

Council Minutes – June 26, 2007

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, June 26, 2007. The Councilmembers of the City of Topeka met in regular session at 6:00 P.M., with the following Councilmembers present: Councilmembers Kennedy, Alcalá, Ortiz, Woelfel, Haynes, Swank, Blackburn, Preisner and Harmon -9. Mayor Bunten presided -1.

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

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

A PRESENTATION on the Highway 24 Corridor was presented by Todd Girdler, Metropolitan Planning Organization and Kristy Pile, Kansas Department of Transportation Corridor Analyst.

A PRESENTATION on the Reorganization and Crime Strategy of the Topeka Police Department was presented by Ron Miller, Police Chief.

Councilmember Harmon moved to suspend the Council Rules to add a resolution granting Beth Knapik a noise exception to the consent agenda. The motion seconded by Councilmember Preisner carried unanimously. (9-0-0)

Mayor Bunten noted that the resolution would be placed on the consent agenda as item 4Q.

Councilmember Alcalá moved to add a resolution regarding the allocation of Transient Guest Tax funds to the Topeka Performing Arts Center to the agenda. The motion seconded by Councilmember Ortiz carried unanimously. (9-0-0)

Mayor Bunten noted that the resolution would be placed on the agenda under New Business, as item 7G.

THE CONSENT AGENDA was presented as follows:

ORDINANCE NO. 18910 (*Contract No.37538*) introduced by City Manager Norton N. Bonaparte, Jr., regarding a Contract Franchise Ordinance granted to dPi Teleconnect, L.L.C., a telecommunications local exchange service provider providing local exchange service within the City of Topeka, Kansas placed on first reading June 19, 2007 was again presented.

ORDINANCE NO. 18911 (*Contract No. 37539*) introduced by City Manager Norton N. Bonaparte, Jr., regarding a Contract Franchise Ordinance granted to Navigator Telecommunications, L.L.C., a telecommunications local exchange service provider, providing local exchange service within the City of Topeka, Kansas placed on first reading June 19, 2007 was again presented.

ORDINANCE NO. 18912 introduced by Councilmember John Alcala removing certain portions of NE Atchison and NE Chandler from the right-of-way to allow the sale, consumption and possession of alcoholic liquor as part of the Fiesta Mexicana, at specified locations and times placed on first reading June 19, 2007 was again presented.

ORDINANCE NO. 18913 introduced by Councilmember John Alcala, removing a certain portion of Quincy Street from the right-of-way to allow the sale, consumption and possession of alcoholic liquor as part of the Fiesta Mexicana parade and street dance, at specified locations and times placed on first reading June 19, 2007 was again presented.

RESOLUTION NO. 7968 introduced by Councilmember John Alcala granting Fiesta Mexicana an exception to the provisions of City of Topeka Code Section 54-148 concerning noise prohibitions was presented.

RESOLUTION NO. 7969 introduced by Councilmember John Alcala granting Fiesta Mexicana an exception to the provisions of City of Topeka Code Section 54-148 concerning noise prohibitions during the parade and street dance scheduled for July 13, 2007 was presented.

RESOLUTION NO. 7970 introduced by Councilmember Deborah Swank granting Seabrook Bar and Grill an exception to the provisions of City of Topeka Code Section 54-148 concerning noise prohibitions was presented.

A COMMUNICATION recommending the re-appointment of Jeffrey Alvarez to the Juvenile Corrections Advisory Board for a term that would expire on June 30, 2010 was presented.

A COMMUNICATION recommending the re-appointment of Carol Ramirez to the Juvenile Corrections Advisory Board for a term that would expire June 30, 2010 was presented.

A COMMUNICATION recommending the re-appointment of Nancy Perry to the Juvenile Corrections Advisory Board for a term that would expire on June 30, 2010 was presented.

A COMMUNICATION recommending the appointment of Mildred Curtis to the Topeka Housing Authority Board of Commissioners to fill an unexpired term that would end on December 31, 2010 was presented.

A COMMUNICATION authorizing the City Manager to execute a letter establishing a video service provider franchise agreement between the City of Topeka and ZoomyCo at Rockfire at the Lake, L.L.C., was presented.

A FINAL PLAT for Thunderbird Subdivision No. 7 located about the intersection of SE 29th Street and SE Croco Road, between SE 29th Street and SE 30th Terrance, and SE Croco Road

and SE Walnut Drive within the City of Topeka, Shawnee County, Kansas was presented.

