

City Council Minutes – July 2, 2002

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, July 2, 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, Stubbs, Hill and Price – 9. Mayor Felker presided–1.

AFTER THE MEETING was called to order, prayer was offered by Pastor Rusty Mayfield, Family of God Fellowship.

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 June 25, 2002, were presented.

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

AN ORDINANCE introduced by Mayor Harry Felker, authorizing the study and preliminary design of a performing theater facility as more specifically described herein, all pursuant to Section A12-1 of the Code of the City of Topeka, placed on first reading June 25, 2002, was again presented.

Rogers Brazier, Parks and Recreation Director gave the staff report and responded to questions regarding what would specifically be included in the project.

Following a presentation by Dr. Jernigan, Jayhawk Theatre Director and Tuck Duncan regarding their proposal to partner with Helen Hocker for administrative office space and classrooms, the Deputy Mayor referred the ordinance to the Economic Development Committee.

A PROJECT BUDGET in the amount of \$731,000 and RESOLUTION NO. 7242 introduced by Mayor Felker, describing Atchison Street Sanitary Improvement Project No.

29101 which provides a new sewer line, pump station and force main to replace the under-sized system and authorizing the same was presented.

Councilmember Alcala moved to accept the project budget and adopt the resolution. The motion seconded by Councilmember Stubbs carried. Councilmember Price was out of the room.

(8-1-0)

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 within the East Topeka neighborhood of the City of Topeka, Kansas requesting to amend the District Zoning Classification from "M-1" Two-Family Dwelling District, "M-3" Multiple-Family Dwelling District, and "C-2" Commercial District to "R-2" Single-Family Dwelling District was presented for first reading.

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 within the East Topeka neighborhood of the City of Topeka, Kansas requesting to amend the District Zoning Classification from "M-1" Two-Family Dwelling District, "C-2" Commercial District, "C-4" Commercial District, and "I-1" Light Industrial District to "R-2" Single-Family Dwelling District was presented for first reading.

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 within the East Topeka neighborhood of the City of Topeka, Kansas requesting to amend the District Zoning

Classification from "M-1" Multiple-Family Dwelling District and "C-2" Commercial District to "R-2" Single-Family Dwelling District was presented for first reading.

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 within the East Topeka neighborhood of the City of Topeka, Kansas requesting to amend the District Zoning Classification from "C-4" Commercial District, "C-2" Commercial District, and "R-1" Single-Family Dwelling District to "X-1" Mixed Use District was presented for first reading.

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 within the East Topeka neighborhood of the City of Topeka, Kansas requesting to amend the District Zoning Classification from "C-2" Commercial District, "C-4" Commercial District, "M-2" Multi-Family Dwelling District, and "M-1" Two Family Dwelling District, ALL TO "X-1" Mixed Use District was presented for first reading.

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 within the East Topeka neighborhood of the City of Topeka, Kansas requesting to amend the District Zoning Classification from "R-1" Single-Family Dwelling District, "M-1" Two Family Dwelling District, and "C-4" Commercial District, ALL TO "OS-1" Open Space District was presented for first reading.

AN ORDINANCE introduced by Mayor Harry Felker relating to the vacation of a 20-foot wide alley right-of-way extending north of SW 8th Avenue between SW Tyler and SW Polk Streets, as dedicated by the plat of Original Town, City of Topeka, Shawnee County, Kansas was presented for first reading.

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 at the northwest corner of SW 30th Street and SW Eveningside Drive in the City of Topeka, from "R-1" Single-Family Dwelling District to "M-1" Two Family Dwelling District was presented for first reading.

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 at the northeast corner of SW 37th Street and SW Chelsea Drive in the City of Topeka, from "R-1" Single-Family Dwelling District with Resolution of Intent for "PUD" Planned Unit Development District ("M-2" use group) to "M-1" Two Family Dwelling District and specifically repealing City of Topeka Ordinance 17849 was presented for first reading.

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 at the southeast corner of SE 29th Street and SE Fremont Street in the City of Topeka, Kansas, from "C-4" Commercial District TO "PUD" Planned Unit Development District ("C-4" commercial use group and "I-1" industrial use group) was presented for first reading.

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 at 2100 and 2116 SW Fairlawn Road in the City of Topeka, from "R-1" Single-Family Dwelling District and "C-2" Commercial District to "O&I-1" Office and Institutional District was presented for first reading.

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 at 1525 SW Washburn Avenue in the City of Topeka, Kansas, from "M-1" Two-Family Dwelling District TO "M-3" Multiple-Family Dwelling District was presented for first reading.

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 at the southeast corner of SW 26th Street and SW Villa West Drive in the City of Topeka, from "PUD" Planned Unit Development District ("M-2" use group) TO "M-2" Multiple-Family Dwelling District was presented for first reading.

AN ORDINANCE introduced by Mayor Felker relating to the execution of a loan agreement between Topeka, Kansas and the State of Kansas, for the purpose of obtaining a loan from the Kansas Water Pollution Control Revolving Fund for the purpose of financing a Wastewater Treatment Project was presented for first reading.

AN ORDINANCE introduced by Mayor Harry Felker relating to the Electrical Code, adopting the National Electric Code, 2002 Edition, amending City of Topeka Code Section 26-341 and 26-343, and specifically repealing said original sections was presented for first reading.

AN ORDINANCE introduced by Mayor Felker relating to the fighting of fires and providing for a contract between the City of Topeka, Kansas and the Menninger Foundation, 5800 and 6025 S.W. 6th Street, Topeka, Kansas, providing for the furnishing by the City of Topeka of a fire fighting service for the Menninger Foundation, and repealing City of Topeka Ordinance No. 16450 was presented for first reading.

REPORT FROM THE CHIEF ADMINISTRATIVE OFFICER, was presented.

Dave Graverson introduced David Thurbon, the new Planning Director and distributed reports concerning the City of Topeka's driving policies, cost analysis of the Information Technology operations and the City of Topeka Street Lighting Costs and Budget.

REPORTS OF COMMITTEES AND OFFICERS, were presented.

Councilmember Alcalá announced that the Finance Committee has scheduled a meeting to discuss the Purchasing Ordinance on July 11, 2002 at 12:00 p.m. at the City Council Office, located at 215 SE 7th Street.

PRESENTATIONS BY MEMBERS OF THE COUNCIL, were presented.

Councilmember Lane announced that the reenactment of the 1856, July 4th disbursement of the City of Topeka Legislatures will take place on July 4th, 2002 at 1:00 p.m. at the Topeka Constitutional Hall, located at 427 S. Kansas Avenue. He also requested that the traffic sign at the corner of 7th and Lake Street be reinstalled.

Councilmember Alcalá suggested that traffic signs need to be posted in the 500 block area of Lafayette due to the amount of traffic in the area.

PUBLIC COMMUNICATIONS AND COMMENTS, were presented.

Chris Meinhardt and Clarence Kuone appeared to speak under public comment.

Councilmember Dunn moved to adjourn into executive session for a period not to exceed ten minutes for the purpose of discussing a personnel matter. The motion seconded by Councilmember Lane carried. Councilmember Price voted "no". Councilmembers Hill and Pomeroy were out of the room. (6-3-0)

Following the ten minute executive session, the Council reconvened in open session. No action was taken.

NO FURTHER BUSINESS appearing the meeting was adjourned by unanimous consent at 8:25 p.m.

Iris Walker
City Clerk