

City Council Minutes – March 9, 2004

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, March 9, 2004. The Councilmembers of the City of Topeka met in regular session at 7:00 P.M., with the following Councilmembers present: Alcala, Pomeroy, Chancler, Nave, Haynes, Duffy, Stubbs and Price -8. Absent: Preisner -1. Mayor James A. McClinton presided -1.

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

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

Councilmember Duffy requested to pull item 3A, a final plat for Wanamaker Square Subdivision No. 5 for separate discussion.

THE CONSENT AGENDA was presented as follows:

Minutes of the Regular Meeting of March 2, 2004 were presented.

A Cereal Malt Beverage application bearing the approval of the Chief of Police and City Inspectors for Godfather's Pizza #17015, 5300 W. 17th Street was presented.

A Dance Hall application bearing the approval of the Chief of Police and City Inspectors for Electric Cowboy, 3249 SW Topeka Boulevard was presented.

An Open After Mid-Night application bearing the approval of the Chief of Police and City Inspectors for Boss Hawg's, 2833 SW 29th Street was presented.

Councilmember Price moved to approve the remainder of the consent agenda. The motion seconded by Councilmember Nave carried unanimously. Councilmember Preisner was absent. (8-0-0)

A FINAL PLAT for Wanamaker Square Subdivision No. 5 located on a 35.34-acre parcel located at 1401 and 1501 SW Wanamaker Road in the City of Topeka, Kansas, was presented.

(P04/3)

Councilmember Duffy asked who was responsible for the maintenance of the easement.

David Thurbon, Planning Director stated that Wal-Mart is responsible for the maintenance and trash removal of the easement.

Councilmember Duffy moved to approve the final plat. The motion seconded by Councilmember Stubbs carried unanimously. Councilmember Preisner was absent. (8-0-0)

NOTICE OF PUBLIC HEARING

Notice is hereby given that there will be a special meeting of the Councilmembers of the City of Topeka, Shawnee County, Kansas, held Tuesday, March 9, 2004, at 7:00 P.M. in conjunction with vacation request V04E/1 by Kenneth and Eloise Keller for a 12-foot wide utility easement and a temporary construction easement on property located at 2040 SW Briarwood Drive, as dedicated by the plat of Replat No. 1, Briarwood Subdivision, City of Topeka, Shawnee County, Kansas.

ORDINANCE NO. 18183 introduced by Mayor James A. McClinton relating to the vacation of a 12-foot wide utility easement and a temporary construction easement on property located at 2040 SW Briarwood Drive, as dedicated by the plat of Replat No. 1, Briarwood Subdivision, City of Topeka, Shawnee County, Kansas placed on first reading March 2, 2004 was again presented. *(V04E/1)*

Bill Fiander, Planning Department gave the staff report.

Councilmember Price moved to close the public hearing and adopt the ordinance. The motion seconded by Councilmember Haynes carried unanimously. (8-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Lane, Alcalá, Pomeroy, Nave, Haynes, Duffy, Stubbs and Price -8. Absent: Preisner -1.

ORDINANCE NO. 18184 introduced by Mayor James A. McClinton relating to the vacation of a .57-foot wide street right-of-way the length of property located at 112 E. 8th Street and a 1.22 by 5-foot street right-of-way located on same property legally described as Lot 112 E. 8th Street, Original Town Subdivision, City of Topeka, Shawnee County, Kansas, and specifically repealing City of Topeka Ordinance 18155 and Ordinance No. 13707 placed on first reading March 2, 2004 was again presented. (V98S/5)

Bill Fiander gave the staff report and stated that this ordinance was previously adopted and was back before the Council to correct an error that was discovered in the legal description.

Councilmember Price moved to close the adopt the ordinance. The motion seconded by Councilmember Haynes carried unanimously. (8-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Lane, Alcala, Pomeroy, Nave, Haynes, Duffy, Stubbs and Price -8. Absent: Preisner -1.