(P07/9)

A FINAL PLAT for Deer Creek Valley Subdivision No. 2 located at 3130 SE 21st Street in the City of Topeka, Shawnee County, Kansas was presented. *(P07/22)*

Minutes of the regular meeting of June 19, 2007 were presented.

An Open After Midnight License application bearing the approval of the Chief of Police and City Inspectors for La Fiesta located at 1017 NE Seward Avenue, was presented.

RESOLUTION NO. 7976 introduced by Councilmember Richard Harmon granting Beth Knapik an exception to the provisions of City of Topeka Code Section 54-148 concerning noise prohibitions was presented.

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

A 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, June 26, 2007, at 6:00 P.M. relating to vacation request V07A/3 by Brier Development, Kansas Medical Mutual Insurance Company, and Kansas Medical Society relating to the vacation of a portion of an alley located at 623 SW 10th Street in the Original Town of Topeka, Shawnee County, Kansas.

ORDINANCE NO. 18914 introduced by City Manager, Norton N. Bonaparte, Jr., relating to the vacation of a portion of an alley in the Original Town of Topeka, Shawnee County, Kansas placed on first reading June 19, 2007 was again presented. *(V07A/3)*

Norton N. Bonaparte, Jr., City Manager gave the staff report.

Angela Sharp, Bartlett and West Engineers appeared to answer questions.

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

The ordinance was adopted on roll call vote as follows: Ayes: Kennedy, Alcalá, Ortiz, Woelfel, Haynes, Swank, Blackburn, Preisner and Harmon -9.

A 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, June 26, 2007, at 6:00 P.M. for the purpose of hearing any and all complaints that may be made as to the validity and fairness of the assessments on file in the office of the Clerk, on all lots, parcels and pieces of ground liable for the cost of improvement, same being Waterline Extension Project No. 28571-00, authorized by Resolution No. 7512, adopted and approved August 24, 2004.

ORDINANCE NO. 18915 introduced by City Manager Norton N. Bonaparte, Jr., apportioning and levying a special assessment on certain lots and pieces of ground in the City of Topeka, Shawnee County, Kansas, for the Waterline Extension Project No. 28571-00, as defined and described in Resolution No. 7512, adopted and approved August 24, 2004 placed on first reading June 19, 2007 was again presented.

Norton N. Bonaparte, Jr., City Manager gave the staff report.

Councilmember Preisner 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: Kennedy, Alcalá, Ortiz, Woelfel, Haynes, Swank, Blackburn, Preisner and Harmon -9.

ORDINANCE NO. 18916 introduced by City Manager Norton N. Bonaparte, Jr., concerning streets, sidewalks, and other public places, repealing City of Topeka Code Sections 130-176, 130-177, 130-196 through 130-207, 130-231 through 130-238, 130-261 through 130-264, 130-281 through 130-284, 130-301 through 130-310, and 130-331 through 130-333, amending City of Topeka Code Chapter 130, Article 4 and Sections 130-156 through 130-165, and repealing said original sections placed on first reading June 19, 2007 was again presented.

Norton N. Bonaparte, Jr., City Manager gave the staff report.

Councilmember Blackburn reported that the Committee of the Whole recommended approval of the ordinance as amended by a vote of 9-0-0 on June 12, 2007. He stated that the amendments gave sustenance to the provisions of the procedure for allowing construction work in City right-of-ways.

Councilmember Blackburn moved to adopt the committee report. The motion seconded by Councilmember Preisner carried unanimously. (9-0-0)

The ordinance was adopted as amended on roll call vote as follows: Ayes: Kennedy, Alcala, Ortiz, Woelfel, Haynes, Swank, Blackburn, Preisner and Harmon -9.

AN ORDINANCE introduced by Councilmember Sylvia Ortiz regulating the distribution, acquisition, possession and use of graffiti implements placed on first reading February 13, 2007 was again presented. The ordinance was referred to the Public, Health and Safety Committee from the meeting of April 24, 2007

Councilmember Haynes explained that the ordinance defines graffiti implements, sets out the restrictions on sale and use of graffiti implements, and provides the penalties for violation of the ordinance.

Barbara Gish, area business owner spoke in support of the ordinance. She thanked Councilmember Ortiz for addressing the issue because business owners are forced to deal with graffiti problems on a daily basis.

Councilmember Ortiz stated that the ordinance forces violators to be held accountable for defacing the property of local businesses.

