

## City Council Minutes – April 6, 2004

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, April 6, 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, Preisner and Price -9. Mayor James A. McClinton presided -1.

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

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

Councilmember Pomeroy moved to suspend the Council Rules to add the Selection of JEDO Board Members to the agenda. The motion seconded by Councilmember Preisner carried unanimously. (9-0-0)

Councilmember Preisner moved to reinstate the Council Rules. The motion seconded by Councilmember Pomeroy carried unanimously. (9-0-0)

THE CONSENT AGENDA was presented as follows:

A FINAL PLAT for Stone Ridge Subdivision on property located on the northwest corner of SE 45<sup>th</sup> Street and SE Adams Street in the City of Topeka, Kansas, was presented. (P04/2)

Minutes of the Regular Meeting of March 23, 2004 were presented.

A Cereal Malt Beverage License application bearing the approval of the Chief of Police and City Inspectors for Discount Smokes, 1221 SW 21<sup>st</sup> Street, was presented.

Open After Mid-Night 2004-2005 renewal applications bearing the approval of the Chief of Police and City Inspectors for the following were presented:

<u>Business Name</u>	<u>Address</u>
American Legion Capital Post 1	3800 S.E. Michigan
Bennigans #1732	3251 S. Topeka Boulevard
Boss Hawgs	2833 S.W. 29 <sup>th</sup> Street
The Car Wash	1814 S.W. 10 <sup>th</sup> Street
The Car Wash	720 S.W. Gage
Dillon Store #64	5720 W. 21 <sup>st</sup> Street
Fairlawn Plaza Amoco	2101 S.W. Fairlawn Road
McDonald's Restaurant	1640 S.W. Wanamaker
McDonald's Restaurant	1201 Gage Boulevard
Skyway, Inc.	815 Fairlawn Road

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

SELECTION OF DEPUTY MAYOR, was presented.

Councilmember Nave nominated Councilmember Duffy.

Councilmember Stubbs nominated Councilmember Price.

Councilmember Nave moved to close the nominations. The motion seconded by Councilmember Chancler carried unanimously. (9-0-0)

Councilmember Stubbs moved to request that the nominees speak on why they want to become Deputy Mayor. The motion seconded by Councilmember Chancler carried.

Councilmembers Nave, Haynes, Duffy and Price voted "no". (5-4-0)

Councilmember Price stated that as Deputy Mayor he would provide professionalism, leadership, and a central based thought process that would serve the community well.

Councilmember Duffy expressed his appreciation for the leadership and contributions that Councilmember Price has made to the City Council and the community. He stated that as Deputy Mayor he would look forward to assisting with establishing the responsibilities of the

City Council, and providing a vision of harmonious growth and development to the community.

After a tally of the votes, the City Clerk announced that Councilmember Duffy received six votes and Councilmember Price received three votes.

Mayor McClinton congratulated Councilmember Duffy on being selected as the Deputy Mayor.

SELECTION OF JEDO BOARD MEMBERS, was presented.

The City Attorney stated that while all members of the Council were members of JEDO, the council needed to select two voting members of JEDO.

Councilmember Preisner nominated Councilmember Stubbs.

Councilmember Chancler nominated Councilmember Nave.

Councilmember Alcalá nominated Councilmember Haynes.

Councilmember Stubbs stated that she would have to decline the nomination to allow other Councilmembers who have not yet served on the board the opportunity to do so.

Councilmember Pomeroy nominated Councilmember Price.

Councilmember Price stated that he would also decline the nomination.

Councilmember Stubbs nominated Councilmember Preisner.

Councilmember Duffy moved to close the nominations. The motion seconded by Councilmember Preisner carried unanimously. (9-0-0)

After a tally of the votes the City Clerk announced that Councilmember Nave received eight votes, and Councilmember Preisner received five votes, and Councilmember Haynes received four votes.

The Mayor announced that Councilmember Nave and Councilmember Preisner were selected to serve on the JEDO Board.

RESOLUTION NO. 7453 introduced by Mayor James A. McClinton relating to the appointment of two councilmembers to the Metropolitan Planning Organization, was presented.

Councilmember Preisner nominated Councilmember Stubbs.