Mayor McClinton noted that because there was a legal protest filed against item 5B, an ordinance relating to zoning case Z02/23, all Councilmembers must be present to vote on the ordinance so it would be considered later in the evening.

A ZONING PETITION and 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 either side of SW Woodbridge Drive, the centerline of which is approximately 385-feet north of SW 10th Avenue in the City of Topeka, Kansas from "R-1" Single Family Dwelling District TO "M-1" Two Family Dwelling District and "M-2" Multiple Family Dwelling District placed on first reading March 2, 2004 was again presented. (Z03/61)

Bill Fiander gave the staff report.

Councilmember Haynes asked if there was an alternative plan or if a median could be placed on SW Woodbridge Drive to decrease the flow of traffic .

Bill Fiander explained that SW Woodbridge Drive is going to be completed as a through street with a cul-de-sac located on each side, making it difficult to place a median in the middle to slow traffic. He continued to explain that the developer plans to use 10th Street as the main entrance and not SW Woodbridge Drive.

Councilmember Duffy asked how the County Planning Commission plans to reduce traffic density in comparison to the Topeka Planning Department's recommendations.

Councilmember Preisner entered the room at 7:22 p.m.

Mike Engler, Bartlett and West Engineers stated that the residents are very concerned with the anticipated increase of traffic on SW Woodbridge Drive and explained the alternative plan to eliminate the controversy. Their proposal would make the cul-de-sac area and the interior loop of SW Woodbridge Drive all "M-2" Multiple Family Dwelling District usage and make all access in and out of the area off of 10th Street. In addition, SW Woodbridge Drive would be restricted to duplex units only, decreasing the traffic flow tremendously. In conclusion, he asked the Council to defer the item until he is able to discuss the alternative plan with all of the parties involved.

Wayne Stratton, representative for area residents stated that he agrees with Mike Engler and believes it is a good plan and an alternative worth considering.

Councilmember Price moved to defer until April 6, 2004. The motion seconded by Councilmember Preisner carried unanimously. (9-0-0)

A ZONING PETITION and ORDINANCE NO. 18185 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 north side of SE 29th Street, the centerline of which is approximately 2,530-feet west of SE Croco Road in the City of Topeka, Kansas from “R-1” Single Family Dwelling District, “R-1” Single Family Dwelling District with Resolution of Intent for “C-2” Commercial District ALL TO “PUD” Planned Unit Development District (“O&I-2”, “C-2” and “R-1” use groups.) placed on first reading March 2, 2004 was again presented. (Z02/23)

Bill Fiander gave the staff report.

Councilmember Price asked if any of the individuals that signed the County’s protest petition were present to speak.

Bill Fiander stated that no one was present to speak because the issues have been resolved.

Councilmember Preisner moved to approve the zoning petition and adopt the ordinance. The motion was seconded by Councilmember Haynes.

Councilmember Nave expressed appreciation to the developer and the residents for their combined efforts in reaching an agreement.

Councilmember Stubbs stated that the City’s traffic impact study showed that there was not a traffic flow problem for this area, therefore, she would like to know exactly what is being requested by the County.

Bill Fiander stated that the new Planned Unit Development District does not require any traffic improvements. However, a new Traffic Impact Assessment has to be conducted after two commercial structures have been built and following the study they must complete any recommendations that are made. He also stated that the County released a statement requesting that SE 29th Street have left hand turning lanes built to ease the flow of traffic.

Councilmember Duffy asked who would be responsible for the development of SE 28th Street Terrace, and if Abby Grove Subdivision is going to be included in the SE Sagittarius Drive benefit district.

David Thurbon, Planning Director stated that the sole expense of SE 28th Street Terrace would be to the developer, and the Council has the ability to exclude Abby's Grove Subdivision from becoming a part of the SE Sagittarius Drive benefit district.