Councilmember Ortiz moved to adopt the ordinance. The motion was seconded by Councilmember Haynes.

Councilmember Blackburn stated that he would not support the ordinance because he believes it places an unnecessary burden on local business owners.

Councilmember Swank commended Councilmember Ortiz for her efforts in dealing with graffiti problems. She stated that she would not support the ordinance because she believes it does not address the root of the problem.

Councilmember Ortiz noted that local businesses are faced with hardships everyday due to graffiti tagging.

Councilmember Haynes stated that he supports the ordinance because other cities have adopted similar ordinances, resulting in a reduction of graffiti crimes.

Brenden Long, City Attorney noted that there is a City ordinance already in place that prohibits the tagging of property within the City of Topeka.

Councilmember Alcalá stated that he supports the ordinance because other cities have reduced graffiti crimes by implementing similar restrictions.

Councilmember Blackburn asked what consequences juveniles face if they are caught tagging private property.

Ron Miller, Police Chief explained that individuals that are caught tagging property will be detained until a parent or guardian is contacted. He stated that he believes the implementation of the ordinance would help reduce graffiti crimes.

Councilmember Woelfel stated that he would not support the ordinance because he believes the implements listed in the ordinance do not address all of the instruments used for graffiti.

Councilmember Alcalá asked how the ordinance would be enforced.

Brenden Long, City Attorney stated that enforcement would follow prosecution of the crime.

The motion to adopt the ordinance failed. Councilmembers Kennedy, Woelfel, Swank, Blackburn, Preisner and Harmon voted “no.” (3-6-0)

A PROJECT BUDGET in the amount of \$130,000 and AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., authorizing Improvement Project No. 14122, which provides for replacing traffic signal, sidewalk, and ramp work at the intersection of SW Clontarf and Burlingame, as more specifically described herein, all pursuant to Section A12-1 of the Code of the City of Topeka placed on first reading June 19, 2007 was again presented.

Norton N. Bonaparte, Jr., City Manager gave the staff report.

Councilmember Preisner requested additional time to meet with the City Traffic Engineer to answer questions he has relating to the project.

Councilmember Preisner moved to defer the project budget and the ordinance until July 17, 2007. The motion was seconded by Councilmember Kennedy.

Councilmembers Haynes questioned the necessity of replacing both traffic signal lights.

Councilmember Haynes made a substitute motion to refer the project budget and the ordinance to the Public, Health and Safety Committee. The motion seconded by Councilmember Alcala carried. Councilmember Kennedy voted “no.” (8-1-0)

A PROJECT BUDGET in the amount of \$170,000 and ORDINANCE NO. 18917 introduced by City Manager Norton N. Bonaparte, Jr., authorizing Improvement Project No. 14123, which provides for replacing traffic signal, sidewalk, and ramp work at the intersection of US-24 and North 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 June 19, 2007 was again presented.

Norton N. Bonaparte, Jr., City Manager gave the staff report.

Mayor Bunten questioned the need to replace traffic signals that are still working.

Mike Teply, Interim Public Works Director stated that the outdated traffic signals would be replaced with newer more efficient models. He also stated that the parts from the old traffic signals would be salvaged and used on other aging signals throughout the city. He cautioned that the traffic signal metal mast arms could become a safety issue because they are showing signs of stress.

Carlos Salazar, Traffic Operations Division reported that the new traffic signals are more efficient due to the use of LED light bulbs, which are replaced approximately every seven years, compared to every two years. He stated that there are twelve traffic signals throughout the city that are scheduled to be replaced due to age. He noted that they plan to replace four traffic signal lights a year, for the next three consecutive years.

Discussion continued by several Councilmembers regarding energy efficiencies of aged traffic signals compared to new traffic signals; conducting a city-wide energy study on all traffic signals; the importance of completing the Highway 24 Corridor Study prior to approving new traffic signals for that area; availability of State and Federal funding to assist with the cost of the project; traffic signal replacement studies; City liability; the importance of maintaining traffic signals; and the cost savings associated with long-term maintenance of old traffic signals compared to the installation of new traffic signals.

Norton N. Bonaparte, Jr., City Manager stated that the Kansas Department of Transportation recommended that the traffic signal be replaced.

Mayor Bunten stated that he believes the money would be better utilized for the replacement of curbs and gutters.