Councilmember Price nominated Councilmember Preisner.

Councilmember Nave nominated Councilmember Haynes.

Councilmember Preisner moved to close the nominations. The motion seconded by Councilmember Chancler carried unanimously. (9-0-0)

David Price stated that he does not believe that items should be added to the agenda at the meeting because it does not give the public advance notice to comment on the issue.

After a tally of the votes, the City Clerk stated that Councilmember Stubbs received six votes, and Councilmember Preisner received six votes, and Councilmember Haynes received five votes.

The Mayor announced that Councilmember Stubbs and Councilmember Preisner were selected to serve on the MPO Advisory Board.

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

RESOLUTION NO. 7454 introduced by Mayor Felker setting forth the City of Topeka's policy regarding the undertaking of street improvement projects and repealing City of Topeka Resolution No. 6846, was presented.

Neil Dobler, Public Works Director gave the staff report and explained the factors involved in a benefit district policy including; when to use a benefit district, apportionment of costs, and the method of assessment.

Councilmember Stubbs stated that she appreciates the consistencies in the policies that

have been presented.

Councilmember Alcala stated that the property at Seward Avenue and Rice Road is served with well water and asked if this policy would allow the property to have City water.

Councilmember Nave asked if individual water service hook-up would be affected by this policy.

Councilmember Duffy asked if this policy would allow them to be more aggressive in providing water and sewer services in the “Intensive Care” areas.

In response to the Councilmembers questions, Neil Dobler explained that the policy does not cover the property located along Seward Avenue and Rice Road, however, he would be willing to investigate the area to see what could be done. He also stated that the policy would not affect individual water hook-up service or “Intensive Care” areas because the service is already established. He stated that the policy was implemented primarily for new developments.

Councilmember Preisner moved to approve the resolution. The motion was seconded by Councilmember Price.

Mike Engler, Bartlett & West Engineers stated that it is a good plan and seems to be fair. He asked if they would consider modifying the policy because the cost for commercial properties would be too great to absorb. The amendments presented were; Section 3.A.(i) to specify “single family dwelling”, Section 3.A.(ii) to lower the commercial zoned assessment rate to twenty-five units per square foot, and Section 3.A.(iii) assess each parcel at two units per square foot.

David Price spoke in opposition of the resolution.

The motion to approve the resolution carried unanimously. (9-0-0)

A PROJECT BUDGET in the amount of \$150,000 and ORDINANCE NO. 18207 introduced by Mayor James A. McClinton, authorizing Park Improvement Project No. 30246-00,

which provides for parking lot paving at various community centers as more specifically described herein, all pursuant to Section A12-1 of the Code of the City of Topeka placed on first reading March 23, 2004 was again presented.

Terry Bertels, Parks and Recreation Department gave the staff report.

Councilmember Price stated that he would not support the project. He explained that he agrees with the project but not the method of financing and believes that the parking lots will not last the twenty-years it will take to pay for them.

Councilmember Stubbs stated that she agrees with Councilmember Price and believes that they should try to implement a “pay as you go” policy.

Councilmember Chancler stated that in the future they should try to incorporate money for “pay as you go” projects.

Dave Graversen, Chief Administrative Officer stated that normally it is included in the budget, however, last year it was cut due to budget restraints.

Councilmember Duffy encouraged the Council to find a way to incorporate money into next year’s budget to support “pay as you go” projects for the Parks and Recreation Department.

Councilmember Haynes moved to approve the project budget and adopt the ordinance. The motion seconded by Councilmember Duffy carried. Councilmembers Pomeroy and Price voted "no". (7-2-0)

The ordinance was adopted on roll call vote as follows: Ayes: Chancler, Alcala, Nave, Haynes, Duffy, Stubbs and Preisner -7. Noes: Pomeroy and Price -2.

A PROJECT BUDGET in the amount of \$250,000 and ORDINANCE NO. 18208 introduced by Mayor James A. McClinton, authorizing Improvement Project No. 30250-00, which provides for the addition to the Carousel in Gage Park for ADA accessible restrooms and

a multipurpose room for community use as more specifically described herein, all pursuant to Section A12-1 of the Code of the City of Topeka placed on first reading March 23, 2004 was again presented.

