

**City Council Minutes – November 1, 2005**

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, November 1, 2005. The Councilmembers of the City of Topeka met in regular session at 7:00 P.M., with the following Councilmembers present: Councilmembers Kennedy, Alcala, Ortiz, Nave, Haynes, Duffy, Blackburn, Preisner and Harmon -9. Mayor Bunten presided -1.

AFTER THE MEETING was called to order, Councilmember Nave gave the invocation.

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

A COMMUNICATION recommending the appointment of Richard Beardmore to the Board of Mechanical Examiners for a two-year term that would expire on October 31, 2007 was presented.

A FINAL PLAT for KDL, Inc., on property located east of south Kansas Avenue and from 300 feet north to approximately 270 feet south of SE 31<sup>st</sup> Street in the City of Topeka, Kansas was presented. (P05/28)

A FINAL PLAT for Menninger Subdivision No. 7 located at the southeast corner of SW 6<sup>th</sup> Avenue and SW Commerce Place in the City of Topeka, Kansas was presented. (P05/44)

Dance Hall License applications bearing the approval of the Chief of Police and City inspectors for the following were presented:

<u>Business</u>	<u>Address</u>
Heart Attack Jacks	555 SW 39 <sup>th</sup> Street
Sasnak North, Inc.	1834 NW Topeka Boulevard
Skinny's Sports Bar & Grill	4016 SW Huntoon
Town & Country Bar	3738 SW Topeka Boulevard

Cereal Malt Beverage License applications bearing the approval of the Chief of Police and City inspectors for the following were presented:

<u>Business</u>	<u>Address</u>
Bavarian Inn	712 W. 2 <sup>nd</sup> Street
Lynn's Place	2212 Sardou
Miami Tavern	3026 NE Seward
New China Restaurant	201 SW 29 <sup>th</sup> Street
North Topeka Golf Center	350 NE Hwy 24
Porubsky's	508 Sardou
Sasnak North	1834 NW Topeka Boulevard
Seabrook Tavern	2105 Mission
The Spot Tavern	2202 Buchanan
Town & Country Bar	3738 SW Topeka Boulevard

MINUTES of the Regular Meeting of October 25, 2005 were presented.

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

AN ORDINANCE introduced by City Manager Neil Dobler authorizing the initiation of condemnation proceedings to acquire property by eminent domain for City of Topeka Improvement Project No. 70142-01 for trafficway improvements on SE California Avenue from I-70 to SE 21<sup>st</sup> Street was presented for first reading.

AN ORDINANCE introduced by City Manager Neil Dobler 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 2215 SW Wanamaker in the City of Topeka, Kansas from "C-2" Commercial District and "M-2" Multiple-Family Dwelling District with Resolution of Intent for "E" Multiple Family Dwelling District ALL TO "C-2" Commercial District was presented for first reading. (Z05/34)

AN ORDINANCE introduced by City Manager Neil Dobler 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 516 SE 29<sup>th</sup> Street in the City of Topeka, Kansas from “C-2” Commercial District TO “C-3” Commercial District was presented for first reading. (Z05/36)

AN ORDINANCE introduced by City Manager Neil Dobler authorizing the issuance of \$15,015,000 aggregate principal amount of combined Utility Improvement Revenue Bonds, Series 2005-A, of the City of Topeka, Kansas, under the authority of K.S.A. 10-1201 *et. seq.*, and all amendments thereto was presented for first reading.

AN ORDINANCE introduced by City Manager Neil Dobler relating to parking ticket fines and garage rates, amending City of Topeka Code Section 142-301 and repealing said original section was presented for first reading.

AN ORDINANCE introduced by City Manager Neil Dobler relating to the administration and enforcement of violations, amending Sections 2 and 3 of the City of Topeka Ordinance 18449 and Topeka City Code Sections 26-53, 26-58 and 26-255 and repealing Topeka City Code Sections 26-382, 26-424 and 26-501, and specifically repealing said original sections was presented for first reading.

PRESENTATIONS BY THE CITY MANAGER, MAYOR AND MEMBERS OF THE COUNCIL, were presented.

Neil Dobler, City Manager encouraged the Council to select a lobbyist firm. He stated that the Damron’s were rated first choice by staff and the interview committee.

Mayor Bunten stated that the selection of a lobbyist firm is a very important decision and each candidate’s qualifications need to be carefully considered.

Councilmember Nave moved to allow the City Manager to proceed with the selection of a lobbyist firm for the City of Topeka. The motion was seconded by Councilmember Blackburn.

Councilmember Harmon made a substitute motion to direct the City Manager to enter into a contract with the Damron's. The motion was seconded by Councilmember Kennedy.

Councilmember Duffy stated that he is uncomfortable with the motion because it is the City Manager's responsibility to choose a lobbyist firm.

Councilmember Alcalá stated that he would not support the motion because the City of Topeka pays the Kansas League of Municipalities for lobbying services.

Councilmember Harmon withdrew the substitute motion. The second concurred.

Councilmember Harmon made a substitute motion to affirm the recommendation of the City Manager to contract with the Damron's for lobbying services. The motion seconded by Councilmember Blackburn carried. Councilmember Alcalá voted "no". Councilmember Preisner was out of the room. (7-2-0)

Councilmember Blackburn commented on the ordinance that would establish free parking downtown over the lunch period and encouraged his colleagues to support the ordinance.

Councilmember Duffy stated that he would like to see a financial analysis on the impact the Downtown Business Free Parking Initiative Program will have on the City's overall parking revenue.

Councilmember Nave announced that there would be a public hearing forum held on November 3, 2005 at 7:00 p.m. in the City Council Chambers addressing City of Topeka diversity issues.

NO FURTHER BUSINESS appearing the meeting was adjourned at 7:27 p.m.

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Iris Walker  
City Clerk