

City Council Minutes – March 22, 2005

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, March 22, 2005. The Councilmembers of the City of Topeka met in regular session at 7:00 P.M., with the following Councilmembers present: Pomeroy, Alcalá, 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 Councilmember Haynes.

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

Councilmember Duffy requested to remove item 3G from the consent agenda for separate discussion.

THE CONSENT AGENDA was presented as follows:

Approval of a Workers' Compensation claim settlement for Wayne Philbin in the amount of \$32,847.62 was presented.

RESOLUTION NO. 7597 introduced by Mayor James A. McClinton and Councilmember Lisa Stubbs relating to housing tax credits for family rental housing by LATH, L.L.C., was presented.

RESOLUTION NO. 7598 introduced by Mayor James A. McClinton and Councilmembers John Alcalá and Lisa Stubbs relating to housing tax credits for rental housing through La Colonia, Inc., was presented.

RESOLUTION NO. 7599 introduced by Mayor James A. McClinton relating to transfer of the KMC franchise to CenturyTel Acquisition, L.L.C., was presented.

A PROJECT BUDGET in the amount of \$200,000 and RESOLUTION NO. 7600 introduced by Mayor James A. McClinton describing and authorizing the Improvement Project

No. AH 2005 which provides for Affordable Housing Initiatives and non-federal match for the HUD HOME Program in the City of Topeka as more specifically described herein, was presented.

RESOLUTION NO. 7601 introduced by Mayor James A. McClinton, regarding the building located at 620 SE Madison Street shall be named and dedicated as the Cyrus K. Holliday City Office Building was presented.

RESOLUTION NO. 7603 introduced by Councilmember Lover Chancler requesting that Administration partner with the Kansas Black Expo organizers so as to retain the event in Topeka and to help ensure the event's success was presented.

Minutes of the Regular Meeting of March 15, 2005 were presented.

Open After Mid-Night License renewal applications for 2005-2006 bearing the approval of the Chief of Police and City Inspectors for the following were presented:

<u>Business Name</u>	<u>Address</u>
AMF Meadow Lanes	3118 S. Topeka Blvd.
American Legion Post #1	3800 SE Michigan
American Legion Post #400	3026 NW Hwy 24
Anytime Fitness	1919 SW Gage Blvd.
The Boobie Trap Bar	1417 SW 6 th Street
California Amoco	2740 California Ave.
Down Under Lounge	3810 S. Topeka Blvd.
The Dugout	1545 SW Fairlawn
El Pasco Dance Club	108 SE 8 th Ave.
Fairlawn North 66 #2706259	600 Fairlawn Rd.
Fairlawn Plaza Amoco	2101 SW Fairlawn Rd.
Fraternal Order of Eagles	2941 SE Freemont
Fergie's Clubhouse Bar	1414 SW Lane St.
Gage Center Bowl	4200 SW Huntoon
Gage Bowl North	200 E. Hwy 24
Heart Attack Jack's	555 SW 39 th Street
Holiday Square Amoco	2901 Topeka Ave.
Jeremiah Bullfrog's Bar & Grille	2940 SW Wanamaker Rd.
Kelly Express	1001 SW Wanamaker
Kickstart Saloon	2521 N. Kansas Avenue
Kwik Shop	1114 NW Topeka Blvd.

