

## City Council Minutes – August 24, 2004

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, August 24, 2004. The Councilmembers of the City of Topeka met in regular session at 7:00 P.M., with the following Councilmembers present: Pomeroy, Alcalá, Duffy, Chancler, Nave, Haynes, Stubbs, Preisner and Price -9. Mayor James A. McClinton presided -1.

AFTER THE MEETING was called to order, prayer was offered by Reverend Tom Watson, El Shaddai Ministries Church of God in Christ.

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

Councilmember Alcalá requested to pull item 3B, a communication regarding the Downtown Business Improvement District Advisory Board for separate discussion.

THE CONSENT AGENDA was presented as follows:

A FINAL PLAT for Sherwood Estates Subdivision No. 64 located at the southeast corner of SW 29<sup>th</sup> Street and SW Urish Road in the City of Topeka, Kansas, was presented.

Applications for a Cereal Malt Beverage License Renewal bearing the approval of the Chief of Police for Fast Lane, 512 SW Topeka Boulevard and Conoco No. 16004, 1531 SW Wanamaker Road, was presented.

Minutes of the regular meeting of August 17, 2004 were presented.

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

A COMMUNICATION recommending the re-appointment of Ann Adams, Ed Ramirez and Mike Worswick and the appointment of John F. Fager and Darryl Coker to the Downtown Business Improvement District Advisory Board for a term that would expire June 30, 2006 was presented.

Councilmember Alcala commended John Fager for his community work.

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

DISCUSSION on City-County Consolidation, was presented.

Mayor McClinton distributed a resolution relating to City-County Consolidation that the County will place on the November 2, 2004 General Election ballot.

ORDINANCE NO. 18310 introduced by Councilmembers Duane Pomeroy, John Alcala, Lover Chancler, John Nave, Bill Haynes, Clark Duffy, Lisa Stubbs, Jeff Preisner, and Gary Price authorizing the sale and consumption of cereal malt beverages during the Celebration of Mexican Independence Day on September 16, 2004, in Downtown Topeka placed on first reading August 17, 2004 was again presented.

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

A PROJECT BUDGET in the amount of \$7,203,825 and ORDINANCE NO. 18311 introduced by Mayor James A. McClinton, authorizing Improvement Project No. 13137-00, which provides for the construction of a parking garage in the 700 block of South Kansas Avenue as more specifically described herein, all pursuant to Section A12-1 of the Code of the City of Topeka placed on first reading August 10, 2004 was again presented. This ordinance was referred to the Economic and Community Development Committee from the meeting of August 10, 2004.

Neil Dobler, Public Works Director gave the staff report and presented the parking garage proposal. He stated that the main goal of the project is to include the following RFP Goals and additional revenue sources:

RFP Goals:

- A net gain of 300-600 parking spaces
- Address the Capital Business District current parking needs
- Reserve a percentage of the parking spaces for public usage
- Revitalize the Downtown retail expansion with addition of short-term parking
- Promote office employment expansion with addition of long-term parking
- Promote residential growth with the addition of secure long-term parking
- Connected office/residential development to enhance the garage's viability
- Includes a ground floor frontage on Kansas Avenue for retail and restaurant businesses

Additional Revenue Sources:

- Install 200 new parking meters, totaling \$25,000
- No free hooding during Legislative session, totaling \$35,000
- Create a new surface parking lot for a total of 61 spaces, totaling \$12,000
- Increase parking fines from \$3 to \$8, totaling \$200,000
- Increase parking garage rates from 11.5% to 15%, totaling \$210,000
- Sell the Park & Shop Garage, totaling \$700,000
- Close or sell the Uptowner Garage by 2006 (to avoid loss in revenue)

In conclusion, he explained the action needed by Council to move forward with the project. He stated that they must approve the project budget, sign a developer agreement and issue a Notice to Proceed, through the Public Works Department.