Terry Bertels gave the staff report.

Councilmember Preisner asked if there were any 2004 ADA Improvement funds that could be used to cover the cost of the ADA requirements of the project.

Randy Bailes, Financial Director stated that he would have to check on the funding and let him know at a later date.

Councilmember Chancler asked if the project could wait until next year to include it in their budget because the use of the carousel is seasonal.

Councilmember Alcalá stated that he agrees with Councilmember Chancler and doesn't believe there would be enough activity to justify bonding the project. He stated that he would like the project to be included in the "pay as you go" policy.

Councilmember Duffy asked if the Helen Hocker Theatre restrooms could be used for the area.

Councilmember Pomeroy stated that sharing the facilities could cause problems during production.

Councilmember Price moved to approve the project budget and adopt the ordinance. The motion seconded by Councilmember Preisner carried. Councilmembers Alcalá, Chancler, Nave and Duffy voted "no". (5-4-0)

The ordinance was adopted on roll call vote as follows: Ayes: Pomeroy, Haynes, Stubbs, Preisner and Price -5. Noes: Alcalá, Chancler, Nave and Duffy -4.

ORDINANCE NO. 18209 introduced by Councilmember Gary Price relating to the

parking of vehicles on non-paved surfaces, and specifically authorizing property maintenance inspectors to cite for violations thereof, amending City of Topeka Code Sections 50-41, 50-48, 50-58 and 142-355 and specifically repealing said original section, placed on first reading March 23, 2004 was again presented.

Neil Dobler gave the staff report and stated that Mike McGee and Karen Hiller were present to answer questions.

Frank Kirtdoll stated the he believes that the ordinance is illegal.

Pat Delapp appeared in opposition of the ordinance and stated that the City needs authorized personnel to site violations.

David Price stated that he believes that the ordinance is illegal.

Councilmember Chancler moved to amend the ordinance to add the statement “Homeowners will be allowed to park their vehicles in the back yard for no more than six months” to Section 6., line 145. The motion seconded by Councilmember Nave carried. Councilmembers Duffy, Preisner and Nave voted "no". (6-3-0)

Councilmember Alcalá stated that he would not support the ordinance because of the cost to the homeowner.

Councilmember Nave stated the he has received telephone calls and emails from several senior and low-income residents who believe that the policy would be to cost prohibitive.

Councilmember Nave moved to amend the ordinance to prohibit any parking in the front yard. The motion was seconded by Councilmember Haynes.

Councilmember Alcalá stated the he opposes the amendment and the ordinance and encouraged his colleagues to do the same. He suggested creating a new ordinance in committee that would work in conjunction with the property maintenance code issues.



Councilmember Price stated that the policy would aid the enforcement of the violation because code compliance inspectors are already on the property.

Councilmember Alcalá stated that additional parking on the side of streets could cause problems for emergency vehicles.

Councilmember Stubbs stated that she believes the wording of the ordinance needs to be more defined, and asked how they are going to deal with the individuals who are not currently in compliance.

Mike McGee stated that a notice explaining the changes would be distributed with the monthly water bills and suggested that they allow a six to twelve month grace period to allow people enough time to comply with the new regulation.

Councilmember Nave withdrew his motion.

Councilmember Chanler expressed concern with the extra cost to landlords and also with children walking in the middle of street due to the increase of vehicles being parked on the side of streets.

Councilmember Haynes moved to amend the ordinance to be effective six months after the date of publication. The motion died due to lack of second.

Councilmember Stubbs moved to make an amendment to the ordinance to make the ordinance effective one year after the date of publication. The motion was seconded by Councilmember Haynes.

Brenden Long, City Attorney stated that this problem is a traffic violation not a property maintenance code issue.

Councilmember Stubbs withdrew her amendment.

Councilmember Stubbs moved to amend the ordinance to make the ordinance effective

six months following date of publication and issue one warning following the 6-month grace period before an actual ticket was issued. The motion was seconded by Councilmember Haynes.

Councilmember Chancler stated that a ticket would compound the cost to the property owner.

Councilmember Price stated that he believes the original ordinance addresses the issue and that ninety days is a sufficient amount of time to prepare for the new regulation.