Councilmember Price asked if the County's concerns have been worked out with the developer.

Eric Dinkle, Team L.L.C. stated that they have reached an agreement with the County and have agreed to pay for the total cost of the SE 29th Street improvements.

Mayor McClinton asked if there were any additional exparte communications besides Councilmember Alcala, Chancler, Nave and Duffy. There were none declared.

The motion to approve the zoning petition and adopt the ordinance carried unanimously. (9-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Lane, Alcala, Pomeroy, Nave, Haynes, Duffy, Stubbs, Preisner and Price -9.

A ZONING PETITION and ORDINANCE NO. 18186 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 Truman Avenue, the centerline of which is approximately 610-feet north of SE 45th Street in the City of Topeka, Kansas from "R-1" Single Family Dwelling District TO "R-3" Single Family Dwelling District placed on first reading March 2, 2004 was again presented. (Z04/2)

Bill Fiander gave the staff report.

Mike Engler, Bartlett and West Engineering spoke in support of the project.

Mayor McClinton asked if there were any exparte communications. There were none declared.

Councilmember Haynes moved to approve the zoning petition and adopt ordinance. The motion seconded by Councilmember Nave carried unanimously. (9-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Lane, Alcala, Pomeroy, Nave, Haynes, Duffy, Stubbs, Preisner and Price -9.

A ZONING PETITION and ORDINANCE NO. 18187 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 southwest corner of SW Sena Drive and SW Mission Avenue in the City of Topeka from "R-1" Single Family Dwelling District with Resolution of Intent for "M-3" Multiple Family Dwelling District or "O&I-2" Office and Institutional District TO "R-1" Single Family Dwelling District placed on first reading March 2, 2004 was again presented. (Z04/8)

Bill Fiander gave the staff report.

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

Mayor McClinton asked if there were any exparte communications. There were none declared.

Councilmember Stubbs moved to approve the zoning petition and adopt the ordinance. The motion seconded by Councilmember Price carried unanimously. (9-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Lane, Alcala, Pomeroy, Nave, Haynes, Duffy, Stubbs, Preisner and Price -9.

A ZONING PETITION and ORDINANCE NO. 18188 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 1200 and 1212 SW Lane Street in the City of Topeka, Kansas from "M-1" Two Family Dwelling District with Resolution of Intent for "M-2" Multiple Family Dwelling District TO "M-1" Two Family Dwelling District placed on first reading March 2, 2004 was again presented. (Z04/9)

Bill Fiander gave the staff report.

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

Mayor McClinton asked if there were any exparte communications. There were none declared.

Councilmember Preisner moved to approve the zoning petition and adopt the ordinance. The motion seconded by Councilmember Pomeroy carried unanimously. (9-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Lane, Alcalá, Pomeroy, Nave, Haynes, Duffy, Stubbs, Preisner and Price -9.

A ZONING PETITION and ORDINANCE NO. 18189 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 3745 through 3771 SW Wood Valley Drive in the City of Topeka, Kansas from "R-1" Single Family Dwelling District with Resolution of Intent for "D&O" Multiple Family Dwelling and Office District TO "R-1" Single Family Dwelling District placed on first reading March 2, 2004 was again presented. (Z04/10)

Bill Fiander gave the staff report.

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

Mayor McClinton asked if there were any exparte communications. There was none declared.

Councilmember Stubbs moved to approve the zoning petition and adopt the ordinance. The motion seconded by Councilmember Price carried unanimously. (9-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Lane, Alcalá, Pomeroy, Nave, Haynes, Duffy, Stubbs, Preisner and Price -9.

A ZONING PETITION and ORDINANCE NO. 18190 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 1168 SW Mission Avenue in the City of Topeka, Kansas from "R-1" Single Family Dwelling District with Resolution of Intent for "D&O" Multiple Family Dwelling and Office District TO "R-1" Single Family Dwelling District placed on first reading March 2, 2004 was again presented. (Z04/11)

Bill Fiander gave the staff report.