Councilmember Chancler expressed concern with the increase in parking fines, existing unoccupied office space, and the cost of a new parking garage compared to building additional surface parking spaces. She stated that she believes people should be willing to walk to their destination and help the City of Topeka avoid the huge financial burden of building additional parking spaces and a new parking garage, especially at a time when funding to Social Service Agencies has been cut.

Councilmember Haynes questioned why certain parking spaces are not being utilized when there are ample amount of parking spaces available for the public. He also confirmed that there would be new parking meters placed along Tyler and Quincy Streets instead of on Kansas Avenue to help fund the project.

Councilmember Duffy stated that the Walker Study on parking concluded that the City of Topeka did not meet the parking demands of the downtown area. He explained that the initial parking report stated that they would need two additional parking garages in the downtown area to accommodate the parking needs. He stated that following the report the 9<sup>th</sup> Street Parking Garage was built with the understanding that the 7<sup>th</sup> and Kansas Parking Garage would soon follow.

Councilmember Pomeroy reconfirmed that the parking report stated that the City of Topeka has one of the largest metropolitan parking problems in the United States.

Councilmember Alcalá stated that he agrees with Councilmember Chancler and believes people should walk from the existing garages to their destination. He also clarified that the parking garage would be totally funded from parking revenue funds.

Councilmember Stubbs stated that Downtown Topeka, Inc., has stated that this project is their number one priority for Downtown projects. She also stated that since they are not using federal funds, this would be a good test project regarding elimination of the “prevailing wage requirement” when receiving bids.

Councilmember Haynes stated that he is not opposed to the project but is concerned with the funding because if the revenue sources fall short the project will be funded from General Obligation Bonds.

Neil Dobler stated that there is always a risk that revenue will fall short causing the project to be funded by General Obligation Bonds.

Councilmember Nave stated that they are trying to revitalize the downtown area and it is very important to provide amenities to enhance the quality of life in order to bring people to the area.

Councilmember Stubbs gave the committee report and stated that it was removed from the Economic and Community Development Committee “Without Recommendation” on August 17, 2004 because Councilmember Haynes had additional questions that had not been answered.

Councilmember Haynes stated that he was concerned about the increase of bonded indebtedness to the City of Topeka.

Councilmember Alcalá moved to disapprove the project budget and ordinance. The motion seconded by Councilmember Chancler failed. Councilmembers Pomeroy, Nave, Duffy, Stubbs, Preisner and Price voted "no". (3-6-0)

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

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

ORDINANCE NO. 18312 introduced by Mayor James A. McClinton relating to parking ticket fines and garage rates, amending City of Topeka Code Sections 142-301 and 142-452 and repealing the original section placed on first reading August 10, 2004 was again presented.

Neil Dobler gave the staff report.

Councilmember Alcalá stated that he does not understand why they would support an increase in parking fines and rates when it would have such a negative affect on the downtown area. He stated that it would deter visitors and residents from the Central Business District, discourage new businesses from locating in the Downtown area, and the useful life of the garage would be reduced.

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

A PROJECT BUDGET in the amount of \$2,485,000 and AN ORDINANCE introduced by Mayor James A. McClinton, authorizing Improvement Project No. 30251-00, which provides for the construction of a new building for the Helen Hocker Theater as more specifically described herein, all pursuant to Section A12-1 of the Code of the City of Topeka placed on first reading April 13, 2004 was again presented. This ordinance was deferred until budget proceedings on April 20, 2004.

Sam Carkhuff, Adam Burnett, Cindy Luxem, Rabbi Lawrence Karol, Jim Reardon, and Bob Sherburne spoke in support of the project and stated that the new theater is desperately needed and it would provide a great opportunity for Topeka youth.

Councilmember Stubbs moved to amend the proposal to fund \$2,000,000 by General Obligation Bonds and \$500,000 from private sources. The motion was seconded by Councilmember Preisner.