<u>Business Name</u>	<u>Address</u>
Kwik Shop	102 W. 37 th St.
Kwik Shop	1700 Topeka Blvd.
Kwik Shop	2277 W. 10 th St.
Kwik Shop	5633 SW 21 st St.
Kwik Shop	2619 SW 21 st St.
Kwik Shop	4500 SW Topeka Blvd.
Kwik Shop	1414 W. 17 th St.
Kwik Shop	746 NE Wabash
McDonald's Restaurant	1100 S. Kansas Ave.
McDonald's Restaurant	2001 NW Topeka Blvd.
McDonald's Restaurant	2880 SE California Ave.
McDonald's Restaurant	3117 SW Topeka Blvd.
Michelle's	605 SW Fairlawn Rd.
Par Three Club	3720 SW 45 th St.
Philip Billard VFW Post #650	3110 SW Huntoon
River Hill Stadium #160	6200 SW 6 th Avenue
Ruby Tuesday	1625 SW Wanamaker
Starlite Skate Center, Inc.	301 SE 45 th St.
Shawnee Country Club	913 SE 29 th St.
Skyway Inc.	815 Fairlawn Rd.
South Gage 66 #2706289	3300 Gage Blvd.
Taco Bell	1560 SW Wanamaker Rd.
Taco Bell	101 SE 29 th St.
Taco Bell	2013 N. Topeka
Terry's Billiard Club	2919 SW 21 st St.
Theatre Club of Topeka, Inc.	3028 SW 8 th Ave.
Tool Shed Tap	921 S. Kansas Ave.
Topeka Country Club	2700 SW Buchanan
Topeka Moose Lodge #555	1901 N. Kansas Ave.
Wal-mart Supercenter	1501 SW Wanamaker
Wal-mart Supercenter	1301 SW 37 th St.
West Ridge Lanes & Family Fun Center	1935 SW Westport Dr.
Westridge 8 Cinemas #74	1727 SW Wanamaker

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

RESOLUTION NO. 7602 introduced by Councilmember Tiffany Muller endorsing the formation of a Friends of the Bark Park organization was presented.

Councilmember Muller explained the resolution and stated that it would provide a partnership with the Parks and Recreation Department for improvements to Bark Park.

Meg Stockton spoke in support of the resolution. She explained that a large dog attacked and killed her small dog. She requested that the improvements include a fenced area to help protect small dogs.

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

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 22, 2005, at 7:00 P.M. for the purpose of hearing and considering written or oral objections that may be made as to the validity and fairness of the assessments on file in the office of the City Clerk, on all lots, parcels and pieces of ground liable for the cost of Lateral Sanitary Sewer Improvement Project No. 40350, Phase 4.

ORDINANCE NO. 18409 introduced by Mayor James A. McClinton, apportioning and levying a special assessment on certain lots and pieces of ground in the City of Topeka, Shawnee County, Kansas, for the improvement of Lateral Sanitary Sewer District No. 40350, Phase 4, with piping, manholes, engineering and all other contingencies needed to complete Lateral Sanitary Sewer District No. 40350, Phase 4, as defined and described in Resolution No. 7280, adopted and approved November 5, 2002. placed on first reading March 15, 2005 was again presented.

Neil Dobler, Public Works Director gave the staff report on items 4A through 4F. He stated that each project finished under the approved project budget.

Sam Rinkel asked that the assessments be amended to reflect the value of the property. He stated that the property should not be assessed to reflect 32% of the property value.

Joseph Ledbetter stated that because the properties are located within city limits he supports the assessment costs.

Councilmember Chancler suggested that a provision be included in the assessment process to ensure that older homes are assessed at a lesser value than new construction homes.

Bill McCarter, Engineering Department stated that each property located within the district was assessed at the same amount to promote fairness.

Councilmember Stubbs stated that it is the property owner's responsibility to research any costs that may be assessed or associated to the property, not the City's.

Several Councilmembers questioned if the actual cost assessment was available to the property owner at the time the home was purchased.

Neil Dobler stated that the assessment information regarding the property is available through the Shawnee County Register of Deeds Office or the developer.

Councilmember Preisner moved to close the public hearing and adopt the ordinance. The motion seconded by Councilmember Stubbs carried. Councilmember Chancler voted "no".

(8-1-0)

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

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ORDINANCE NO. 18410 introduced by Mayor James A. McClinton, apportioning and levying a special assessment on certain lots and pieces of ground in the City of Topeka, Shawnee County, Kansas, for the improvement of Lateral Sanitary Sewer District No. 40644, Phase 3, with piping, manholes, engineering and all other contingencies needed to complete Lateral

Sanitary Sewer District No. 40644, Phase 3, as defined and described in Resolution No. 7281, adopted and approved November 5, 2002, placed on first reading March 15, 2005 was again presented.

Councilmember Duffy moved to close the public hearing 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: Pomeroy, Alcala, Chancler, Nave, Haynes, Duffy, Stubbs, Preisner and Muller -9.

