

Council Minutes –May 4, 2010

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, May 4, 2010. 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, Preisner and Harmon -8. Mayor Bunten presided -1. Absent: Councilmember Archer -1.

AFTER THE MEETING was called to order, Pastor Marty Schlossman, Lutheran Church Missouri Synod District gave the invocation.

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

A PRESENTATION by Rio Cervantes-Reed, Human Relations Department Director on the Troy Scroggins Award Youth Category was presented to Eric Johnson, Highland Park High School student.

A PRESENTATION providing an update on the construction of the Kansas Children’s Discovery Center was presented by Joanne Morrell, Kansas Children’s Discovery Center Executive Director.

THE CONSENT AGENDA was presented as follows:

BOARD APPOINTMENT recommending the re-appointment of Lorean Williams to the Human Relations Commission for a two year term that would end May 31, 2012 was presented.

MINUTES of the regular meeting of April 27, 2010 were presented.

The following Cereal Malt Beverage License applications were presented for approval:

<u>BUSINESS NAME</u>	<u>ADDRESS</u>
Berkshire Country Club	3720 SW 45 th Street
California BP Amoco	2740 California
Charles R Wood Oil Co., Inc.	101 NE Highway 24
Conoco Food Mart	2121 SW Wanamaker
The Goose Express	2901 SE Fremont
I-70 BP Amoco	1000 SW Wanamaker
Kick 66	3300 SW Gage Boulevard

<u>BUSINESS NAME</u>	<u>ADDRESS</u>
Lakeview Amoco	3000 SE Croco
Larry's Shortstop	3834 S Topeka Boulevard
Mike's IGA	2620 NE Sardou
Oakmart Amoco	2518 NE Seward
Sunshine Energy #50	600 SW Fairlawn
Sunshine Energy #69	3830 SW 29 th Street
Sunshine Energy #49	2836 SW Fairlawn
Sunshine Energy #10	1161 SW Gage Boulevard
Walgreens #02846	2915 SW Gage Boulevard
Walgreens #02888	2110 NW Topeka Boulevard
Walgreens #07778	1001 SW Gage Boulevard
Walgreens #03772	2901 SE California
Walgreens #04557	2121 SW Fairlawn Road
Walgreens #04782	3696 SW Topeka Boulevard
Walgreens #4981	3630 SW Wanamaker Road
Walgreens #03069	1001 SW Topeka Boulevard
Wal Mart #1802	1501 SW Wanamaker Road
Wal Mart #2131	1301 SW 37 th Street
Wal Mart #5441	2600 NW Rochester

The following Open After Midnight License applications were presented for approval:

<u>BUSINESS NAME</u>	<u>ADDRESS</u>
The Break Room	911 S Kansas Avenue
The Celtic Fox	118 SW 8 th Street
Dupree's	108 SE 8 th Street
El Azteca	1201 SE 6 th Street
Goose One Sports Bar & Grill	3203 SW 10 th Street
IHOP	1731 SW Wanamaker Road
The Jet Ultra Lounge	4117 SW Huntoon
Kansan Grill	709 S Kansas Avenue
Kicks 66	3300 SW Gage Boulevard
McDonald's #5596	2001 NW Topeka Boulevard
McDonald's #7244	2880 SE California Avenue
McDonald's #317	3117 SW Topeka Boulevard
Rumba Club	816 N Kansas Avenue
Sharkey's Tiki Bar	5217 SW 28 th Court
Walgreens #03069	1001 SW Topeka Boulevard
Walgreens #02846	2915 SW Gage Boulevard

Councilmember Preisner moved to approve the consent agenda. The motion seconded by

Councilmember Ortiz carried unanimously. (8-0-0)

ORDINANCE NO. 19413 introduced by City Manager, Norton N. Bonaparte, Jr., amending City of Topeka Code Section 2-224, concerning the Topeka Metropolitan Transit Authority and specifically repealing said original section placed on first reading April 27, 2010 was again presented.

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

Councilmember Preisner 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: Hiller, Alcalá, Ortiz, Woelfel, Wolgast, Swank, Preisner and Harmon -8. Absent: Archer -1.

ORDINANCE NO. 19414 introduced by City Manager Norton N. Bonaparte, Jr., allowing and approving City expenditures for the period of April 12, 2010, through April 18, 2010, and enumerating said expenditures therein was presented for first and final reading.