Councilmember Price stated that the Helen Hocker Theater is a unique program offered in the City of Topeka and he encouraged the Council to support the proposal.

The motion to amend failed. Councilmembers Alcalá, Chancler, Nave and Haynes voted "no". Councilmember Duffy abstained. (4-4-1)

Councilmember Stubbs moved to approve the project budget and adopt the ordinance. The motion seconded by Councilmember Price failed. Councilmembers Alcalá, Chancler, Nave and Haynes voted "no". Councilmember Duffy abstained. (4-4-1)

The ordinance failed to be adopted on roll call vote as follows: Ayes: Pomeroy, Stubbs, Preisner, and Price -4. Noes: Alcalá, Chancler, Nave and Haynes -4. Abstained: Duffy -1.

APPROPRIATION ORDINANCE NO. 18313 introduced by Mayor James A. McClinton approving and adopting the operating budget for the City of Topeka, for the year 2005, and appropriating the amounts for the purpose as set forth therein was presented for first and final reading.

Jim Langford, Budget Director gave a brief overview of the steps that need to be applied to finalize the 2005 Operating Budget. He explained that they cannot exceed the maximums for expenditures by fund that have already been published in the Metro News; the mill levy has been set and cannot be increased; and finally, they need to allocate \$45,000 to the General Fund to reflect a ten percent ending balance.

Councilmember Duffy moved to allocate \$400,000 from the General Fund as follows:

Ending Balance.....	\$45,000
Topeka Cemetery.....	\$50,000
Downtown Topeka, Inc.....	\$100,000
Golf Course.....	\$100,000
Planning Interim.....	\$25,000
City Council.....	\$26,000
Community Resource Council.....	\$26,600
Youth Interns (Non-Department).....	\$3,400
<u>Youth and Social Services.....</u>	<u>\$50,000</u>
TOTAL	\$400,000

The motion was seconded by Councilmember Preisner.

Councilmember Chancellor made a substitute motion to approve all appropriations except \$100,000 for Downtown Topeka, Inc. (DTI) and \$26,600 for Community Resource Council.

The motion was seconded by Councilmember Alcalá.

Councilmember Preisner moved to vote on each allocation separately.

Councilmember Preisner withdrew his motion.

The substitute motion carried. Councilmembers Haynes, Duffy, Stubbs and Price voted "no". (5-4-0)

Councilmember Duffy moved to allocate \$100,000 for Downtown Topeka, Inc. The motion was seconded by Councilmember Price.

Councilmember Chancler asked if the \$100,000 is the amount that they are currently requesting or the amount that they received last year.

Councilmember Duffy stated that the program was originally appropriated \$500,000. He explained that DTI received \$300,000 for the first three years and last year they did not receive any funding because it was used for the 8<sup>th</sup> Street and Van Buren Street Projects.

Councilmember Chancler stated that she supports DTI and the improvements that have been made downtown, however, she believes that there is other funding sources available for DTI and the additional \$100,000 should be allocated for Social Services.

Susan Mahoney appeared for questions and confirmed that all of the money allocated by the City would be used for incentives in the Downtown area. She stated that the \$900,000 that the City has invested in DTI has generated a \$17,000,000 return in private investments for the downtown area.

Councilmember Price stated that DTI has achieved a lot with their funding and returns have been very good.

Councilmember Stubbs stated that she supports the additional allocation of \$100,000 for DTI because it is an investment that pays for itself.

The motion carried. Councilmembers Chancler and Haynes voted "no". (7-2-0)

Councilmember Nave moved to allocate \$50,000 from the General Fund for the Youth Interns. The motion was seconded by Councilmember Haynes.

Councilmember Stubbs made a substitute motion to allocate \$50,000 for the Success by Six Program. The motion was seconded by Councilmember Price.

Councilmember Duffy suggested a friendly amendment to allocate \$100,000 for Social Service Agencies to distribute at a later date.