Councilmember Alcalá moved to approve the project budget and adopt the ordinance. The motion seconded by Councilmember Ortiz carried. Councilmembers Kennedy and Haynes voted “no.” (7-2-0)

The ordinance was adopted on roll call vote as follows: Ayes: Alcalá, Ortiz, Woelfel, Swank, Blackburn, Preisner and Harmon -7. Noes: Kennedy and Haynes -2.

A PROJECT BUDGET in the amount of \$130,000 and AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., authorizing Improvement Project No. 14124, which provides for replacing traffic signal, sidewalk, and ramp work at the intersection of SW Topeka Boulevard and 24th Street, as more specifically described herein, all pursuant to Section A12-1 of the Code of the City of Topeka placed on first reading June 19, 2007 was again presented.

Norton N. Bonaparte, Jr., City Manager gave the staff report.

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

Councilmember Blackburn stated that he has a number of questions relating to the replacement of traffic signals. He suggested that the project be deferred for two weeks.

Councilmember Blackburn made a substitute motion to defer the project budget and the ordinance for two weeks. The motion seconded by Councilmember Kennedy carried.

Councilmembers Alcalá, Ortiz, Woelfel, and Preisner voted “no.” (5-4-0)

A PROJECT BUDGET in the amount of \$170,000 and ORDINANCE NO. 18918 introduced by City Manager Norton N. Bonaparte, Jr., authorizing Improvement Project No. 14125, which provides for replacing traffic signal, sidewalk, and ramp work at the intersection of

SW Gage and SW 29th Street, as more specifically described herein, all pursuant to Section A12-1 of the Code of the City of Topeka placed on first reading June 19, 2007 was again presented.

Norton N. Bonaparte, Jr., City Manager gave the staff report.

Councilmember Blackburn moved to defer the project budget and the ordinance for two weeks. The motion seconded by Councilmember Kennedy failed. Councilmembers Alcalá, Ortiz, Woefel, Swank and Priesner voted “no.” (4-5-0)

Councilmember Woefel moved to approve the project budget and adopt the ordinance. The motion seconded by Councilmember Alcalá carried. Councilmembers Kennedy and Haynes voted “no.” (7-2-0)

The ordinance was adopted on roll call vote as follows: Ayes: Alcalá, Ortiz, Woefel, Swank, Blackburn, Preisner and Harmon -7. Noes: Kennedy and Haynes -2.

A REVISED PROJECT BUDGET in the amount of \$2,046,000 and ORDINANCE NO.18919 introduced by City Manager Norton N. Bonaparte, Jr., amending the project budget and authorizing as amended Street Improvement Project No. 70190-01, Part B, which provides for the reconstruction of E. 6th Street to five lanes wide between Golden Avenue and Market Street, as more specifically described herein, pursuant to Section A12-1 of the Code of the City of Topeka, and repealing City of Topeka Ordinance No. 18516 placed on first reading June 19, 2007 was again presented.

Norton N. Bonaparte, Jr., City Manager gave the staff report.

Councilmember Ortiz moved to approve the revised project budget and adopt the ordinance. The motion was seconded by Councilmember Alcalá.

Councilmember Haynes asked if the City paid more for the properties than the appraised value.

Mike Teply, Interim Public Works Director stated that were some properties purchased at a higher price than the appraised value.

The motion to approve the revised project budget and adopt the ordinance carried. Councilmember Kennedy voted “no.” (8-1-0)

The ordinance was adopted on roll call vote as follows: Ayes: Alcala, Ortiz, Woelfel, Haynes, Swank, Blackburn, Preisner and Harmon -8. Noes: Kennedy -1.

ORDINANCE NO. 18920 introduced by City Manager Norton N. Bonaparte, Jr., establishing an Americans with Disabilities Act Advisory Council for the City of Topeka, Kansas, amending City of Topeka Code Section 2-181, and specifically repealing said original section deferred from the meeting of April 24, 2007 was again presented.

Norton N. Bonaparte, Jr., City Manager gave the staff report.

Councilmember Kennedy encouraged each Councilmember to submit a nomination for the ADA Advisory Council. She stated that the Advisory Council will be comprised of at least six members with disabilities, with each of the six major life functions being represented.

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

The ordinance was adopted on roll call vote as follows: Ayes: Kennedy, Alcala, Ortiz, Woelfel, Haynes, Swank, Blackburn, Preisner and Harmon -9.

RESOLUTION NO. 7971 introduced by City Manager Norton N. Bonaparte, Jr., adopting the 2007-2008 Capital Improvement Budget for the City of Topeka, Kansas and rescinding City of Topeka Resolution No. 7909 was presented.