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

Mayor McClinton asked if there were any exparte communications. There was none declared.

Councilmember Preisner moved to approve the zoning petition and adopt the ordinance. The motion seconded by Councilmember Haynes carried unanimously. (9-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Lane, Alcalá, Pomeroy, Nave, Haynes, Duffy, Stubbs, Preisner and Price -9.

ORDINANCE NO. 18191 introduced by Mayor James A. McClinton, pertaining to an

amendment to the text and map of the Topeka Comprehensive Metropolitan Plan placed on first reading March 2, 2004 was again presented. (CPA04/01)

Bill Fiander gave the staff report and explained the priorities of the plan. The two main areas discussed included; a land use plan that designates most of the residential area as low density single family dwellings, and the improvement and clean up of the Seward Avenue commercial corridor.

Councilmember Alcalá stated the Neighborhood Improvement Association and the area residents supports the current zoning for Tavares Market on the corner of NE Lake and Atchison because it stays consistent with the buildings that are located on the corners of NE Thomas and Wabash. He continued to explain that the area goal was to encourage new commercial development on Seward Avenue while continuing to support the “Mom and Pop” businesses already in the area.

Councilmember Duffy stated that he supports the plan and believes it sets a good example of the criteria needed for future Capital Improvement Program Projects.

Councilmember Pomeroy stated that he supports the plan because it illustrates strong neighborhood stability.

The ordinance was adopted on roll call vote as follows: Ayes: Lane, Alcalá, Pomeroy, Nave, Haynes, Duffy, Stubbs, Preisner and Price -9.

A ZONING PETITION and ORDINANCE NO. 18192 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 in the neighborhood commonly known as Oakland, in the City of Topeka, Kansas from “M-1” Two Family Dwelling District, “M-2” Multiple Family Dwelling District,

“I-1” Light Industrial District, “I-2” Heavy Industrial District, “C-2” Commercial District, “C-4” Commercial District and “E” Multiple Family Dwelling District ALL TO “R-2” Single Family Dwelling District, inclusive to all Special Permits placed on first reading March 2, 2004 was again presented. (Z04/12)

Bill Fiander gave the staff report.

Councilmember Alcalá stated that neighborhood residents would like to keep the current zoning for the Tavares Market.

Councilmember Alcalá moved to make an amendment to the ordinance to remove all four corners of NE Atchison and Lake, keeping the current zoning on the northwest corner where Tavares Market is located. The motion was seconded by Councilmember Preisner.

Braxton Copley, Assistant City Attorney noted that the Council cannot make an amendment at this time, however, they may approve the ordinance or remand it back to the Planning Commission with their recommendation.

Several Councilmembers declared exparte communication by email, U.S. mail and telephone calls.

Pete Tavares, owner of Tavares Market spoke in opposition of the proposed zoning and stated that he has a petition that has been signed by 100% of the neighbors supporting the current zoning.

Councilmember Alcalá moved to approve the zoning petition and adopt the ordinance. The motion was seconded by Councilmember Chancler.

Councilmember Stubbs expressed concern with the opinions of the surrounding neighbors.

David Thurbon stated that if all four corners are excluded from the proposed zoning

change they still have the opportunity to change the zoning on the three remaining corner properties.

The motion to approve the zoning petition and adopt ordinance carried unanimously.

(9-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Lane, Alcalá, Pomeroy, Nave, Haynes, Duffy, Stubbs, Preisner and Price -9.

A ZONING PETITION and ORDINANCE NO. 18193 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 in the neighborhood commonly know as Oakland, in the City of Topeka, Kansas from “C-2” Commercial District and “C-4” Commercial District ALL TO “X-1” Mixed Use District placed on first reading March 2, 2004 was again presented. (Z04/13)

Bill Fiander gave the staff report.