Councilmember Alcalá stated that he would like to consider \$18,000 to be allocated for the Senior Citizen Programs.

Councilmember Stubbs moved to set aside \$100,000 to include allocations for Youth and Social Services, the Youth Intern Program and Success by Six to be distributed by the Council at a later date. The motion seconded by Councilmember Duffy carried. Councilmembers Haynes voted "no". (8-1-0)

Councilmember Haynes moved to allocate \$626,000 to the un-appropriated fund balance for payment of 2005 bonded indebtedness and other short falls. The motion was seconded by Councilmember Alcalá.

Councilmember Haynes explained that the \$626,000 would be generated from three separate funds. He stated that \$450,000 would be removed from the General Improvement Fund, \$100,000 would be removed from the Arts Fund, and \$76,000 set aside for a third Municipal Court Judge.

The motion failed. Councilmembers Pomeroy, Alcalá, Chancler, Duffy, Nave, Stubbs, Preisner and Price voted "no". (1-8-0)

Councilmember Price moved to allocate \$3,400 to the Community Resources Council. The motion seconded by Councilmember Stubbs carried. Councilmembers Chancler and Haynes voted "no". (7-2-0)

Councilmember Alcalá distributed a handout regarding the financial and community gain that results from the Fiesta Mexicana Celebration.

Councilmember Alcalá moved to transfer \$20,000 from the Expocentre Marketing Fund

to the 2005 Fiesta Mexicana Fund. The motion was seconded by Councilmember Haynes.

Councilmember Stubbs expressed concern with cutting funds for the Expocentre. She stated that they were not given the opportunity to ask the County to supplement the shortage.

Councilmember Stubbs made a substitute motion to allocate \$20,000 for the Fiesta Mexicana from additional funds received in 2005 from the Transient Guest Tax Fund. The motion died due to a lack of second.

The motion to transfer \$20,000 from the Expocentre Marketing Fund to the Fiesta Mexicana Fund carried. Councilmembers Nave, Stubbs and Preisner voted "no". (6-3-0)

Councilmember Alcalá moved to allocate \$60,000 from the Expocentre Marketing Fund to the Opportunity Fund. The motion was seconded by Councilmember Haynes.

Councilmember Price stated that he would not support the motion because he believes it puts money "up for grabs" by any organization.

Several Councilmembers expressed concern with cutting the Expocentre funding without prior notice so that they can supplement the loss of funding.

The motion to allocate \$60,000 for the Opportunity Fund failed. Councilmembers Nave, Haynes, Stubbs, Preisner and Price voted "no". (4-5-0)

Councilmember Price moved to eliminate the Human Relations Commission (HRC) Director position and transfer the \$50,000 in salary expenses to the Ending Balance. The motion was seconded by Councilmember Preisner.

Councilmember Nave stated that he believes that the elimination of the HRC Director diminishes the opportunity for staff to have a place to go outside of their department to address workplace issues.

Councilmember Alcalá stated that he believes that the department isn't funded at a level

that is effective.

Brenden Long, City Attorney addressed the legality of eliminating the HRC Director.

Councilmember Haynes stated that he believes if they continue to have a Human Relations Commission, then they must have a qualified director to manage it.

Dave Graversen, Chief Administrative Officer stated that the duties of the HRC Director would be difficult to absorb because it is very important to have a person that is specifically qualified in that field of work to run an successful HRC Department.

Councilmember Alcala stated that he believes it is important to handle the City ADA compliance issues in-house so the problems can be handled in a timely manner.

Councilmember Price withdrew his motion. He suggested that if the Council believes that the HRC Department is under funded then they need to increase the funding to allow the department to run effectively.

Councilmember Stubbs moved to refer the issue to the Policy and Finance Committee for study. The motion was seconded by Councilmember Price.

Mayor McClinton stated that they need an ADA Compliant position added to the HRC department budget.

