

## **Council Minutes – September 25, 2007**

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, September 25, 2007. The Councilmembers of the City of Topeka met in regular session at 6:00 P.M., with the following Councilmembers present: Councilmembers Kennedy, Alcala, Ortiz, Woelfel, Haynes, Swank, Blackburn, Preisner and Harmon -9. Mayor Bunten presided -1.

AFTER THE MEETING was called to order, Councilmember Preisner asked for a moment of silent meditation.

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

THE CONSENT AGENDA was presented as follows:

A COMMUNICATION recommending the re-appointment of Noda Preston to the Jayhawk Area Agency on Aging Advisory Council for a term that would expire on September 30, 2010 was presented.

RESOLUTION NO. 7999 introduced by Councilmember Lana Kennedy granting Sacred Heart-St. Joseph Parish an exception to the provisions of City of Topeka Code Section 54-148 concerning noise prohibitions, was presented.

Minutes of the regular meeting of September 18, 2007 were presented.

Councilmember Ortiz moved to approve the consent agenda. The motion seconded by Councilmember Preisner 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, September 25, 2007, at 6:00 P.M. relating to vacation request V07A/4 by Roy V. Uhl Company, Inc., requesting to vacate a portion of a 16-foot wide public improvement alley right-of-way while providing for a public utility and sanitary sewer easement to be established over the described property located south of SE 3rd Street between SE Swygart Street and SE Davies Street, City of Topeka Shawnee County, Kansas.

ORDINANCE NO. 18968 introduced by City Manager, Norton N. Bonaparte, Jr., relating to the vacation of a portion of a 16-foot wide public unimproved alley right-of-way while providing for a public utility and sanitary sewer easement to be established over the described property located south of SE 3<sup>rd</sup> Street between SE Swygart Street and SE Davies Street, City of Topeka, Shawnee County, Kansas placed on first reading September 11, 2007 was again presented. The public hearing and ordinance was deferred from the meeting of September 18, 2007. (V07A/4)

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

Councilmember Alcala moved to close the public hearing and adopt the ordinance. The motion seconded by Councilmember Ortiz 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. 8000 introduced by City Manager Norton N. Bonaparte, Jr., in accordance with Section 48-18.02(c)(8) of the Code of the City of Topeka, approving a Conditional Use Permit to relocate, remodel or rebuild a legal non-conforming billboard, on property currently zoned "C-4" Commercial District and located east of I-470 Highway and west of SW Drury Lane in the City of Topeka, Kansas was presented. (CU07/3)

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

Geoff Cook, Lamar Inc., appeared to answer questions.

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

ORDINANCE NO. 18969 introduced by City Manager Norton N. Bonaparte, Jr., allowing and approving City expenditures for the period of September 3, 2007, through

September 9, 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 Kennedy 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.

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

Norton N. Bonaparte, Jr., City Manager stated that he met with Kent Dederick, IAFF Local Union No. 83 President and Fire Chief Howard Giles to discuss the issues that have been raised by the union. He noted that an additional meeting has been scheduled because the issues could not be resolved. He responded to Councilmember Alcala's request from the meeting of September 18, 2007 and reported that the total cost for power windows and locks to be installed in the Fire Chief's vehicle was \$1,710.63. He announced that the Topeka Police Department's Impound Lot auction is held on the last Wednesday of each month. He also announced upcoming community events, and the winner of Topeka's Mysteries and Legends Contest.

In response to Councilmember Kennedy's request from the meeting of September 18, 2007, Jim Langford, Budget and Finance Director reported that it would cost \$8,748 to purchase 54 new Lieutenant Fire Department helmets. He stated that the funding would be allocated from the Fire Department budget.

Councilmember Alcala asked who authorized the expenditure for the Fire Chief's vehicle.

Norton N. Bonaparte, Jr., stated that Chief Giles authorized the upgrades to the vehicle.

Mayor Bunten stated that the Council would meet to discuss future plans and goals for the City on October 27, 2007 from 8:30 a.m. to 11:00 a.m. He noted that the location would be determined at a later date.

NO FURTHER BUSINESS appearing the meeting was adjourned at 6:23 p.m.

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Brenda Younger  
City Clerk