

City Council Minutes – February 18, 2003

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, February 18, 2003. 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, prayer was offered by Councilmember Hill.

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

THE CONSENT AGENDA was presented as follows:

Final Plat for Sonic 7 Subdivision on property located at 3820 SW 29th Street in the City of Topeka, Shawnee County, Kansas, was presented. (P02/39)

Minutes of the regular meeting of February 11, 2003, were presented.

APPLICATION for an Alarm Installation & Service Company License bearing the approval of the Chief of Police and City Inspectors for Ocusafe, LLC., was presented.

APPLICATION for Open After Mid-night License bearing the approval of the Chief of Police and City Inspectors for Guerrero Sports Bar & Grill, 830 N. Kansas Avenue, was presented.

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

ORDINANCE NO. 17968 introduced by Mayor Harry Felker authorizing the issuance of \$6,205,000 aggregate principal amount of general obligation refunding bonds, Series 2003-A, of the City of Topeka, Kansas, under the authority of K.S.A. 10-

101 to 125, inclusive, and K.S.A. 10-427 *et seq.*, all as amended placed on first reading February 11, 2003, was again presented.

RESOLUTION NO. 7317 introduced by Mayor Harry Felker prescribing the form and details of the General Obligation Refunding Bonds, Series 2003-A of the City of Topeka, Kansas, in the aggregate principal amount of \$6,205,000 the issuance of which was authorized by the City pursuant to its Ordinance No. 17968 adopted and approved February 18, 2003; and authorizing certain other documents and actions in connection with the issuance of the bonds placed was presented.

Randy Bailes, Financial Director gave the staff report and explained that the bid was awarded to Prudential Securities with a total cost interest bid of 3.6723%, an inclusive interest cost of 3.187%, for a savings of \$553,000 over the life of the bonds.

Kevin Wickliffe, Columbia Capital Management appeared to answer questions.

Councilmember Dunn moved to adopt the ordinance and the resolution. The motion seconded by Councilmember Price 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.

PROJECT BUDGET in the amount of \$75,000 and ORDINANCE NO. 17969 introduced by Mayor Harry Felker, authorizing Park Improvement Project No. 30235-00, which provides for the improvement of existing park facilities as more specifically described herein, all pursuant to Section A12-1 of the Code of the City of Topeka placed on first reading February 11, 2003, was again presented.

Lou Griffiths, Parks and Recreation Department gave the staff report.

Several Councilmembers expressed the importance of continued park and community center improvements, explaining the vital role that the parks and community centers play in crime preventative programs.

Councilmember Hecht stated that now is not the time to fund these types of projects and she believes that they should focus on essential functions, such as Police and Fire protection.

Councilmember Alcalá moved to approve the project budget and adopt the ordinance. The motion seconded by Councilmember Lane carried. Councilmembers Dunn and Hecht voted "no". (7-2-0)

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

PROJECT BUDGET in the amount of \$100,000 and ORDINANCE NO. 17970 introduced by Mayor Harry Felker, authorizing Park Improvement Project No. 30234-00, which provides for the improvement of existing park facilities as more specifically described herein, all pursuant to Section A12-1 of the Code of the City of Topeka placed on first reading February 11, 2003, was again presented.

Terry Bertels, Park Superintendent gave the staff report.

Councilmember Lane moved to add Lakewood Park drinking fountain to the project if the contingency money allows. The motion was seconded by Councilmember Dunn.

Councilmember Stubbs asked what park would be considered the next priority for a new drinking fountain.

Rogers Brazier, Parks and Recreation Department stated that the next priority would be between three parks; Collins, Washburn and Westboro.

Discussion continued by several Councilmembers on the amount of revenue the park programs generate.

Councilmember Stubbs stated that she opposes Councilmember Lane's motion because it was not identified by staff as a priority.

Councilmember Price commended the Parks and Recreation staff for being proactive and involving the community.

Dr. Nancy Palmer appeared in support of the Bark Park improvements.