Councilmember Chancler stated that she believes that it is unnecessary to send the issue to the Policy and Finance Committee because it has been confirmed that the HRC Department needs an ADA Compliance Inspector.

Councilmember Alcala made a substitute motion to transfer \$40,000 from the money set aside to hire a third Municipal Court Judge to the HRC Department Budget to create an ADA Inspector position. The motion was seconded by Councilmember Chancler.

Councilmember Duffy stated he believes the State of Kansas ADA Coordinator would

help the City with their ADA compliance issues.

Robert Bugg, Interim Human Relations Commission Director stated that they have a staff person funded by HUD that handles Fair Housing ADA complaints, however, they do need a person that can handle all levels of ADA compliance issues.

Councilmember Pomeroy suggested they offer the County the services of the HRC Department to investigate their ADA compliance complaints and in return they would help finance a new position for an ADA Inspector. The motion was seconded by Councilmember Price.

Councilmember Alcalá asked if he could question Reverend Kirtdoll regarding ADA compliance issues.

The Chair ruled that Reverend Kirtdoll could not be questioned because they previously had public comment on the budget.

Councilmember Alcalá challenged the ruling of the Chair.

Mayor McClinton asked the Council to vote of if the ruling of the Chair shall be sustained. The motion carried. Councilmembers Alcalá and Chancler voted "no". (7-2-0)

Councilmember Duffy stated that he opposes the motion to use the money set aside for an additional Municipal Court Judge to create an ADA Inspector. He explained that he believes that the main mission of the HRC Department is to educate and utilize their outreach tools for the community and City employees, not to create a new position for an ADA Inspector.

Councilmember Alcalá's motion failed. Councilmembers Pomeroy, Chancler, Duffy, Nave, Stubbs, Preisner and Price voted "no". (2-7-0)

The motion to refer the issue to the Policy and Finance Committee carried. Councilmember Haynes voted "no". (8-1-0)

Councilmember Pomeroy moved to extend the meeting through the end of the agenda. The motion seconded by Councilmember Stubbs carried unanimously. (9-0-0)

Councilmember Stubbs moved to remove \$100,000 designated for the Office of the Arts from the Mayor's Office Budget. The motion seconded by Councilmember Price carried. Councilmembers Pomeroy, Chancler and Duffy voted "no". (6-3-0)

Councilmember Duffy moved to adopt the ordinance as amended. The motion seconded by Councilmember Stubbs carried. Councilmember Haynes voted "no". (8-1-0)

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

RESOLUTION NO. 7510 introduced by Mayor James A. McClinton, adopting the 2005-2006 Capital Budget for the City of Topeka, Kansas, was presented.

RESOLUTION NO. 7511 introduced by Mayor James A. McClinton authorizing and adopting the 2005-2009 Capital Improvement Program for the City of Topeka, Kansas, was presented.

Councilmember Stubbs moved to add 2.5 million dollars for Heartland Park to the Capital Budget in place of the Helen Hocker Theater funding. The motion was seconded by Councilmember Price.

Councilmember Duffy made a substitute motion to add 2.5 million dollars for Heartland Park to the 2006 Capital Budget in addition to the 2.5 million dollars identified in the 2005 Capital Budget. The motion was seconded by Councilmember Chancler.

Councilmember Stubbs suggested that they explore other funding avenues for the 2.5 million dollars needed in 2006.

The substitute motion carried. Councilmember Alcalá voted "no". Councilmember

Haynes abstained. Councilmember Pomeroy was out of the room. (6-2-1)

Councilmember Preisner moved to add \$115,000 of General Obligation Bonds to the 2005 Capital Improvement Program Budget for the completion of the fence around the Topeka Public Golf Course. The motion seconded by Councilmember Price carried. Councilmembers Alcala, Nave, Haynes and Price voted "no". (5-4-0)

Councilmember Chancler moved to remove all projects under \$100,000 from the Capital Improvement Program that would be funded by General Obligation Bonds. The motion was seconded by Councilmember Alcala.