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

Joseph Ledbetter stated that he believes the City of Topeka employee retirement incentive is a good offer for eligible employees. He suggested the City reduce utility costs by shutting off electricity to the top levels of City owned parking garages at night. He questioned the following expenditures:

- Page 10, Kansas Sand
- Page 20, U.S.D. 501 grant
- Page 20, Vermont Consulting
- Page 21, electric bills to City of Topeka parking garages

Jim Langford, Budget and Finance Director reported that the Kansas Sand expenditure was for water main break repairs and/or street repairs paid from the Water Utility fund; the U.S.D. 501 grant was a Parks and Recreation Department expenditure and could have been used to rent a facility for Parks and Recreation programs; and Vermont Consulting was an energy

consulting firm hired to research ways to save energy for the City, as well as, provide suggestions for management and educational programs.

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

The ordinance was adopted on roll call vote as follows: Ayes: Hiller, Alcalá, Ortiz, Woelfel, Swank, Preisner and Harmon -7. Noes: Wolgast -1. Absent: Archer -1.

ORDINANCE NO. 19415 introduced by City Manager Norton N. Bonaparte, Jr., amending the “District Map” referred to and made a part of the Zoning Ordinance by Section 48-1.04 of the Code of the City of Topeka, by providing for certain changes in zoning on property located at the southwest corner of the intersection of SW Wanamaker Road and SW 11th Street from “R-1” Single-Family Dwelling District to “C-2” Commercial Zoning District placed on first reading April 27, 2010 was again presented. (Z10/2)

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

The City Clerk asked if there were any ex parte communications. There were none declared.

Councilmember Harmon moved to adopt the ordinance. The motion seconded by Councilmember Preisner carried unanimously. Mayor Bunten voted “yes.” (9-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Hiller, Alcalá, Ortiz, Woelfel, Wolgast, Swank, Preisner, Harmon and Mayor Bunten -9. Absent: Archer -1.

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., adopting the re-codification of ordinances of the City of Topeka, Kansas, providing for the repeal of certain other ordinances not included therein, excepting certain ordinances from repeal, and saving

certain accrued rights and liabilities pursuant to K.S.A. 12-3014 and K.S.A. 12-3015 was presented for first reading.

AN ORDINANCE introduced by Councilmember John Alcala authorizing the sale, consumption and possession of alcoholic liquor at specified locations and times for the 2010 Germanfest celebration on June 5 and 6, 2010, to be held at Sacred Heart-St. Joseph Parish was presented for first reading.

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

Norton N. Bonaparte, Jr., City Manager reminded citizens and business owners to attend the East Topeka Summit on May 6, 2010 at the Highland Park High School cafeteria from 6:30 p.m. to 8:00 p.m. He reported that the following road projects funded with the half-cent sales tax are still under construction. Those projects include SE 29th Street from California Avenue to the I-470 Turnpike; Gordon Street from NW Buchanan to Quincy Street; and SW 21st Street from Wanamaker Road to the I-470 overpass. He also reported there are three new projects funded with the half-cent sales tax in the development stages. Those projects include SE 6th Street from Adams Street to Swygart Street; SE Adams Street and Branner Trafficway from 10th Street to 29th Street; and SW 10th Street from SW Gage Boulevard to SE Republic.

Councilmember Alcala expressed concern with the financial impact the closing of the Sardou Bridge is having on area businesses.

Councilmember Hiller encouraged citizens to attend the First Friday Art Walk events. She reported that the events would be held the first Friday of each month this summer from 5:30 p.m. to 8:30 p.m. She noted that the community could participate in a number of venues at the events.

Councilmember Woelfel encouraged the community to participate in the National Day of Prayer on May 6, 2010.

Councilmember Wolgast commended the residents of the Likens-Foster Neighborhood Improvement Association for hosting the Meet and Greet Picnic on May 2, 2010.

Mayor Bunten commended Joseph Ledbetter for his suggestion to shut the lights off on the top levels of City owned parking garages to reduce utility costs. He suggested the City adjust the air conditioning thermostats in City Hall during the evenings and weekends to reduce utility costs. He noted the Sardou Bridge would reopen on May 5, 2010.

Joseph Ledbetter appeared to speak under public comment.

Councilmember Alcalá moved to adjourn the City Council meeting. The motion seconded by Councilmember Preisner carried unanimously. (8-0-0)

NO FURTHER BUSINESS appearing the meeting was adjourned at 6:57 p.m.

Brenda Younger
City Clerk