The motion to amend failed. Alcalá, Chancler, Nave, Duffy, Preisner and Price voted "no". (3-6-0)

Mayor McClinton stated that there are a lot of old cities that deal with the same problems as Topeka. Neighborhoods that look like parking lots, and vehicles tearing up curbs and sidewalks. He stated that a stand must be taken by the City and a decision made on what the community should look like.

The ordinance was adopted on roll call vote as follows: Ayes: Nave, Haynes, Duffy, Stubbs, Preisner and Price -6. Noes: Pomeroy, Alcalá, and Chancler -3.

ORDINANCE NO. 18210 introduced by Councilmember Gary Price, Jeff Preisner, and Lisa Stubbs, creating the property maintenance chapter and repealing City of Topeka Code Chapter 26, Article XI, Unsafe structures, including sections 26-546 through 26-558 inclusive, Chapter 66, Article II, Nuisances, including sections 66-25 through 66-36 inclusive, Chapter 66, Article III, Junked and abandoned vehicles, including sections 66-56 through 66-62 inclusive, Chapter 82, Article II, Housing Code, including sections 82-31 through 82-270 inclusive and specifically repealing said original sections placed on first reading March 23, 2004 was again presented.

Councilmember Price explained the ordinance and stated that there have been many

committee meetings and other meetings held concerning this issue.

Frank Kirtdoll stated that he believes the ordinance is illegal.

Mark Galbraith, President of the Elmhurst Neighborhood Association spoke in support of the ordinance.

Pat DeLapp stated that he opposes an ordinance that sets up an administrative process to fine people.

David Price spoke in opposition of the ordinance.

Several Councilmembers discussed the cost of demolition compared to repair of a house.

Councilmember Pomeroy moved to amend the ordinance to reduce the percentage of the replacement cost of a structure from 30% to 15% on page 39 and 40. The motion was seconded by Councilmember Duffy.

Councilmember Stubbs stated that she believes that this is only a quick fix to a much bigger problem and they need to address the problem as a whole.

Councilmember Pomeroy stated that it is important to save a house whenever possible.

Councilmember Alcalá made a substitute motion to refer the ordinance to the Public, Health and Safety Committee. The motion seconded by Councilmember Haynes failed. Councilmembers Pomeroy, Nave, Duffy, Stubbs, Price and Preisner voted "no". (3-6-0)

The motion to reduce the replacement cost value to 15% carried. Councilmembers Alcalá, Stubbs, Preisner and Price voted "no". (5-4-0)

Councilmember Price asked that the replacement cost value be reviewed in committee to make sure that it is the correct threshold.

Councilmember Price moved to amend the ordinance to be effective ninety days after date of publication. The motion seconded by Councilmember Preisner carried. Councilmembers

Pomeroy and Haynes voted "no". (7-2-0)

The ordinance as amended was adopted on roll call vote as follows: Ayes: Alcalá, Chancler, Nave, Duffy, Stubbs, Preisner and Price -7. Noes: Pomeroy and Haynes -2.

ORDINANCE NO. 18211 introduced by Mayor James A. McClinton authorizing initiation of condemnation proceedings to acquire property by eminent domain for the City of Topeka Hi-Crest Park Project No. 302480, in the area of Hi-Crest placed on first reading March 23, 2004 was again presented.

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

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

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 repealing said original section placed on first reading March 2, 2004 was again presented.

Neil Dobler gave the staff report and explained the two funding options available to solve the Kansas Avenue parking issues. The options were presented as follows:

<u>Funding Option A</u>	<u>Annual Income</u>
Install Parking Meters on Kansas Avenue	\$218,000
Install 200 Meters in fringe areas	\$25,000
Legislative Session Hooding	\$35,000
Watertower Surface Parking	\$12,000
<b>TOTAL ANNUAL INCOME</b>	<b>\$290,000</b>
<u>Funding Option B</u>	<u>Annual Income</u>
Increase Meter Violation Fees	\$100,000
Increase Garage Rates	\$121,000
Legislative Session Hooding	\$35,000
Watertower Surface Parking	\$12,000
<b>TOTAL ANNUAL INCOME</b>	<b>\$293,000</b>

In Conclusion, he explained that they support both options, however, option B would be the best alternative at this time because they could implement the increase in parking meter violation fees and garage rates at anytime.

