Coker, Topeka Zoo Director gave the staff report.

Councilmember Dunn moved to accept the project budget and adopt the ordinance. The motion seconded by Councilmember Lane carried unanimously. (7-0-0)

A PROJECT BUDGET in the amount of \$160,000 and RESOLUTION NO. 7236 introduced by Mayor Harry Felker, describing Project No. 24110-B, Phases 1, 3, and 4 which provides for the replacement of concrete sidewalks, curbs and gutters and related appurtenances for a complete project in Chesney Park Neighborhood, East Topeka North Neighborhood and Randolph Neighborhood and authorizing the same were presented.

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

Councilmember Dunn asked how these properties were chosen.

In response, Neil Dobler explained that all the neighborhoods involved were asked to make application to the Neighborhood Empowerment Program. However, most of the applications received exceeded the amount of money that was available. Because of the overwhelming response they have asked the neighborhoods to prioritize the properties that need the most work so that they can utilize the funds where they are needed the most.

Councilmember Alcala asked if the sidewalk repair at 434 Lafayette could be considered for this program.

Councilmember Lane moved to accept the project budget and adopt the resolution. The motion seconded by Councilmember Alcala carried unanimously. (7-0-0)

A COMMUNICATION requesting Council to make a decision on the acquisition of Sumner School was presented for first reading.

Councilmember Pomeroy stated that the Sumner School is on the national register, and therefore should be maintained. However, a decision has not yet been made on how the building will be used but there have been several suggestions.

Dave Graverson, Interim Chief Administrative Officer explained the grant in detail and stressed the importance of making a decision so the grant money is not lost.

Shawn Leisinger, President of Ward Meade NIA explained the advantages of purchasing the building and the historical significance to the City of Topeka.

Dan Rowe, Traner Architects appeared to answer questions.

Councilmember Lane asked what type of roof is on the building and is it in good condition. He also inquired on the water damage in the building.

In response, Dan Rowe explained that it is a built-up roof, approximately fifteen years old and in fairly good shape. The water damage that is currently in the building is associated with the single pane steel windows that have some condensation issues that can be solved fairly easy.

Todd Girdler, Deborah Edwards, Aaron Edwards and Gregory Allen appeared in support of purchasing Sumner School.

Bob Beardsley, Historical Society appeared for questions.

Several Councilmembers continued the discussion on the financial implications of the project and the historical importance of the building.

Councilmember Duffy inquired on why the Landmarks Commission does not have a recommendation on this property.

Chris Meinhardt appeared in support of Historical Landmarks.

Councilmember Pomeroy moved to proceed with the appraisal with intent to purchase Sumner School. The motion seconded by Councilmember Dunn carried unanimously. (7-0-0)

AN ORDINANCE introduced by Mayor Harry Felker, authorizing Improvement Project No. 30127, Phase 9, which provides for the construction of a ten (10) foot wide multipurpose trail and related appurtenances to complete the trail project as more specifically described herein, all pursuant to Section A12-1 of the Code of the City of Topeka, was presented for first reading.

AN ORDINANCE introduced by Mayor Felker relating to carnivals and shows, amending City of Topeka Code Section 102-86, Carnivals and shows, and specifically repealing said original section was presented for first reading.

PRESENTATIONS BY MEMBERS OF THE COUNCIL, were presented.

Councilmember Alcalá asked if the city has a procedure to follow when issuing a Circus License and if there is a state agency that could perform a background check on the applicants. He also received a letter and a phone call from a retired employee concerning the amount of time it takes to receive a retirement check, and asked if the Mayor could check into this problem. He inquired on how much money was reimbursed to the City of Topeka and how the contractors would be paid back concerning the closing of T. Wolfes, and if there is a procedure in place to handle such situations. Lastly, he made several announcements; there will be a second Needs Assessment Hearing for CDBG funds at the Salvation Army on May 30, 2002, at 6:30 p.m.,

located at 1320 SE 6th Street; a Housing and Neighborhood Programs Workshop will be held at the Central Park Community Center on May 29, 2002, from 6:30p.m. to 8:30p.m., located at 1534 SW Clay Street; the annual TAN Picnic will be held on June 1, 2002, from 10:00a.m. to 2:00p.m., at Rice Community Center; and the Sacred Heart Church will hold the annual German Festival on June 1 and 2, 2002, from 1:00p.m. to 3:00p.m.

Councilmember Lane also expressed concerns on the procedure of issuing a Circus License and how the contractors will be paid back concerning the closing of T Wolfes. He received a letter from one of his constituents concerning the property located at 1828 SW Clay Street, and asked when it is going to be cleaned up. He inquired on why there was a mobile home on the corner lot of 13th and Quincy across from the Magnet Schools.

Councilmember Hecht stated she was very pleased with the accomplishments of Betty Kirchner employee of the month and her staff.

Councilmember Price stated he would like to commend DTI for their response to the contractors concerning the T Wolfes closing. He asked if there was anything that could be done to speed up the demolition process concerning property located at 1170 Mulvane.

Councilmember Dunn stated she has received several calls from her constituents asking when the demolition of the house adjacent to Eisenhower School will take place.

PUBLIC COMMUNICATIONS AND COMMENTS, were presented.

JoJo Mallory, Don Miller, Forest Jamieson, Clara White, William Smith, Louise Jerfferson, Todd Regan, and Frank Kirtdoll appeared to speak under public comment.

NO FURTHER BUSINESS appearing the meeting was adjourned by unanimous consent
at 9:05 p.m.

Iris Walker
City Clerk