Councilmember Stubbs requested to divide the question and vote on each project separately.

Councilmember Chancler moved to remove the Playground Equipment Project from the Capital Improvement Program Budget. The motion seconded by Councilmember Haynes carried. Councilmembers Price and Duffy voted "no". (7-2-0)

Councilmember Chancler moved to remove the Trail Development Project from the Capital Improvement Program. The motion seconded by Councilmember Haynes failed. Councilmembers Pomeroy, Alcala, Duffy, Stubbs, Preisner and Price. (3-6-0)

Councilmember Chancler moved to remove the Rueger Park ADA Renovations Project from the Capital Improvement Program. The motion seconded by Councilmember Haynes failed. Councilmembers Pomeroy, Alcala, Nave, Duffy, Stubbs, Price voted "no". (3-6-0)

Councilmember Duffy moved to add \$14,438,129 for infrastructure financing of the College Hill Retail District Element of the Washburn/Lane Parkway Plan to the 2006 Capital Improvement Program; allocate \$1.4 million for neighborhood infrastructure; allocate \$100,000 for the completion of the lighting project; allocate \$300,000 for the Washburn/Lane Greenway;

and allocate \$1 million for streetscapes, facades and incentives for the College Hill Retail District by using tax increment financing. The motion was seconded by Councilmember Pomeroy.

Councilmember Chancler stated that she agrees with the type of funding proposed, however, if they support the proposal it would send a message to the community that they are not investing the money in “at risk” or “intensive care” neighborhoods like they said they would.

Councilmember Duffy stated that it took several years to locate a potential private investor to finish funding the project and the City must commit to their portion of the funding to show that the City’s intentions are serious. He also stated that the neighborhood qualifies as an “at risk” or “intensive care” neighborhood.

Randy Speaker, Housing and Neighborhood Director stated that members of the Neighborhood Improvement Associations requested that wording be included in the Consolidated Plan to encourage private investor assistance.

The motion failed. Councilmembers Alcala, Chancler, Nave, Haynes, Stubbs and Preisner voted "no". (3-6-0)

Councilmember Stubbs moved to delay item 111a, the East 6<sup>th</sup> Street Project from Golden Street to Market Street for two years. The motion was seconded by Councilmember Price.

Councilmember Chancler made a substitute motion to delay item 109, the 29<sup>th</sup> Street and Fairlawn Avenue Project until 2007. The motion seconded by Councilmember Alcala carried. Councilmembers Duffy, Stubbs, Preisner and Price voted "no". (5-4-0)

Councilmember Pomeroy moved to refer the Washburn/Lane Parkway Project to the Community Advisory Council for consideration in 2006. The motion seconded by

Councilmember Price carried. Councilmember Duffy voted "no". (8-1-0)

Councilmember Pomeroy moved to use the sales tax as the funding source for the Wanamaker Project from 37<sup>th</sup> Street to 41<sup>st</sup> Street. The motion seconded by Councilmember Stubbs carried. Councilmember Alcalá voted "no". (8-1-0)

Councilmember Pomeroy moved to make a request to the County that one City Bridge and one County Bridge would be repaired per year. The motion seconded by Councilmember Preisner carried unanimously. (9-0-0)

Councilmember Duffy stated that they should make sure that the Capital Improvement Program is consistent with the funding of sales tax for all components of the Topeka Boulevard Bridge.

Councilmember Duffy moved to allocate \$140,000 for HVAC and \$132,000 for City Hall Maintenance for energy savings. The motion seconded by Councilmember Stubbs carried unanimously. (9-0-0)

Councilmember Chancler moved to approve the 2005-2006 Capital Budget, and the 2005-2009 Capital Improvement Program as amended. The motion seconded by Councilmember Alcalá carried. Councilmember Duffy voted "no". (8-1-0)

THE FY 2005 CONSOLIDATED ACTION PLAN was presented for approval.