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ORDINANCE NO. 18411 introduced by Mayor James A. McClinton, apportioning and levying a special assessment on certain lots and pieces of ground in the City of Topeka, Shawnee County, Kansas, for the improvement of Lateral Sanitary Sewer District No. 40913-01, with piping, manholes, engineering and all other contingencies needed to complete Lateral Sanitary Sewer District No. 40913-01, as defined and described in Resolution No. 7381, adopted and approved August 12, 2003, placed on first reading March 15, 2005 was again presented.

Councilmember Preisner moved to close the public hearing and adopt the ordinance. The motion seconded by Councilmember Stubbs carried unanimously. (9-0-0)

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

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ORDINANCE NO. 18412 introduced by Mayor James A. McClinton, apportioning and levying a special assessment on certain lots and pieces of ground in the City of Topeka, Shawnee County, Kansas, for the improvement of Street Improvement Project No. 60468, Phase 4, with pavement, curb and gutter, and all other contingencies needed to complete Street Improvement Project No. 60468, Phase 4 as defined and described in Resolution No. 7282, adopted and approved November 5, 2002, placed on first reading March 15, 2005 was again presented.

Councilmember Duffy moved to close the public hearing and adopt the ordinance. The motion seconded by Councilmember Alcalá carried unanimously. (9-0-0)

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

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ORDINANCE NO. 18413 introduced by Mayor James A. McClinton, apportioning and levying a special assessment on certain lots and pieces of ground in the City of Topeka, Shawnee County, Kansas, for the improvement of Street Improvement Project No. 60566-03, with pavement, curb and gutter, and all other contingencies needed to complete Street Improvement Project No. 60566-03 as defined and described in Resolution No. 7283, adopted and approved November 5, 2002, placed on first reading March 15, 2005 was again presented.

Councilmember Duffy moved to close the public hearing and adopt the ordinance. The motion seconded by Councilmember Alcala carried. Councilmember Chancler voted "no".

(8-1-0)

Councilmember Chancler expressed concern with the cost that was assessed to homes that were previously built in the development.

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

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ORDINANCE NO. 18414 introduced by Mayor James A. McClinton, apportioning and levying a special assessment on certain lots and pieces of ground in the City of Topeka, Shawnee County, Kansas, for the improvement of Street Improvement Project No. 60593-01, with pavement, curb and gutter, and all other contingencies needed to complete Street Improvement Project No. 60593-01 as defined and described in Resolution No. 7280, adopted and approved August 12, 2003, placed on first reading March 15, 2005 was again presented.

Councilmember Duffy moved to close the public hearing 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: Pomeroy, Alcala, Chancler, Nave, Haynes, Duffy, Stubbs, Preisner and Muller -9.

A PROJECT BUDGET in the amount of \$1,195,353 and ORDINANCE NO. 18415 introduced by Mayor James A. McClinton, authorizing Improvement Project No. 60613-00, which provides for the infrastructure improvements to three targeted areas as more specifically

described herein, all pursuant to Section A12-1 of the Code of the City of Topeka placed on first reading March 15, 2005 was again presented.

Neil Dobler gave the staff report.

Councilmember Duffy asked if the project follows the current City of Topeka sidewalk policy.

Neil Dobler explained that the project is separate from the City's sidewalk policy because the project would be funded through the City's general fund.

Randy Speaker, Housing and Neighborhood Director appeared to answer questions.

Councilmember Duffy suggested that they fund half the project through general funds and half through Community Development Block Grant (CDBG) funds because the sidewalk repairs are located within the targeted at-risk neighborhood areas. He encouraged the future governing body to review the current sidewalk policy.

Councilmember Chancler stated that she would prefer that CDBG monies were used on home improvements, not sidewalk repair.

Councilmember Haynes stated that he opposes the increase in the City's bonded indebtedness.

Councilmember Muller moved to approve the project budget and adopt the ordinance. The motion was seconded by Councilmember Preisner.

Frank Kirtdoll asked who would receive the \$25,000 for the acquisition of property he owns in the Monroe area that is listed on the 2005 Capital Improvement Program.