Norton N. Bonaparte, Jr., City Manager gave the staff report.

Councilmember Ortiz moved to approve the resolution. The motion seconded by Councilmember Alcala carried. Councilmember Kennedy voted “no.” (8-1-0)

RESOLUTION NO. 7972 introduced by City Manager Norton N. Bonaparte, Jr., relating to a lease purchase agreement for the purchase of a helicopter for the Police Department was presented.

Norton N. Bonaparte, Jr., City Manager gave the staff report and stated that the purchase price of the helicopter increased by \$3931.10 due to an increase in the interest rate.

Councilmember Preisner moved to amend the resolution to increase the purchase price from \$749,293.30 to \$753,224.40. The motion was seconded by Councilmember Blackburn.

Mayor Bunten stated that he would not support the resolution because of budget constraints.

Ron Miller, Police Chief stated that the five-year lease purchase agreement allows for the purchase of the helicopter while taking into consideration budget constraints. He explained that the sale of the 1994 Schweizer 300 Helicopter would provide the funding for the first year’s payment of the lease, and the remaining payments will be funded through the Police Department’s budget. He stated that the Schweizer 300 Helicopter is usable, but has limitations on its ability to perform, and the parts are expensive and hard to find because of its age. He noted that the helicopters respond to all police chases and greatly reduce the City’s liability, while increasing safety for citizens.

Discussion continued by several Councilmembers on the necessity of two new helicopters; interest rate increases if the proposal is delayed; costs associated with a new helicopter compared to repairing the Schweizer 300 Helicopter; the feasibility of receiving assistance from the Kansas Highway Patrol; and FAA maintenance requirements.

Brenden Long, City Attorney stated that if the proposal is delayed an increase in the interest rate is likely because the current interest rate lock expires on June 29, 2007.

In response, Ron Miller stated that the FAA requires that Police helicopters are airworthy at all times. He explained that the Schweizer 300 Helicopter will require approximately \$500,000 in repairs over the next 5 years, making it difficult to remain airworthy. He noted that a new helicopter would have a life expectancy of 15 years, and a warranty to insure that it meets FAA requirements. He also stated that in his opinion, it is not the responsibility of the Kansas Highway Patrol to patrol the City of Topeka.

Councilmember Kennedy called the question.

Mayor Buntin asked the Council to vote on if the question shall be called.

The motion on if the question shall be called carried. Councilmembers Alcala, Ortiz and Haynes voted “no.” (6-3-0)

The motion to approve the amendment carried. Councilmember Haynes voted “no.” (8-1-0)

Councilmember Preisner moved to approve the resolution as amended. The motion seconded by Councilmember Blackburn carried. Councilmember Haynes voted “no.” (8-1-0)

Councilmember Kennedy left the meeting.

A PETITION, A PROJECT BUDGET in the amount of \$44,398 and RESOLUTION NO. 7973 introduced by City Manager Norton N. Bonaparte, Jr., authorizing Sanitary Sewer Improvement Project No. 40949-01 which provides for sanitary sewer service to Shadywood Subdivision, as more specifically described herein was presented.

Norton N. Bonaparte, Jr., City Manager gave the staff report.

Councilmember Ortiz moved to approve the petition, project budget and resolution. The motion seconded by Councilmember Woelfel carried unanimously. (8-0-0)

JOINT CITY AND COUNTY RESOLUTION NO. 7974 introduced by Councilmember Jack Woelfel and Shawnee County Commission Chair Theodore D. Ensley, relating to the Topeka and Shawnee County Safe Streets Coalition and its initiative to become the safest capital city in America was presented.

Norton N. Bonaparte, Jr., City Manager gave the staff report.

Barry Feaker, Safe Streets Coalition announced that the City of Topeka has entered the contest to become the Safest Capital City in America by the year 2010.

Councilmember Woelfel asked if the Neighborhood Watch Programs have helped reduce neighborhood crimes.

Barry Feaker stated that neighborhoods that participate in the program have seen a reduction in crime.

Councilmember Woelfel moved to approve the joint City and County resolution. The motion seconded by Councilmember Preisner carried unanimously. (8-0-0)

ORDINANCE NO. 18921 introduced by City Manager Norton N. Bonaparte, Jr., allowing and approving City expenditures for the period of May 28, 2007 through June 3, 2007, and enumerating said expenditures therein was presented for first and final reading.

Norton N. Bonaparte, Jr., City Manager gave the staff report.

