

City Council Minutes –February 3, 2004

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, February 3, 2004. The Councilmembers of the City of Topeka met in regular session at 7:00 P.M., with the following Councilmembers present: Alcalá, Pomeroy, Chancler, Nave, Haynes, Duffy, Stubbs and Price -8. Mayor James A. McClinton presided -1. Absent: Councilmember Preisner -1.

AFTER THE MEETING was called to order, prayer was offered by Reverend Joe L. Stokes of the East 8th St. Baptist Church.

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 January 27, 2004 were presented.

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

AN ORDINANCE introduced by Councilmember Bill Haynes establishing the time and place of Council Meetings pursuant to City of Topeka Charter Ordinance A2-25, repealing § 2-27 of the Code of the City of Topeka, Kansas placed on first reading November 18, 2003 was again presented. This was referred to the Policy and Finance Committee on November 25, 2003.

Councilmember Haynes requested that the ordinance be withdrawn to allow the Mayor an opportunity to continue his efforts in reorganizing the Council meetings.

Councilmember Pomeroy stated that the Council should vote it down rather than withdrawing it.

The ordinance was not adopted on roll call vote as follows: Ayes: Haynes –1. Noes: Chancler, Alcalá, Pomeroy, Nave, Duffy, Stubbs and Price -7. Absent: Preisner -1.

A COMMUNICATION requesting approval of the real estate reports and method of

disposal of City of Topeka surplus property by the procedure described within item “m” of the accompanying real estate reports was presented.

Kevin Rooney, Housing and Neighborhood Department gave the staff report.

Councilmember Stubbs moved to approve the communication. The motion seconded by Councilmember Price carried unanimously. (8-0-0)

A PETITION, a PROJECT BUDGET in the amount of \$263,844 and RESOLUTION NO. 7439 introduced by Mayor James A. McClinton authorizing Lateral Sanitary Sewer District No. 40917-01 H, located in Aquarian Acres Subdivision No. 9 in the northwest quadrant of the intersection of SE 29th Street and SE Croco Road, as more specifically described herein was presented.

Neil Dobler, Public Works Director gave the staff report.

Councilmember Nave moved to approve the petition, project budget and resolution. The motion seconded by Councilmember Alcalá carried unanimously. (8-0-0)

A PETITION, a PROJECT BUDGET in the amount of \$691,362 and RESOLUTION NO. 7340 introduced by Mayor James A. McClinton authorizing Street Improvement Project No. 60599-01 H, located in Aquarian Acres Subdivision No. 9 in the northwest quadrant of the intersection of SE 29th and SE Croco Road, as more specifically described herein was presented.

Neil Dobler gave the staff report.

Councilmember Duffy moved to approve the petition, project budget and resolution. The motion seconded by Councilmember Nave carried unanimously. (8-0-0)

AN ORDINANCE introduced by Councilmembers Jeff Preisner, John Nave and Clark Duffy authorizing the St. Patrick’s Day Committee to hold the St. Patrick’s Day Street Fair on March 17, 2004, was presented for first reading.

AN ORDINANCE introduced by Mayor James A. McClinton 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 SE 37th Street and S. Kansas Avenue in the City of Topeka, Kansas from “I-1” Light Industrial District to “PUD” Planned Unit Development District (“I-1” use group), was presented for first reading. (Z03/32)

AN ORDINANCE introduced by Mayor James A. McClinton 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 on the northeast corner of NW Western Avenue and NW Gordon Street in the City of Topeka, Kansas from “R-2” Single Family Dwelling District to “R-4” Single Family Dwelling District, was presented for first reading. (Z04/1)

AN ORDINANCE introduced by Mayor James A. McClinton 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 on the west side of SE California Avenue, the centerline of which is approximately 300-feet north of SE 25th Street in the City of Topeka, Kansas from “R-1” Single Family Dwelling District, with Resolution of Intent for “C-2” Commercial District to “R-1” Single Family Dwelling District, was presented for first reading. (Z04/4)

AN ORDINANCE introduced by Mayor James A. McClinton 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 from 3370 to 3432 SW Brendan Avenue in the City of Topeka, Kansas from “M-1” Two Family Dwelling

District with Resolution of Intent for “C-4” Commercial District to “M-1” Two Family Dwelling District, was presented for first reading. *(Z04/5)*

AN ORDINANCE introduced by Mayor James A. McClinton 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 3707 SW 6th Avenue from “E” Multiple Family Dwelling District with Resolution of Intent for “C-2” Commercial District and “C-4” Commercial District to “O&I-3” Office and Institutional District, was presented for first reading. *(Z04/6)*

AN ORDINANCE introduced by Mayor James A. McClinton 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 3545 SW 6th Avenue from “E” Multiple Family Dwelling District with Resolution of Intent for “C-4” Commercial District to “O&I-2” Office and Institutional District, was presented for first reading. *(Z04/7)*

AN ORDINANCE introduced by Mayor James A. McClinton designating real property more specifically described herein as a historic landmark and presently zoned “R-2” Single Family Dwelling District and located at 2020 SW 8th Street in the City of Topeka, Kansas, pursuant to City of Topeka Code Section 80-4, was presented for first reading. *(HL03/6)*

AN ORDINANCE introduced by Mayor James A. McClinton designating real property more specifically described herein as a historic landmark and presently zoned “C-5” Commercial District and located at 600 SE Madison Street in the City of Topeka, Kansas, pursuant to City of Topeka Code Section 80-4, was presented for first reading. *(HL03/7)*

REPORTS OF COMMITTEES AND OFFICERS, was presented.

Councilmember Pomeroy announced that there would be a Special Committee meeting held on February 4, 2004 at 7:05 a.m. in the City Council Office.

Councilmember Stubbs announced that there would be a Public, Health and Safety Committee meeting held on February 9, 2004 at 3:00 p.m. in the City Council Office.

REPORT FROM THE CHIEF ADMINISTRATIVE OFFICER, was presented.

Dave Graversen distributed the weekly Legislative report and a communication from the engineering department relating to the Kansas Avenue Bridge Fly-Off Project.

PRESENTATIONS BY MEMBERS OF THE COUNCIL, was presented.

Councilmember Alcalá expressed appreciation to the street department for their snow removal efforts in the Oakland and North Topeka areas.

Vic Miller appeared to speak under public comments.

NO FURTHER BUSINESS appearing the meeting was adjourned at 7:33 p.m.

Iris Walker
City Clerk