Councilmember Alcalá moved to transfer \$9,000 for Community Action and \$9,000 for El Centro Services. The motion seconded by Councilmember Haynes carried. Councilmembers Duffy and Price voted "no". (7-2-0)

Councilmember Alcalá moved to transfer \$18,000 from the Housing Rehabilitation Fund for Senior Citizen Centers, bringing the funding back to the 2004 level. The motion died due to a lack of a second.

Councilmember Alcalá moved to transfer \$15,000 from the Micro Business Loan Fund to be divided equally for Senior Citizen Centers. The motion seconded by Councilmember Chancler failed. Councilmembers Pomeroy, Nave, Duffy, Preisner and Price voted "no". (4-5-0)

Councilmember Preisner moved to approve the 2005 Consolidated Plan as amended. The motion seconded by Councilmember Stubbs carried. Councilmembers Pomeroy, Haynes and Duffy voted "no". (6-3-0)

A RESOLUTION introduced by Councilmember Bill Haynes and John Alcalá relating to the implementation of the Management Partners Optimization Report and Draft Action Plan for the City of Topeka, was presented.

Councilmember Alcalá moved to approve the resolution. The motion was seconded by Councilmember Haynes.

Councilmember Pomeroy suggested that they reject the document due to the wording of the resolution. He stated that each Councilmember, Department Head and the Mayor should be given the opportunity to bring forth the items they think are worthwhile.

Mayor McClinton stated that staff has already begun work on the implementation of the recommendations.

Dave Graversen, Chief Administrative Officer stated that they have spent a lot of time on the issue and plan to bring forth staff recommendations within sixty days.

Brenden Long, City Attorney suggested removing the words "recommendations included within" on line 19, and the words "for approval" on line 27 and change thirty days to sixty days.

Councilmember Chancler moved to implement the recommendations made by the City Attorney. The motion seconded by Councilmember Haynes failed. Councilmembers Pomeroy, Chancler, Duffy, Preisner and Price voted "no". (4-5-0)

A PUBLIC IMPROVEMENT PETITION, PROJECT BUDGET in the amount of \$89,790 and RESOLUTION NO. 7512 introduced by Mayor James A. McClinton authorizing Waterline Extension Project No. 28571-00 as more specifically described herein was presented.

Neil Dobler, Public Works Director gave the staff report.

Councilmember Price moved to approve the public improvement petition, project budget and resolution. The motion seconded by Councilmember Stubbs carried. Councilmember Duffy voted "no". (8-1-0)

AN ORDINANCE introduced by Mayor James A. McClinton relating to sign regulations, repealing City of Topeka Code Sections 118-277 and 118-280, and amending City of Topeka Code Section 48-31.01, 48-31.02, 48-31.03, 118-1, 118-2, 118-58, 118-59, 118-179, and 118-276, and repealing the original sections was presented for first reading.

Councilmember Price moved to refer the ordinance to the Policy and Finance Committee. The motion seconded by Councilmember Nave carried. Councilmembers Pomeroy and Alcalá voted "no". (7-2-0)

AN ORDINANCE introduced by Mayor James A. McClinton, relating to bus stop benches, amending Topeka City Code Section 154-38 and specifically repealing said original section was presented for first reading.

REPORT FROM THE CHIEF ADMINISTRATIVE OFFICER, was presented.

Dave Graversen thanked Councilmember Gary Price for serving the Community and City.

PRESENTATIONS BY MEMBERS OF THE COUNCIL, were presented.

Councilmember Alcalá thanked the Topeka Police Department for the information he received regarding the police chase in his neighborhood.

Councilmember Stubbs submitted a resolution for a future agenda relating to the placement of two proposed forms of government on the November 2, 2004 general election ballot.

Todd Valley appeared to speak under public comment.

NO FURTHER BUSINESS appearing the meeting was adjourned at 1:20 a.m.

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Iris Walker  
City Clerk