

Council Minutes – February 8, 2011

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, February 8, 2011. The Councilmembers of the City of Topeka met in regular session at 6:00 P.M., with the following Councilmembers present: Councilmembers Hiller, Alcalá, Woelfel, Wolgast, Archer, Swank, Preisner and Harmon -8. Mayor William W. Bunten presided -1. Absent: Councilmember Ortiz -1.

AFTER THE MEETING was called to order, Pastor Troy Scroggins, Faith Lutheran Church gave the invocation.

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

A PRESENTATION on the Topeka Zoo was provided by Brendan Wiley, Zoo Director.

Norton N. Bonaparte, Jr., City Manager requested to withdraw item 4D, Minutes of the regular meeting of February 1, 2011. He stated the Council meeting was not held due to inclement weather.

Upon hearing no objections, Mayor Bunten announced item 4D would be withdrawn from the consent agenda.

THE CONSENT AGENDA was presented as follows:

BOARD APPOINTMENT recommending the re-appointment of Dode Lesser to the Board of Electrical Appeals for a term ending January 31, 2013 was presented.

RESOLUTION NO. 8309 introduced by Councilmember Sylvia Ortiz expressing support for the Timberlee Housing Associates renovation project for the Timberlee Apartments was presented.

MINUTES of the regular meeting of January 25, 2011 were presented.

An Open After Midnight License application for 39th Street Bar & Grill located at 555 SW 39th Street was presented.

Councilmember Preisner moved to approve the remainder of the consent agenda. The motion seconded by Councilmember Alcalá carried unanimously. (8-0-0)

Councilmember Preisner requested staff research the percentage of low-income housing in the community.

Norton N. Bonaparte, Jr., stated Councilmember Woelfel has also inquired on the saturation of low-income housing in the City of Topeka. He stated staff would research the information and report back to the Council.

RESOLUTION NO. 8310 introduced by City Manager Norton N. Bonaparte, Jr., setting the public hearing for Pond Repair and Improvement Project No. T-151011.00 which provides for repair to existing pond at Lauren's Bay Subdivision and Lauren's Bay Estates was presented.

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

Michael Unrein appeared on behalf of the applicant and gave a brief background of the development. He asked the Council to approve the project and allow the project to move forward to the next phase.

Councilmember Harmon moved to approve the resolution. The motion seconded by Councilmember Alcalá carried unanimously. Mayor Bunten voted "yes." (9-0-0)

A PROJECT BUDGET in the amount of \$213,675 and RESOLUTION NO. 8311 introduced by City Manager Norton N. Bonaparte, Jr., authorizing Zoo Improvement Project No. T-301023.00 which provides for the improvements to the Kansas Carnivore and Hippo exhibits as more specifically described herein was presented.

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

Councilmember Harmon moved to approve the project budget and resolution. The motion seconded by Councilmember Preisner carried unanimously. (8-0-0)

DEMOLITION PERMIT APPEAL of the home located at 1133 SW Western Avenue in the City of Topeka, Kansas pursuant to City of Topeka Code 18.255.030 was presented.

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

Councilmember Hiller moved to approve the demolition permit based on the determination there is no prudent or feasible alternatives to the proposed demolition and the planning to minimize harm to the historic property has been made. The motion seconded by Councilmember Preisner carried unanimously. Mayor Bunten voted “yes.” (9-0-0)

ORDINANCE NO. 19511 introduced by City Manager Norton N. Bonaparte, Jr., allowing and approving City expenditures for the period of January 10, 2011, through January 16, 2011, and enumerating said expenditures therein was presented for first and final reading.

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

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

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

ORDINANCE NO. 19512 introduced by City Manager Norton N. Bonaparte, Jr., allowing and approving City expenditures for the period of January 10, 2011, through January 16, 2011, and enumerating said expenditures therein was presented for first and final reading.

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

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

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

NO Retail Cereal Malt Beverage License applications were presented.

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., concerning the adoption of the 2010 Standard Traffic Ordinance and amendments thereto by amending City of Topeka Code Sections 10.15.010 and 10.15.020 and specifically repealing said original sections as well as repealing in its entirety Section 10.10.190 and creating Section 10.20.125 was presented for first reading.

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., regulating public offenses within the corporate limits of the City of Topeka, Kansas; incorporating by reference the “Uniform Public Offense Code for Kansas Cities,” edition of 2010, with certain deletions and omissions; amending Section 9.053.080 and specifically repealing original said section and repealing in its entirety Section 8.35.020, 9.05.030, 9.05.040, 9.05.090, 9.15.140, 9.15.030, 9.35.020, 9.40.010, 9.40.030, 9.40.060, 9.40.070, 9.40.080, 9.45.020, 9.45.110, 9.45.260, 10.35.020, 10.35.030, 10.35.040 and 10.35.050 was presented for first reading.

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., amending City of Topeka Code Section 14.20.060, concerning amendments to the International Building Code and specifically repealing said original section was presented for first reading.

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., amending City of Topeka Code Section 9.15.020, concerning the possession and consumption of alcoholic liquor or cereal malt beverages and specifically repealing said original section was presented for first reading.

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., authorizing Improvement Project No. T-301027.00, which provides for restroom relocation at Major Palm Park, as more specifically described herein, all pursuant to Section A12-1 of the Code of the City of Topeka was presented for first reading.

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., authorizing Improvement Project No. T-301028.00, which provides for walkways and new signage at Gage Park, as more specifically described herein, all pursuant to Section A12-1 of the Code of the City of Topeka was presented for first reading.

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., authorizing Improvement Project No. T-301030.00, which provides for player, spectator and visitor improvements to Felker Park and Rueger Park softball complexes, as more specifically described herein, all pursuant to Section A12-1 of the Code of the City of Topeka was presented for first reading.

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., authorizing Improvement Project No. T-301029.00, which provides for improvements to gym floors in Oakland and Garfield community centers, as more specifically described herein, all pursuant to Section A12-1 of the Code of the City of Topeka was presented for first reading.

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

Norton N. Bonaparte, Jr., City Manager announced a new program highlighting the events of the Kansas Sesquicentennial Celebration would broadcast on City 4 daily. He encouraged citizens to provide feedback on all City 4 programming.

Councilmember Hiller commended the Public Works Department snow removal crews for their hard work during the inclement weather.

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 6:51 p.m.

Brenda Younger
City Clerk