

## **Council Minutes – July 28, 2009**

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, July 28, 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, Preisner and Harmon -9. Mayor Buntgen presided -1.

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

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

THE CONSENT AGENDA was presented as follows:

BOARD APPOINTMENT recommending the appointment of Joyce Grigsby to the Human Relations Commission to fill an unexpired term that would end on November 30, 2009 was presented.

MINUTES of the regular meeting of July 22, 2009 was presented.

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

A PROJECT BUDGET in the amount of \$1,500,000 and ORDINANCE NO. 19287 introduced by City Manager Norton N. Bonaparte, Jr., authorizing Improvement Project No. T-601014.00 (HTE 606530) which provides for neighborhood infrastructure improvements for two target areas – Central Park and Historic Holliday Park, as more specifically described herein, all pursuant to Section A12-1 of the Code of the City of Topeka placed on first reading July 14, 2009 was again presented. The project budget and ordinance was deferred from the meeting of July 22, 2009.

Randy Speaker, Deputy City Manager gave the staff report and stated that it was determined that only a portion of the total project cost could not be funded through half-cent sales

tax revenue funds. He noted that staff has drafted a proposal that will save the City a significant amount of money.

Jim Langford, Budget and Finance Director distributed an amendment to the ordinance. He reported that the amendment would revise the source of funding and reduce the overall interest cost of the project from \$990,000 to \$138,000 due to the bonding of only \$200,000 of the project cost instead of \$1,400,000. The source of funding for the project was amended as follows:

- \$100,000 of the project cost would be funded through Combined Water, Wastewater and Stormwater Utility Funds
- \$1,200,000 of the project cost would be funded through general obligation bonds including temporary notes and city-wide half-cent special purpose retailers' sales tax
- \$200,000 of the project cost would be funded through temporary notes

Councilmember Preisner moved to amend the ordinance as distributed. The motion was seconded by Councilmember Archer.

Mayor Bunten asked if the City could pay for the portion of the project that must be bonded with pooled cash funds. He also asked if the City could begin making payments on the temporary notes as soon as the City starts to receive sales tax revenue funds.

Jim Langford stated that any funds deducted from the 2009 ending balance must be accounted for by adjusting the carry-over funds for 2010. He noted that the City could not begin making payments on the temporary notes until October of 2010.

The motion to amend the ordinance as distributed carried unanimously. (9-0-0)

Councilmember Preisner commended staff for the new proposal and the significant amount of money that will be saved in interest costs.

Mayor Bunten commended staff for drafting a proposal that saves taxpayers a large amount of money. He encouraged the Council to continue directing staff to research alternative funding methods that save the City money.

Councilmember Preisner moved to approve the revised project budget and adopt the ordinance as amended. The motion seconded by Councilmember Swank carried unanimously.

(9-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Hiller, Alcala, Ortiz, Woelfel, Wolgast, Swank, Archer, Preisner and Harmon -9.

A THREE-YEAR LABOR AGREEMENT between the City of Topeka Water Division and the Topeka City Employees of Local 1294, Kansas Public Employees Union, AFSCME, AFL-CIO was presented. (*Contract No. 39671*)

Randy Speaker, Deputy City Manager gave the staff report.

Councilmember Preisner moved to approve the labor agreement. The motion seconded by Councilmember Swank carried unanimously. Mayor Bunten voted “yes.” (10-0-0)

ORDINANCE NO. 19288 introduced by City Manager Norton N. Bonaparte, Jr., allowing and approving City expenditures for the period of July 6, 2009, through July 12, 2009, and enumerating said expenditures therein was presented for first and final reading.

Randy Speaker, Deputy City Manager gave the staff report.

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

The ordinance was adopted on roll call vote as follows: Ayes: Hiller, Alcala, Ortiz, Woelfel, Wolgast, Swank, Archer, Preisner and Harmon -9.

AN ORDINANCE introduced by Councilmember Karen Hiller authorizing the sale, consumption and possession of alcoholic liquor at the Beat the Heat Concert to be held in the One Hundred Block of SW Eighth Avenue on August 15, 2009 was presented for first reading.

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., relating to the vacation of a portion of the city street right-of-way intersecting the railroad right-of-way located on NW Howard and NW 7<sup>th</sup> Streets between NW Lincoln and NW Lane Streets in White Oak Grove Subdivision and Cross Addition, City of Topeka, Shawnee County, Kansas was presented for first reading.

A CHARTER ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., amending City of Topeka Code Section A2-1, Statutes made inapplicable, and repealing said original section and repealing City of Topeka Code Section A17-1 concerning a central utility billing office was presented for first reading.

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., amending City of Topeka Code Sections 146-26, 146-28, 146-32, 146-35, 146-46, 146-47, 146-78, 146-79, 146-81, 146-82, 146-83, 146-102, 146-136, 146-148, 146-151 and specifically repealing said original sections; creating Sections 146-9, 146-10, 146-16, 146-20, 146-38, 146-48, 146-50, 146-76, 146-77, 146-80, 146-99, 146-141, 146-144, 146-145, 146-146 and 146-150 all concerning the water, water pollution control, and stormwater utility was presented for first reading.

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

Randy Speaker, Deputy City Manager reported the following responses to questions asked by the Council at the July 28, 2009 budget committee meeting: (1) It would cost the City approximately \$68,000 for every one million dollars bonded in the 2010 operating budget. (2) The Shawnee County District Attorney's Office and the Shawnee County Sheriff Department do not have additional Drug Forfeiture funds to allocate towards the Topeka Police Department Helicopter Unit. (3) The franchise agreements are being researched by Jim Langford. (4) Jim

Langford sent a letter to each Councilmember regarding the City's bond rating. (5) The request has been made in regards to the City's contractual services. (6) The social service agencies that have applied for 2010 funding will be sent a letter on July 29, 2009 stating that they would have the opportunity to present their funding requests to the City Council on Monday, August 3, 2009 at the budget committee meeting.

Councilmember Alcalá questioned why funding for senior centers has been eliminated from the 2010 operating budget. He encouraged the Council to support the funding of senior centers in 2010, even if it is at the same funding level as last year. He also asked if the City has requested financial assistance from Shawnee County in regards to funding senior centers.

Councilmember Ortiz stated that she has received complaints relating to overgrown tree limbs along SE Gilmore Avenue between SE 7th and SE 9th Streets. She asked if the City is responsible for trimming the trees, and if so, when would the problem be resolved. She welcomed Joyce Grigsby to the Human Relations Commission; and thanked Michael Bell for serving on the Human Relations Commission.

Councilmember Wolgast thanked the Likins-Foster Neighborhood Improvement Association for inviting him to the monthly NIA meeting. He commended the neighborhood for implementing positive changes and making the area a better place to live.

Councilmember Harmon reported that the Friends of the Topeka Zoo (FOTZ) have agreed to fund the remaining \$100,000 needed to finish the Kansas Carnivores Zoo Improvement Project.

Councilmember Harmon moved to add a resolution relating to the Kansas Carnivores Zoo Improvement Project No. 30273-00 to the August 4, 2009 Council agenda. The motion seconded by Councilmember Ortiz carried unanimously. 9-0-0

Mayor Bunten commended staff for developing a plan that would save the taxpayers a significant amount of money in regards to the financing of the Central Park and Historic Holliday Park Improvement Project. He thanked the Council for practicing due diligence in managing the City's funds.

Andrew Gray appeared to speak under public comment.

NO FURTHER BUSINESS appearing the meeting was adjourned at 6:25 p.m.

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Brenda Younger  
City Clerk