

## City Council Minutes – March 18, 2003

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, March 18, 2003. The Councilmembers of the City of Topeka met in regular session at 7:00 P.M., with the following Councilmembers present: Alcalá, Lane, Dunn, Hecht, Duffy, Hill and Price -7. Absent: Councilmembers Pomeroy and Stubbs –2. Mayor Felker presided -1.

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

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 March 11, 2003, were presented.

Councilmember Dunn requested to pull the March 11, 2003 City Council Minutes because she just received them.

APPLICATION for Cereal Malt Beverage License bearing the approval of the Chief of Police and City Inspectors for Tuckers Bar & Grill, 805 S. Kansas Avenue, 2<sup>nd</sup> floor, were presented.

APPLICATIONS for Dance Hall License bearing the approval of the Chief of Police and City Inspectors for the following, were presented:

Club Cosmo	1421 SW Lane
Guerreros Sports Bar	830 N Kansas
Heart Attack Jacks	555 SW 39 <sup>th</sup> Street

APPLICATIONS for Open After Mid-night License bearing the approval of the Chief of Police and City Inspectors for the following, were presented:

The Back Door	610 Wayne
Boobie Trap Bar	1417 SW 6 <sup>th</sup> Street
The Dugout	1545 SW Fairlawn
TJ's	1909 NE Seward
Plaza Bar	3810 SW Topeka Boulevard

Councilmember Hill moved to approve the applications. The motion seconded by Councilmember Lane carried unanimously. (7-0-0)

A PROJECT BUDGET in the amount of \$300,000 and ORDINANCE NO. 17981 introduced by Mayor Harry Felker, authorizing Improvement Project No. 30181-03, which provides for the construction of a ring road around the Rueger Park sports complex as more specifically described herein, all pursuant to Section A12-1 of the Code of the City of Topeka placed on first reading March 5, 2003 was again presented.

Councilmember Pomeroy entered the room.

Terry Bertels, Park Superintendent appeared for questions.

Councilmember Dunn moved to approve the project budget and adopt the ordinance. The motion seconded by Councilmember Price carried unanimously. (8-0-0)

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

RESOLUTION NO. 7328 introduced by Mayor Harry Felker, canceling the Council meeting of April 1, 2003 was presented.

Councilmember Dunn moved to adopt the resolution. The motion seconded by Councilmember Lane carried. Councilmember Alcalá voted "no". (7-1-0)

RESOLUTION NO. 7329 introduced by Mayor Harry Felker amending the adopted 2003-2004 Capital Budget for the City of Topeka, Kansas, and rescinding City of Topeka Resolution No. 7325 was presented.

Councilmember Dunn moved to adopt the resolution. The motion seconded by Councilmember Price carried unanimously. (8-0-0)

A COMMUNICATION to authorize Mayor Harry Felker to sign the necessary documents to complete the sale of the Management Agreement for Heartland Park was presented.

Councilmember Dunn moved to defer for one week. The motion seconded by Councilmember Pomeroy carried unanimously. (8-0-0)

AN ORDINANCE introduced by Mayor Harry Felker and Councilmember Gary Price amending the way the monetary penalty is administered, amending City of Topeka Code Section 118-12 and repealing said original section was presented for first reading.

AN ORDINANCE relating to Project No. 12062-00, construction of a Kansas Avenue fly-off ramp was withdrawn from the agenda.

AN ORDINANCE introduced by Mayor Harry Felker, authorizing Improvement Project No. 15055, Phase III, which provides for the creation of a wetland in the Old Soldier Creek Channel in Garfield Park, 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 Harry Felker, authorizing Improvement Project No. 29091-5, which provides for the replacement of the aeration basins at the Oakland Wastewater Treatment Plant (WWTP) 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 Harry Felker relating to utilities, specifically, amending Chapter 146, Article 1, authorizing the creation of a combined water, water pollution control and stormwater utility of the City of Topeka, Kansas, repealing Topeka City Code Section 146-38, Combined water and water pollution control utility and amending Topeka City Code Section 146-377 and repealing said original section was presented for first reading.

AN ORDINANCE introduced by Councilmember Harold Lane, related to the issuance of merchant guard licenses and identification cards, amending section 30-66, Merchant guard or merchant patrol, and section 30-424, Identification cards, and specifically repealing said original sections was presented for first reading.

Councilmember Lane moved to table the ordinance. The motion seconded by Councilmember Alcalá carried. Councilmember Duffy voted “no”. (7-1-0)

REPORT FROM THE CHIEF ADMINISTRATIVE OFFICER, was presented.

Dave Graversen distributed the weekly Legislative Report.

REPORTS OF COMMITTEES AND OFFICERS, were presented.

Mayor Felker gave a brief report on legislative matters concerning the annexation hearing, building codes, taxation committee, nuisance abatement, housing issues, surcharge on 911 cell phone calls, and homeland security issues.

Ed Klumpp, Chief of Police gave a brief update on security issues.

PRESENTATIONS BY MEMBERS OF THE COUNCIL, were presented.

Councilmember Alcalá thanked Chief Klumpp for working on the graffiti problem in the Oakland area.

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 7:43 p.m.

---

Iris Walker  
City Clerk