Joseph Ledbetter stated that he supports the project but does not understand why the Hi-Cest Neighborhood Association was excluded from the block grant process. He suggested that

they amend the project to include the Hi-Crest Neighborhood. He also questioned why the Community Advisory Council was not included in the process.

Desiree Lyons, a resident of the Tennessee Town Neighborhood Association appeared in support of the project. She thanked the City for the contributions that enabled the Tennessee Town Neighborhood to move from an intensive care neighborhood to an at-risk neighborhood.

Fred Sanders, Monroe Neighborhood Improvement Association (NIA) President, and Community Advisory Council (CAC) member appeared in support of the project. He stated that the NIA and CAC should have been included in the process.

Councilmember Stubbs clarified that the funds that are being spent are not Community Block Grant funds. She stated that the project is included in the 2005 Capital Improvement Projects that were approved in the budget. She also stated that citizens had the opportunity to voice their opposition at the 2005 budget hearings.

The motion to approve the project budget and adopt the ordinance carried.

Councilmember Haynes voted "no". (8-1-0)

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

A COMMUNICATION requesting acceptance of the Real Estate Report and approval to dispose of City of Topeka surplus property located at 330 SW Western by the procedure within "m" of the accompanying Real Estate Report was presented.

Kevin Rooney, Real Estate Officer gave the staff report.

Councilmember Preisner moved to approve the communication. The motion was seconded by Councilmember Stubbs.

Joseph Ledbetter spoke in opposition to the process. He stated that he supports the disposal of the building.

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

RESOLUTION NO. 7604 introduced by Mayor James A. McClinton and Councilmember Duane Pomeroy, authorizing the conveyance of the Sumner School located at 330 SW Western as more specifically described herein, all pursuant to Topeka City Code § 2-454 was presented.

Bill Fiander, Planning Department gave the staff report.

Several Councilmembers discussed the terms of conveying the building back to the City in the event the prospective buyer is no longer interested in purchasing the property.

Councilmember Duffy asked why this particular park was placed at the top of the list for needed park improvements. He also expressed concern with the amount of money being allocated to the park for playground equipment.

In response, Bill Fiander stated that the original \$50,000 was initially allocated to the Ward Meade NIA to conduct a feasibility study on utilizing the Sumner School site as the center of community revitalization. He stated that the feasibility study was not conducted, therefore, they allocated \$50,000 for park improvements and equipment so the money would remain within the Ward Meade NIA.

Councilmember Duffy stated that he believes that \$15,000 is an appropriate amount to allocate for park equipment. He suggested that they allocate the remaining \$35,000 to other parks in need, including the new "Miracle Diamond" handicapped park. He also asked if the contract would prohibit a fence being placed around the park.

Braxton Copley, Assistant City Attorney stated that if the fence had a locked gate, it would violate the terms of the contract because it would deny public access to the park.

Councilmember Haynes questioned approving an agreement that may later raise legal issues regarding the fence surrounding the property.

Councilmember Haynes moved to amend the contract to read that there may be no obstruction to the public surrounding the park. The motion was seconded by Councilmember Duffy.

Braxton Copley stated that the second party must agree with the amendment before the contract can be modified.

Mayor McClinton stated that while it may be appropriate at this time to make minor amendments, it is unfair to the second party to re-negotiate the contract by changing the terms considerably.

Councilmember Preisner called the question.

Councilmember Pomeroy challenged the call.

The motion on if the question shall be called failed. Councilmembers Pomeroy, Alcalá, Duffy and Stubbs voted "no". (5-4-0)

Discussion continued regarding the number of proposed buyers, the importance of public accessibility, and placing restrictions on the park area.

Councilmember Haynes withdrew his motion to amend.

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

Councilmember Duffy moved to amend the contract by adding that the park should not be fenced. The motion was seconded by Councilmember Haynes.

Rogers Brazier, Parks and Recreation Director expressed concern with the traffic flow on 4th Street and child safety.

Councilmember Stubbs stated that she would not support the motion because she believes there are other ways to address the access issues.

The motion to amend carried. Councilmembers Pomeroy, Stubbs and Preisner voted "no". (6-3-0)

Joseph Ledbetter stated that there would be problems using the \$50,000 without going back to the Community Advisory Council. He stated that he believes that they should sell the property and remove the park funding.