Brian Treadwell, area resident spoke in opposition and requested that they exclude their property from the “X-1” Mixed Use District. He explained that they currently have two buyers interested in purchasing their property and if the rezoning is passed they will not be able to sell the buildings. He also distributed a petition signed by 100% of the neighborhoods supporting his request.

Councilmember Alcalá stated that area residents preferred that the plan stay consistent with the commercial corridor and a zoning change would place restrictions on future businesses if the current owners decided to sell.

Councilmember Alcalá moved to approve the zoning petition and adopt the ordinance.

The motion was seconded by Councilmember Stubbs.

Several Councilmembers declared ex parte communications through email, paper correspondence and telephone conversations.

Councilmember Stubbs stated that she agrees with Councilmember Alcala and believes that consistency is very important. She suggested that a Conditional Use Permit may be the best alternative.

The motion to approve the zoning petition and adopt the ordinance carried unanimously. (9-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Lane, Alcala, Pomeroy, Nave, Haynes, Duffy, Stubbs, Preisner and Price -9.

A ZONING PETITION and ORDINANCE NO. 18194 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 in the neighborhood commonly known as Oakland, in the City of Topeka, Kansas from "C-4" Commercial District TO "C-2" Commercial District placed on first reading March 2, 2004 was again presented. (Z04/14)

Bill Fiander gave the staff report.

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

Mayor McClinton asked if there were any additional ex parte communications besides Councilmember Alcala. There was none declared.

Councilmember Alcala moved to approve the zoning petition and adopt the ordinance. The motion seconded by Councilmember Preisner carried unanimously. (9-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Lane, Alcala, Pomeroy, Nave, Haynes, Duffy, Stubbs, Preisner and Price -9.

A ZONING PETITION and ORDINANCE NO. 18195 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 in the neighborhood commonly known as Oakland, in the City of Topeka, Kansas from "C-2" Commercial District TO "C-1" Commercial District placed on first reading March 2, 2004 was again presented. (Z04/15)

Bill Fiander gave the staff report.

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

Mayor McClinton asked if there were any additional exparte communications besides Councilmember Alcalá and Pomeroy.

Councilmember Alcalá moved to approve the zoning petition and adopt the ordinance. The motion seconded by Councilmember Nave carried unanimously. (9-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Lane, Alcalá, Pomeroy, Nave, Haynes, Duffy, Stubbs, Preisner and Price -9.

A ZONING PETITION and ORDINANCE NO. 18196 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 in the neighborhood commonly known as Oakland, in the City of Topeka, Kansas from "R-1" Single Family Dwelling District, "R-2" Single Family Dwelling District, "M-1" Two Family Dwelling District and "M-2" Multiple Family Dwelling District ALL TO "OS-1" Open Space District placed on first reading March 2, 2004 was again presented. (Z04/16)

Bill Fiander gave the staff report.

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

Mayor McClinton asked if there were any exparte communications. There were none declared.

Councilmember Alcalá moved to approve the zoning petition and adopt the ordinance. The motion seconded by Councilmember Haynes carried unanimously. (9-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Lane, Alcalá, Pomeroy, Nave, Haynes, Duffy, Stubbs, Preisner and Price -9.

Councilmember Alcalá expressed his appreciation to staff for all of their hard work in completing the Oakland Neighborhood Plan.

AN ORDINANCE introduced by Councilmember Clark Duffy relating to parking meter zones and amending Topeka City Code Sections 142-376 and 142-426 and specifically appealing said original section placed on first reading March 2, 2004 was again presented.

Councilmember Preisner stated that he apologizes that he was not present at the beginning of the meeting to inform the public that he intends to refer this ordinance to the Public, Health and Safety Committee because he still has questions that have not been answered.

Councilmember Preisner moved to refer the ordinance to the Public, Health and Safety Committee. The motion seconded by Councilmember Stubbs carried unanimously. (9-0-0)

Councilmember Stubbs stated that there would be a Public, Health and Safety Committee meeting on March 15, 2004 at 4:00 p.m. in the City Council Office.