Councilmember Ortiz moved to adopt the ordinance. The motion seconded by Councilmember Preisner carried unanimously. (8-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Alcala, Ortiz, Woelfel, Haynes, Swank, Blackburn, Preisner and Harmon -8. Absent: Kennedy -1.

ORDINANCE NO. 18922 introduced by City Manager Norton N. Bonaparte, Jr., allowing and approving City expenditures for the period of June 4, 2007, through June 10, 2007, and enumerating said expenditures therein was presented for first and final reading.

Norton N. Bonaparte, Jr., City Manager gave the staff report.

Councilmember Ortiz moved to adopt the ordinance. The motion seconded by Councilmember Woelfel carried. Councilmember Haynes voted “no.” (7-1-0)

The ordinance was adopted on roll call vote as follows: Ayes: Alcala, Ortiz, Woelfel, Swank, Blackburn, Preisner and Harmon -7. Noes: Haynes -1. Absent: Kennedy -1.

Councilmember Preisner left the meeting.

RESOLUTION NO. 7975 introduced by Councilmember John Alcala regarding the allocation of Transient Guest Tax funds to the Topeka Performing Arts Center was presented.

Councilmember Alcala stated that the resolution allows \$20,000 of Transient Guest Tax funds to be allocated to the Topeka Performing Arts Center (TPAC) as recommended by the Tourism Development Fund Committee on June 20, 2007.

Councilmember Blackburn stated that he would not support the resolution because he believes TPAC’s financial future is unstable.

Councilmember Alcala moved to approve the resolution. The motion seconded by Councilmember Ortiz carried. Councilmember Woelfel voted “no.” Councilmember Blackburn abstained. (5-1-1)

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr. establishing a tax increment finance (TIF) Redevelopment District at or about the area of 15th and Adams in Topeka, Kansas pursuant to K.S.A. 12-1773, et seq., as amended was presented for first reading.

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., relating to the vacation of a portion of a platted alley right-of-way in Irving Place Subdivision located north of SE 10th Avenue between SE Carnahan Avenue and SE Sherman Avenue, City of Topeka, Shawnee County, Kansas was presented for first reading. (V07A/5)

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., annexing land to the City of Topeka, Kansas, in accordance with K.S.A. 12-520, as amended, generally located West of SW Wanamaker Road, approximately 650 feet south of the intersection of SW 43rd Terrace and SW Wanamaker Road within unincorporated Shawnee County, Kansas, and contiguous to the City of Topeka corporate limits, and said land being annexed for all City purposes was presented for first reading. (A07/I)

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., adopting a six month extension of the franchise for Southwestern Bell Telephone L.P. d/b/a AT and T Kansas was presented for first reading.

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

Norton N. Bonaparte, Jr., City Manager announced upcoming community events. He also announced that there is no Council meeting on July 3, 2007 due to the Independence Day Holiday.

Councilmember Alcalá asked who authorized the tree located in front of Marion Lane Candles located at 713 S. Kansas Avenue to be cut down. He also asked for an update on the amount of revenue the City receives from franchise companies.

Jim Langford, Budget and Finance Director stated that he does not have a current estimate at this time. He noted that he would contact Councilmember Alcalá with the information as soon as it is available.

Councilmember Ortiz inquired on the distribution of free LED light bulbs by the City, and where the public could pick them up.

Norton N. Bonaparte, Jr., stated that the first 500 LED light bulbs have been distributed, and a public announcement would be made when the remaining 4500 light bulbs were delivered to the City. He noted that the light bulbs would be delivered to area community centers for distribution.

Councilmember Woelfel moved to direct the City Manager to delay the solicitation of bids for City of Topeka Street Improvement Project No. 70142-02, Part B, concerning improvements on SE California between SE 21st Street and SE 29th Street until directed to proceed by the City Council. The motion seconded by Councilmember Blackburn carried. Councilmembers Alcalá and Ortiz voted “no.” (5-2-0)

Councilmember Alcalá expressed concern with delaying Street Improvement Project No. 70142-02, Part B because it could cause an increase in the project cost.

Councilmember Swank announced that 500 homing pigeons would be released from the Kansas ExpoCentre parking lot this weekend. She noted that the National Geographic Society would be present to report on the event.

Ted Mize and Bonnie Gish appeared to speak under public comment.

NO FURTHER BUSINESS appearing the meeting was adjourned at 9:25 p.m.

Brenda Younger
City Clerk