Councilmember Pomeroy stated that he does not want to choose a park without going through the regular process of involving staff recommendation.

The motion to include Lakewood Park failed. Councilmembers Pomeroy, Hecht, Duffy, Stubbs, Hill and Price voted "no". (3-6-0)

Councilmember Duffy moved to amend the ordinance to strike "the new portable aluminum bleachers for Central Park Community Center", on line 20 and replace it with "new drinking fountains for Collins Park, Washburn Park, and Westboro Park". The motion was seconded by Councilmember Price.

Discussion continued on the necessity of new bleachers at the community centers.

Rogers Brazier stated that currently the bleachers at the community centers are stationary making it impossible to totally utilize the space needed for all of the activities that take place at each location.

In response, Councilmember Duffy stated that he agrees that Crestview and Oakland Community Centers desperately need new bleachers, however, Central Park

does not. He stated that all parks should have a drinking fountain and suggested using the \$12,500 allocated for the Central Park Community Center bleachers for the new drinking fountains.

Councilmember Pomeroy made a friendly amendment to include Lakewood Park drinking fountain.

Councilmember Duffy's motion carried. Councilmember Hecht voted "no". (8-1-0)

Councilmember Alcala moved to approve the project budget and adopt the ordinance as amended. The motion seconded by Councilmember Dunn carried. Councilmember Hecht voted "no". (8-1-0)

The ordinance was adopted on roll call vote as follows: Ayes: Councilmembers Pomeroy, Alcala, Lane, Dunn, Duffy, Stubbs, Hill and Price -8. Noes: Councilmember Hecht -1.

Mayor Felker stated that the applicant requested that item 5A, a communication by Jerry L. Penner Sr., to operate a salvage yard, be withdrawn from the agenda.

FINAL PLAT for Hickory Ridge Estates Subdivision No. 9 on property located at the southeast corner of NW 35th Street and U.S. Highway 75, approximately 438 feet west of NW Button Road within unincorporated Shawnee County, Kansas, was presented. (P02/44)

Barry Beagle, Planning Department gave the staff report.

Mike Barry, Professional Engineering Consultants appeared to answer questions.

Mayor Felker gave an opportunity for anyone present to speak. No one appeared.

Councilmember Alcalá moved to approve the final plat. The motion seconded by Councilmember Stubbs carried unanimously. (9-0-0)

RESOLUTION NO. 7318 introduced by Mayor Felker cancelling the Council meeting of February 25, 2003, was presented.

Councilmember Dunn moved to adopt the resolution. The motion seconded by Councilmember Lane carried. Councilmember Alcalá voted "no". (8-1-0)

REPORT FROM THE CHIEF ADMINISTRATIVE OFFICER, was presented.

Dave Graversen distributed the weekly Legislative Report.

PRESENTATIONS BY MEMBERS OF THE COUNCIL, were presented.

Councilmember Lane requested a traffic study at the intersection of 20th and Lane.

Councilmember Dunn inquired on a streetlight request in the Southboro area, available streetlight funding and regulations on installation of water meters in mobile home parks within city limits. She also requested that the police patrol the 2900 block of Kentucky frequently to ease concerns that have been raised by her constituents.

Councilmember Duffy requested that the annexation of the Hickory Ridge Estates Subdivision No. 9 be placed on a future agenda. He also thanked the individuals involved in representing the City of Topeka on Senate Bill 167.

Councilmember Pomeroy noted that there have not been any violations sited for campaign signs in city easements this year. He also inquired on the report he requested last week concerning repeat offenders.

Councilmember Alcalá requested that digital pictures be taken of the Langley operation.

Councilmember Price explained Senate Bill 167 and the positive impact it will have on future Code Compliance enforcement.

PUBLIC COMMUNICATIONS AND COMMENTS, were presented.

Bob Sherbourne appeared to speak under public comment.

NO FURTHER BUSINESS appearing the meeting was adjourned by unanimous consent at 8:33 p.m.

Iris Walker
City Clerk