Councilmember Nave moved to approve Option B, of the proposal. The motion was seconded by Councilmember Stubbs.

Brenden Long, City Attorney stated that the motion was inappropriate because the action item before the Council is the designation of certain areas for the installation of parking meters on Kansas Avenue.

Councilmember Nave withdrew the motion.

Councilmember Stubbs explained the committee report and stated that it was referred from committee "Without Recommendation".

Councilmember Stubbs moved to accept the committee report. The motion seconded by Councilmember Duffy carried. Councilmember Haynes voted "no". (8-1-0)

Councilmember Price made a substitute motion to keep the verbiage in lines 38 through 41. The motion was seconded by Councilmember Duffy.

Councilmember Stubbs suggested disapproving the ordinance and reconstructing a new simplified version at a later date.

Councilmember Price withdrew the motion.

Councilmember Chanler stated that she believes it is unfair to induce the cost of parking meters on people who choose to do business downtown because those who work in the downtown area will not utilize the area parking garages.

Councilmember Duffy stated that he would like to have public input on the item before they decide on an option.

Councilmember Preisner called the question.

Councilmember Alcalá challenged the call for the question.

Councilmember Alcalá withdrew the challenge.

Councilmember Pomeroy challenged the question.

Mayor McClinton asked for a vote on if the question shall be called. Councilmembers Pomeroy, Alcalá, Chancler and Duffy voted "no". (5-4-0)

Mayor McClinton stated that discussion would continue because a two-thirds vote is needed to challenge a call for the question.

Jim Bloomar, owner of Optician Byers Optical stated that parking on Kansas Avenue has been a problem for years, and a person cannot do business if you cannot get customers to your front door. He continued to explain that parking meters are the only answer to the help stop the closing of the remaining businesses downtown.

Mike Worswick, owner of Wolfe's Camera stated that there has always been a shortage of parking in the downtown area, and the current parking garages should provide space for turnover parking on a street level. He continued to explain that it is vital that they find another alternative to pay for the parking garage and allow Kansas Avenue parking to remain the same if they want the businesses downtown to survive.

Ted Mize stated that employers should assist in providing parking spaces for their employees to help improve the parking issues on Kansas Avenue.

Councilmember Pomeroy moved to extend the meeting until the end of the agenda. The motion seconded by Councilmember Alcalá carried. Councilmembers Alcalá, Chancler, and Preisner voted "no". (6-3-0)

Gary Yager, President of Downtown Topeka, Inc., stated that they support the new

garage, however they believe that there could be other alternative funding sources available. He also stated that they called eighty-five Kansas Avenue business owners and fifty-five of those were opposed to meters on Kansas Avenue.

Susan Mahoney, Downtown Topeka, Inc., stated that a new parking garage would help them reach the goals that have been set to improve downtown, but they also need to address the policy issue of downtown parking and make sure that it is done right so that it does not have to be revisited yearly.

Councilmember Chancler expressed concern with increasing the meter fines in front of City Hall and the Shawnee County Court House.

Mayor McClinton noted that there is long-term parking available for those individuals that need to do business with the City of Topeka or Shawnee County in the parking garage located at the corner of SE 7<sup>th</sup> Street and Quincy.

The ordinance was not adopted on roll call vote as follows: Noes: Alcalá, Chancler, Pomeroy, Nave, Haynes, Duffy, Stubbs, Preisner and Price -9.

A ZONING PETITION and ORDINANCE NO. 18212 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 10<sup>th</sup> 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)

Dave Thurbon, Planning Director gave the staff report and distributed an amended proposal.

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

Councilmembers Alcalá, Chancler, Pomeroy and Nave declared ex parte communications through email, written correspondence and personal conversations.

Wayne Stratton appeared in support of the zoning change.

Mike Engler, Bartlett & West Engineers appeared for questions and stated that they are withdrawing their request for lots 31 through 35 and lots 43 through 46, Block C, of Woodbridge Subdivision No. 3.

Councilmember Price commended staff for their hard work on coming to an agreement with the neighborhood.