Councilmember Alcala moved to defer the contract until April 12, 2005. The motion was seconded by Councilmember Chancler.

Councilmember Stubbs made a substitute motion to approve the contract contingent upon approval of the amendment by the second party. The motion seconded by Councilmember Preisner carried. Councilmembers Alcala, Chancler, Duffy and Haynes voted "no". (5-4-0)

CONTRACT NO. 35083 providing for a lease agreement between the City of Topeka and Jayhawk Tower Partners, L.L.C., for assumption of the management and maintenance operations of the Uptowner Garage was presented.

Neil Dobler gave a brief overview of the options available to the City regarding the garage. The options were presented as follows:

1. To make costly structural repairs to the building causing a loss of \$110,000 per year.
2. To demolish the building at a cost of approximately \$600,000 exceeding the property value of \$200,000.
3. Completely close the building to public access eliminating possible liability issues.
4. Extend the lease of the building to Jayhawk Tower Partners for approximately ten to fifteen years.

Jim Parish, Jayhawk Towers, L.L.C., stated that Jayhawk Tower is fully occupied and they rely on the parking in the Uptowner Garage. He also suggested that they lower the term of the lease from ten years to six years.

Neil Dobler stated that a four or five year term would be acceptable.

Braxton Copley suggested that they amend the contract to include the statement, "This agreement shall rescind and terminate the existing lease agreement."

Councilmember Duffy moved to amend the contract to reduce the term of the lease agreement to five years and include the statement, "This agreement shall rescind and terminate the existing lease agreement." The motion seconded by Councilmember Chancler carried.

Councilmember Nave was out of the room. (8-1-0)

Councilmember Preisner moved to approve the contract as amended. The motion was seconded by Councilmember Chancler.

Councilmember Haynes made a substitute motion to defer the contract to the Economic and Community Development Committee. The motion seconded by Councilmember Alcalá failed. Councilmembers Alcalá, Chancler, Duffy, Nave, Stubbs, Preisner and Muller voted "no". (2-7-0)

Joseph Ledbetter expressed concern with the process relating to the lease of the building. He stated that he believes that the building is in good condition and that Mr. Parish is getting an extremely good deal.

Fred Sanders stated that he believes the garage is a sound structure. He expressed concern with the lease process and believes that all businesses should be treated fairly.

Neil Dobler stated that the garage would begin losing money in 2006.

The motion to approve as amended carried. Councilmember Haynes voted "no". (7-1-0)

A FINAL PLAT for Sherwood Park Subdivision No. 8 located on the north side of SW 29th Street approximately 2,000 feet east of SW Auburn Road within unincorporated Shawnee County, Kansas, was presented. (P04/19)

Bill Fiander gave the staff report.

Councilmember Stubbs asked if there is a provision that would allow the applicant to donate to the park fund if they did not dedicate a park area within a certain time frame.

Councilmember Duffy expressed concern with approving the final plat prior to dedicating the park area.

Bill VanDoren, Bartlett & West Engineers appeared for questions.

Joseph Ledbetter spoke in support of the plat.

Councilmember Preisner moved to approve the final plat. The motion seconded by Councilmember Haynes carried. Councilmember Chancler voted "no". (8-1-0)

RESOLUTION NO. 7605 introduced by Councilmember John Alcala relating to the Topeka Zoological Park was presented.

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

Councilmember Alcala stated that that he would like to clarify that the study is not being conducted to personally attack any one person or staff member. He explained that he has visited with the director of the zoo regarding the review of zoo procedures and processes.

Councilmember Stubbs stated that the citizen panel would study, review and make recommendations on the entire zoo process, not just an investigation into the recent deaths of the lions.

Mike Coker, Director of the City of Topeka Zoo stated that they are regulated by the USDA. He stated that they would be happy to provide any information that might be requested to the City Council, as well as any other group.

Councilmember Muller stated that the resolution directly refers to the deaths of the lions and they have already received a sufficient amount of information regarding that issue. She expressed concern on appointing a Citizen Panel prior to the election of the new Councilmembers.

Councilmember Alcala agreed that the City Council has received enough information to answer their questions. He stated that there are some citizens who are not satisfied with information they have received and would like to serve on the panel.

