

Council Minutes – June 16, 2009

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, June 16, 2009. The Councilmembers of the City of Topeka met in regular session at 6:00 P.M., with the following Councilmembers present: Councilmembers Hiller, Alcalá, Ortiz, Woelfel, Wolgast, Swank, Archer and Harmon -8. Absent: Councilmember Preisner and Mayor Bunten -2.

Deputy Mayor Harmon announced that Mayor Bunten was absent due to illness.

Deputy Mayor Harmon served as the presiding officer for the Council meeting.

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

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

THE CONSENT AGENDA was presented as follows:

A WORKER'S COMPENSATION SETTLEMENT for Daniel Vega in the amount of \$11,156.76 was presented.

RESOLUTION NO. 8169 introduced by Councilmember John Alcalá granting Fiesta Mexicana an exception to the provisions of City of Topeka Code Section 54-148 concerning noise prohibitions was presented.

RESOLUTION NO. 8170 introduced by Councilmember John Alcalá granting Fiesta Mexicana an exception to the provisions of City of Topeka Code Section 54-148 concerning noise prohibitions was presented.

RESOLUTION NO. 8171 introduced by Councilmember John Alcalá granting a waiver to the provisions of City of Topeka Code Section 142-355, as amended, relating to parking on unimproved surfaces was presented.

MINUTES of the regular meeting of June 9, 2009 was presented.

A Cereal Malt Beverage License application bearing the approval of the Chief of Police and City Inspectors for In A Pinch located at 706 SW Fairlawn, was presented.

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

ORDINANCE NO. 19268 introduced by Councilmember John Alcala authorizing the sale, consumption, and possession of alcoholic liquor as part of the Fiesta Mexicana at specified locations and times, placed on first reading June 9, 2009 was again presented.

Councilmember Alcala gave the staff report.

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

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

ORDINANCE NO. 19269 introduced by Councilmember John Alcala authorizing the sale, consumption and possession of alcoholic liquor as part of the Fiesta Mexicana Parade and Street Party at specified locations and times, placed on first reading June 9, 2009 was again presented.

Councilmember Alcala gave the staff report.

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

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

RESOLUTION NO. 8172 introduced by City Manager Norton N. Bonaparte, Jr., authorizing an expenditure from the crime prevention fund to support the Third Judicial District Drug Court program was presented.

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

Councilmember Alcala moved to approve the resolution. The motion seconded by Councilmember Wolgast carried unanimously. (8-0-0)

ORDINANCE NO. 19270 introduced by City Manager Norton N. Bonaparte, Jr., allowing and approving City expenditures for the period of May 25, 2009, through May 31, 2009, and enumerating said expenditures therein was presented for first and final reading.

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

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

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

ORDINANCE NO. 19271 introduced by City Manager Norton N. Bonaparte, Jr., designating real property more specifically described herein as an historic landmark and presently zoned "R-2" Single-Family Dwelling District and located at 1248 SW Buchanan Street in the City of Topeka, Kansas, pursuant to City of Topeka Code Section 80-4 placed on first reading June 9, 2009 was again presented. (HL09/2)

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

Deputy Mayor Harmon asked if there were any exparte communications. There were none declared.

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

The ordinance was adopted on roll call vote as follows: Ayes: Hiller, Alcala, Ortiz, Woelfel, Wolgast, Swank, Archer and Harmon -8. Absent: Preisner and Mayor Bunten -2.

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., amending City of Topeka Code Section 48-23a.04 concerning zoning regulations in mixed use districts, and specifically repealing said original section was presented for first reading.

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., concerning the Redevelopment District for the Southwest Topeka Boulevard District and specifically repealing City of Topeka Ordinance No. 19247 was presented for first reading.

PRESENTATIONS BY THE CITY MANAGER, MAYOR AND MEMBERS OF THE COUNCIL;

Norton N. Bonaparte, Jr., City Manager stated that in response to the opposition expressed by citizens he has decided not to move forward with the proposed ordinance relating to residential trash removal. He also announced upcoming community events.

Councilmember Hiller announced that the new Stormont-Vail Trauma Unit and Emergency Room facility located on the corner of Eighth Street and Washburn Avenue is hosting an Open House from 5:00 p.m. to 8:00 p.m. on June 17, 2009.

Councilmember Alcalá distributed an email from a North Topeka resident regarding low water pressure. He requested that the City Manager follow-up on the issue. He asked when the City Manager plans to schedule individual meetings with Councilmembers. He requested a copy of the itemized list of general business expenditures outlined in the City Manager's employment contract.

Norton N. Bonaparte, Jr., stated that the expenditure list would be available for review by the end of the week.

Councilmember Wolgast acknowledged the responses he has received from constituents. He stated that he appreciates their input on important financial decisions that must be made by the City.

Councilmember Archer acknowledged the responses he has received from constituents opposing a mill levy increase in 2010. He encouraged the City Manager to present a budget with a zero mill levy increase.

Mary Stafford appeared to speak under public comment.

NO FURTHER BUSINESS appearing the meeting was adjourned at 6:29 p.m.

Brenda Younger
City Clerk