A COMMUNICATION requesting approval of the real estate report and disposal of City of Topeka surplus property located at 400 SE 8th Street was presented.

Kevin Rooney, City of Topeka Real Estate Officer gave the staff report.

Councilmember Preisner moved to approve the communication. The motion seconded by Councilmember Stubbs carried unanimously. (9-0-0)

AN INTERLOCAL AGREEMENT between the City of Topeka and Shawnee County relating to financing countywide infrastructure and economic development to be funded by a one quarter of one cent countywide retailers sales tax was presented.

A RESOLUTION introduced by Councilmember Clark Duffy, relating to the issuance of industrial revenue bonds, providing procedures for review of Industrial Revenue Bond applications and rescinding City of Topeka Resolution No. 6876 was presented.

Councilmember Duffy moved to refer items 6B, an Interlocal Agreement with the county, and item 6C, a resolution relating to issuance of IRB's to the Economic and Development Committee. The motion seconded by Councilmember Haynes carried unanimously. (9-0-0)

A FINAL PLAT for Hidden Valley Subdivision No. 4 on a 14.24-acre parcel on either side of SW 19th Lane (proposed) and either side of SW Ancaster Road (proposed) containing 14.24 acres within unincorporated Shawnee County, Kansas, was presented. (P04/5)

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

AN ORDINANCE introduced by Councilmember Clark Duffy concerning the eligibility standards for the granting of economic development tax exemptions, amending Topeka City Code Sections 138-83 and 138-84, and repealing said original sections was presented for first reading.

Councilmember Duffy moved to refer the ordinance to the Economic and Development Committee. The motion seconded by Councilmember Price carried unanimously. (9-0-0)

AN ORDINANCE introduced by Mayor James A. McClinton, pertaining to the transportation, distribution, and sale of natural gas or other energy through pipelines or distribution systems in the City of Topeka, requiring a franchise was presented for first reading.

AN ORDINANCE introduced by Mayor James A. McClinton, granting to Kansas Gas Service a division of ONEOK, Inc., its successors and assigns, a natural gas franchise in the City of Topeka, Kansas, prescribing the terms thereof and relating thereto, and repealing portions of Ordinance No. 15667 was presented for first reading.

Councilmember Duffy moved to refer item 7B and 7C, ordinances relating to the Kansas Gas Service franchise agreements in the Policy and Finance Committee. The motion seconded by Councilmember Preisner carried unanimously. (9-0-0)

REPORTS OF COMMITTEES AND OFFICERS, were presented.

Councilmember Duffy announced that there would be an Economic and Development Committee meeting held on March 12, 2004 at 11:30 a.m. at the Great Overland Station.

PRESENTATIONS BY MEMBERS OF THE COUNCIL, were presented.

Councilmember Chancler asked when the potholes in the parking lot of the Hillcrest Community Center would be fixed and when the Jefferson Square area basketball goal would be installed.

Rogers Brazier stated that they would begin the repair of various community center parking lots at the end of March following the approval of the project budget on March 23, 2004. He also stated that he would check to see when the basketball goal is scheduled to be installed and let Councilmember Chancler know prior to the next Neighborhood Improvement Association meeting.

Councilmember Alcalá asked if there would be funds available to convert the Oakland Park area tennis courts into a basketball court. He also submitted an ordinance for a future agenda relating to accounting upon separation of employment.

Councilmember Duffy moved to adjourn into executive session for a period not to exceed twenty minutes to discuss real estate acquisitions. The motion seconded by Councilmember Stubbs carried unanimously. (9-0-0)

Following the twenty-minute time period the Council reconvened into open session and Mayor McClinton stated that no action had been taken.

NO FURTHER BUSINESS appearing the meeting was adjourned at 9:24 p.m.

Iris Walker
City Clerk