Councilmember Chancler moved to amend the resolution to defer appointing members to the Citizen Panel until May 1, 2005. The motion seconded by Councilmember Alcala carried unanimously. (9-0-0)

Councilmember Nave moved to amend the resolution to include a statement that would require the appointees of the Citizen Panel to have some knowledge and experience regarding zoo policy and procedure, fiscal management and animal care. The motion seconded by Councilmember Stubbs carried. Councilmembers Alcala and Chancler voted "no". (7-2-0)

Councilmember Preisner moved to approve the resolution as amended. The motion was seconded by Councilmember Alcala.

Joseph Ledbetter stated that he supports the resolution because he is disappointed in the way the zoo is run.

Mike Coker explained the dedication of the zoo employees. He stated that the animals are aging and that is the reason for the recent deaths. He also explained improvements that have been made to the zoo.

The motion to approve as amended carried. Councilmembers Pomeroy and Duffy voted "no". (7-2-0)

AN ORDINANCE introduced pursuant to the provisions of City of Topeka Charter Ordinance No. 94, § 12, establishing city council meeting times and places, amending City of Topeka Code § 2-27, as amended by City of Topeka Ordinance No. 18381 was presented for first reading.

AN ORDINANCE introduced by Mayor James A. McClinton establishing a policy of the City of Topeka to participate in the Shawnee County Emergency Operations Plan as prepared and maintained by the Shawnee County Department of Emergency Management as authorized by K.S.A. 48-929, amending Topeka City Code Chapter 38 and specifically § 38-111, and repealing said original sections, also repealing Topeka City Code §§ 38-26, 38-27, 38-28, 38-29, 38-51, 38-52, 38-53, 38-54, 38-55, 38-56, 38-57, 38-58, 38-59, 38-81, 38-82, 38-83, 38-84, 38-85, 38-86, 38-87, 38-88, 38-89, and 38-90 in their entirety was presented for first reading.

AN ORDINANCE introduced by Mayor James A. McClinton repealing City of Topeka Code Sections which relate to consumer protection and Weights and Measures and amending City of Topeka Code § 158-1 and specifically repealing said original section, also repealing City of Topeka Code §§ 46-1, 46-2, 46-3, 46-4, 46-5, 46-6, 46-7, 46-8, 46-9, 46-10, 46-31, 46-32, 46-33, 46-34, 46-35, 46-36, 46-37, 46-38, 46-39, 158-2, 158-3, 158-4, 158-5, 158-6, 158-36, 158-37, 158-38, 158-39, 158-40, 158-71, 158-91, 158-92, 158-93, 158-94, 158-96, 158-97, 158-99 and 158-103 in their entirety was presented for first reading.

AN ORDINANCE introduced by Mayor James A. McClinton relating to the execution of a loan agreement between the City of Topeka, Kansas and the State of Kansas, for the purpose of obtaining a loan from the Kansas Public Water Supply Loan Fund for the purpose of financing a public water supply project; establishing a dedicated source of revenue for repayment of such loan; authorizing and approving certain documents in connection therewith; and authorizing certain other actions in connection with the Loan Agreement was presented for first reading.

PRESENTATIONS BY MEMBERS OF THE COUNCIL, were presented.

Each Councilmember expressed thanks, and appreciation to their fellow Councilmembers and stated that they enjoyed working with everyone.

Councilmember Duffy submitted a request per Council Rule 5.3 for the annexation of Sherwood Park Subdivision No. 8.

Frank Kirtdoll, Joseph Ledbetter, David Owen and Orville Johnson appeared to speak under public comment.

Councilmember Preisner moved to adjourn the meeting. The motion was seconded by Councilmember Muller.

Councilmember Alcalá made a substitute motion to adjourn into executive session to discuss a personnel matter for a period not to exceed ten minutes. The motion seconded by Councilmember Haynes carried unanimously. (9-0-0)

Following a ten-minute period the meeting reconvened into open session. Mayor McClinton stated that no action had been taken.

NO FURTHER BUSINESS appearing the meeting was adjourned at 10:57 p.m.

Iris Walker
City Clerk