

## **City Council Minutes – September 21, 2004**

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, September 21, 2004.

Tiffany Muller was sworn in as District No. 9 Councilmember by Judge Schafer.

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

AFTER THE MEETING was called to order, prayer was offered by Reverend Richard Rounds, McCrite Chapel.

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

THE CONSENT AGENDA was presented as follows:

DENIAL of claim appeal in the amount of \$10,000 for Kim Shanks was presented.

A COMMUNICATION recommending the appointment of Dallas Bauer to the Community Corrections Advisory Board for a term that would expire on October 31, 2005 was presented.

Minutes of the Regular Meetings of September 7, 2004 and September 14, 2004, were presented.

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

RESOLUTION NO. 7523 introduced by Mayor James A. McClinton amending the adopted 2003-2004 Capital Budget for the City of Topeka, Kansas, and rescinding City of Topeka Resolution No. 7504 was presented.

Councilmember Alcalá moved to approve the resolution. The motion seconded by Councilmember Preisner carried. Councilmember Duffy voted "no". (8-1-0)

RESOLUTION NO. 7524 introduced by Mayor James A. McClinton, adopting the 2004-2005 Capital Budget for the City of Topeka, Kansas, and rescinding City of Topeka Resolution No. 7385 was presented.

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

A PROJECT BUDGET in the amount of \$2,282,400 and RESOLUTION NO. 7525 introduced by Mayor James A. McClinton, relating to Waterworks Project No. 28485 which provides for water line replacement and authorizing an amendment to the original project budget and specifically rescinding City of Topeka Resolution No. 7195 was presented.

Neil Dobler, Public Works Director gave the staff report.

Councilmember Preisner moved to approve the project budget and resolution. The motion seconded by Councilmember Nave carried unanimously. (9-0-0)

A PUBLIC IMPROVEMENT PETITION, PROJECT BUDGET in the amount of \$278,400, and RESOLUTION NO. 7526 introduced by Mayor James A. McClinton authorizing Lateral Sanitary Sewer District No. 40858-03 as more specifically described herein was presented.

Neil Dobler gave the staff report.

Councilmember Alcalá moved to approve the public improvement petition, project budget and resolution. The motion seconded by Councilmember Preisner carried unanimously. (9-0-0)

A RESOLUTION introduced by Councilmember Lisa Stubbs relating to the placement of two proposed forms of government on the November 2, 2004 general election ballot was presented.

Councilmember Stubbs moved to approve the resolution. The motion seconded by Councilmember Haynes failed. Councilmembers Pomeroy, Alcalá, Chancler, Duffy, Nave and Muller voted "no". (3-6-0)

Councilmember Pomeroy stated that he opposed the resolution because he believes it would create confusion for voters.

Councilmember Alcalá stated that he voted no because he believes it would add additional information to the ballot that is not necessary.

Councilmember Stubbs stated that she disagrees and believes that the resolution would help clarify the issue for voters.

CONTRACT NO. 34638 between the City of Topeka and Topeka Ice, Inc., was presented.

Councilmember Alcalá commended the organization for the amount of private funds that were raised to help support the proposal.

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

PRESENTATIONS BY MEMBERS OF THE COUNCIL, were presented.

Councilmember Alcalá submitted a resolution relating to the removal of parking meters in front of Constantino's Italian Restaurant, 1003 SE Quincy for a future agenda.

Councilmember Chancler asked when construction would be complete on the new restrooms at Rueger Park.

JoEllen Holthous appeared to speak under public comment.

NO FURTHER BUSINESS appearing the meeting was adjourned at 7:28 p.m.

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Iris Walker  
City Clerk