Councilmember Stubbs stated that it is a good development and thanked both parties for coming to an agreement that satisfied area residents as well as developers.

Councilmember Pomeroy thanked those involved for maintaining a solid neighborhood appearance.

Councilmember Nave thanked the Council for their reconsideration on the item.

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: Alcalá, Chancler, Pomeroy, Nave, Haynes, Duffy, Stubbs, Preisner and Price -9.

RESOLUTION NO. 7455 introduced by Mayor James A. McClinton granting an exemption from the annexation requirements of City of Topeka Code Section 146-37, as amended, for the provision of water to certain specified property located in Shawnee County, Kansas, was presented.



Neil Dobler gave the staff report.

Councilmember Stubbs inquired on an annexation agreement.

Neil Dobler stated that they would have to sign an annexation agreement before the water service is completed.

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

Mayor McClinton withdrew items 7D, 7Q and 7R under First Readings from the agenda.

AN ORDINANCE introduced by Councilmember Lisa Stubbs concerning City Council approval of employment and severance agreements was presented for first reading.

AN ORDINANCE introduced by Councilmember Gary Price establishing City of Topeka Code Section 2-495 concerning Councilmember conflicts of interest and specifically appealing said original section was presented for first reading.

AN ORDINANCE introduced by John Alcala, relating to the full accounting of all funds and City Property entrusted to him/her upon the retirement, resignation or discharge from City employment by a department or division head 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 832 SW Tyler Street in the City of Topeka, Kansas from "E" Multiple Family Dwelling District TO "C-4" Commercial District was presented for first reading. (Z85/54)

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 SW Ashworth Place, the centerline of which is approximately 400-feet north of SW 21<sup>st</sup> Street in the City of Topeka, Kansas from “R-1” Single Family Dwelling District TO “C-4” Commercial District was presented for first reading. (Z87/62)

AN ORINANCE 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 northwest corner of SE 45<sup>th</sup> Street and SE Adams Street in the City of Topeka, Kansas from “R-1” Single Family Dwelling District TO “M-1a” Limited Multiple Family Dwelling District was presented for first reading. (Z04/3)

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 25<sup>th</sup> 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 at the southeast corner of SW 44<sup>th</sup> Street and SW Gage Boulevard 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 “O&I-1” Office and Institutional District was presented for first reading. (Z04/18)

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 northwest corner of SW 45<sup>th</sup> Street and SW Moundview 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 "O&I-1" Office and Institutional District was presented for first reading. (Z04/19)

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 SW 45<sup>th</sup> Street and SW Moundview 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 "O&I-1" Office and Institutional District was presented for first reading. (Z04/20)

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 northwest corner of SW 45<sup>th</sup> Street and SW Stone 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 "M-1" Two Family Dwelling District was presented for first reading. (Z04/21)

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 SW 45<sup>th</sup> Street and SW Stone 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 “M-1” Two Family Dwelling District was presented for first reading. (Z04/22)

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 south side of SW 17<sup>th</sup> Street, extended, approximately 1,050-feet west of SW Arvon Place within unincorporated Shawnee County, Kansas from “RR-1” Residential Reserve District TO “M-3” Multiple Family Dwelling District was presented for first reading. (Z04/23)

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 1222 SW 10<sup>th</sup> Avenue in the City of Topeka, Kansas from “M-3” Multiple Family Dwelling District TO “O&I-1” Office and Institutional District was presented for first reading. (Z04/24)

AN ORDINANCE introduced by Mayor James A. McClinton adopting a neighborhood revitalization plan and designating a revitalization area, all as provided for in K.S.A. 12-17, 114 *et seq.*, Neighborhood Revitalization Act was presented for first reading.

AN ORDINANCE introduced by Mayor James A. McClinton relating to the execution of an amendment to 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.

REPORT FROM THE CHIEF ADMINISTRATIVE OFFICER, was presented.

Dave Graversen distributed the weekly Legislative report.

PRESENTATIONS BY MEMBERS OF THE COUNCIL, were presented.

Councilmember Preisner wished everyone a Happy Easter.

Ted Mize appeared to speak under public comment.

NO FURTHER BUSINESS appearing the meeting was adjourned at 11:28 p.m.

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Iris Walker  
City Clerk