

Council Minutes – October 16, 2007

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, October 16, 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 and Harmon -8. Mayor Bunten presided -1. Absent: Councilmember Preisner -1.

AFTER THE MEETING was called to order, Councilmember Harmon 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 Mary Bradshaw to the Community Corrections Advisory Board for a term that would expire on October 31, 2009 was presented.

A COMMUNICATION recommending the re-appointment of Lazone Grays to the Community Corrections Advisory Board for a term that would expire on October 31, 2009 was presented.

A COMMUNICATION recommending the re-appointment of Ted Heim to the Community Corrections Advisory Board for a term that would expire on October 31, 2009 was presented.

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

A FINAL PLAT for Monarch Meadow Subdivision No. 4 located south of SW 41st Street and west of SW Lincolnshire Road between SW 41st Street and SW Monarch Court in the City of Topeka, Shawnee County, Kansas was presented. (P07/31)

Minutes of the regular meeting of October 9, 2007 were presented.

Councilmember Ortiz moved to approve the consent agenda. The motion seconded by Councilmember Kennedy carried unanimously. (8-0-0)

NOTICE OF PUBLIC HEARING

A PUBLIC HEARING relating to vacation request V07E/11 by Stratham Sales Company, Inc., to vacate a platted utility easement in Jefferson Square Subdivision No. 2 located at the southwest corner of SE Quincy Street and SE Lakewood Boulevard, City of Topeka, Shawnee County, Kansas.

ORDINANCE NO. 18979 introduced by City Manager Norton N. Bonaparte, Jr., relating to the vacation of a platted utility easement in Jefferson Square Subdivision No. 2 located at the southwest corner of SE Quincy Street and SE Lakewood Boulevard, City of Topeka, Shawnee County, Kansas placed on first reading October 2, 2007 was again presented. (V07E/11)

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

Councilmember Ortiz moved to close the public hearing and adopt the ordinance. The motion seconded by Councilmember Harmon carried unanimously. (8-0-0)

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

ORDINANCE NO. 18980 introduced by Deputy Mayor Brett Blackburn amending City of Topeka Code Section 2-331 concerning the expenditure of monies from the Historic Asset Preservation fund and specifically repealing said original section placed on first reading August 21, 2007 was again presented. The ordinance was deferred from the meeting of August 28, 2007 to the Economic and Community Development Committee.

Councilmember Blackburn noted that there was a typographical error on line 29 of the ordinance amended by the Economic and Community Development Committee. He explained that the word “Three” on line 29 should be replaced with the word “Two.”

Councilmember Blackburn moved to accept the committee report as amended. The motion seconded by Councilmember Haynes carried unanimously. (8-0-0)

Kurt Young, Topeka Lodging Association President spoke in support of the amended ordinance. He expressed the importance of generating transient guest taxes for projects that would benefit the area’s lodging facilities.

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

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

A COMMUNICATION authorizing the City Manager to solicit bids and award the construction contract for Trafficway Improvement Project 70142-02 located on SE California Avenue between SE 21st Street and SE 29th Street was presented.

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

Councilmember Woelfel stated that a number of area business owners have expressed opposition to the installation of sidewalks on the west side of California Avenue. He explained that they believe the sidewalks would be located too close to the street to safely utilize.

Councilmember Woelfel moved to disapprove the communication. The motion was seconded by Councilmember Harmon.

Councilmember Ortiz asked if staff would consider installing sidewalks in the residential areas only beginning at SE 21st and ending on SE 25th Street. She also stated that she would

support the project because area residents have been asking for wider streets and new sidewalks for several years.

Mike Teply, Interim Public Works Director stated that staff believes sidewalks are necessary on both sides of the street in its entirety due to the amount of pedestrian traffic.

The motion to disapprove the communication failed. Councilmembers Alcala, Ortiz Haynes, Swank and Harmon voted “no.” (3-5-0)

Councilmember Ortiz moved to approve the communication. The motion seconded by Councilmember Alcala carried. Councilmembers Kennedy, Woelfel and Blackburn voted “no.” (5-3-0)

ORDINANCE NO. 18981 introduced by City Manager Norton N. Bonaparte, Jr., allowing and approving City expenditures for the period of September 24, 2007, through September 30, 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. (8-0-0)

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

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

Norton N. Bonaparte, Jr., City Manager announced upcoming “Meet the Manager” events. He encouraged citizens to attend the events and discuss their concerns with him.

Councilmember Alcalá requested that they schedule a Committee of the Whole meeting to discuss the direction of the Council regarding the Fire Department.

NO FURTHER BUSINESS appearing the meeting was adjourned at 6:43 p.m.

Brenda Younger
City Clerk