

## Council Minutes – April 19, 2011

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, April 19, 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, Ortiz, Everhart, Wolgast, Manspeaker, Archer, Gray and Harmon -9. Mayor William W. Bunten presided -1.

AFTER THE MEETING was called to order, Major John Hanson, Retired Chaplain of the United States Army gave the invocation.

POSTING OF THE COLORS was presented by the Topeka West High School Jr. ROTC.

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

A PRESENTATION of the 2011 Topeka Armed Forces Personnel of the Year Awards was conducted by David Fisher, Jr., Topeka Military Relations Committee.

A PRESENTATION of the Troy Scroggins Individual Award provided by the Topeka Human Relations Commission presented by Joyce Grigsby was awarded to Brian Peters.

A PRESENTATION of the Topeka Human Relations Commission Annual Report was provided by Lorean Williams, Human Relations Commission Chair.

Councilmember Alcalá requested to remove item 4A, Minutes of the Special meeting of April 7, 2011 from the consent agenda for separate discussion.

Upon hearing no objections, Mayor Bunten announced item 4A would be removed from the consent agenda for separate discussion.

THE CONSENT AGENDA was presented as follows:

MINUTES of the regular meeting of April 12, 2011 were presented.

OPEN AFTER MIDNIGHT License applications were presented for the following:

<u>Business Name</u>	<u>Address</u>
American Legion	3800 SE Michigan
Billar El 2 De Oros	2018 SE Swygart
Blind Tiger	417 SW 37 <sup>th</sup> Street

<u>Business Name</u>	<u>Address</u>
The Break Room	911 S Kansas Avenue
The Celtic Fox	118 SW 8 <sup>th</sup> Street
Chucksters Bar & Grill	1620 SW 6 <sup>th</sup> Street
College Hill Tavern	1616 SW 17 <sup>th</sup> Street
The Dugout	1545 SW Fairlawn Road
Frances O'Dooley's Irish Pub	1930 SW Westport Drive
Henry T's Bar & Grill	1521 SW 21 <sup>st</sup> Street
Hy-Vee Gas	6011 SW 29 <sup>th</sup> Street
IHOP #5318	1731 SW Wanamaker Road
Lazy Toad	5331 SW 22 <sup>nd</sup> Place, Suite 2
McDonald's #317	3117 SW Topeka Boulevard
McDonald's #995	1100 S Kansas Avenue
McDonald's #5596	2001 NW Topeka Boulevard
McDonald's #7244	2880 SE California Avenue
Quintons Bar & Deli	4121 SW Huntoon
The Roostertail	830 N Kansas Avenue
Skivie's Bar & Grill	921 S Kansas Avenue
Speck's Bar & Grill	2105 SW Mission
Tammy's On The Go	3335 SW Gage Boulevard
That Place	3701 SW Plaza Drive
Theatre Club of Topeka	3028 SW 8 <sup>th</sup> Street
Wood Valley Racquet Club	2909 SW 37 <sup>th</sup> Street

DANCE HALL License applications were presented for the following:

<u>Business Name</u>	<u>Address</u>
39 <sup>th</sup> Street Bar & Grill	555 SW 39 <sup>th</sup> Street
Lazy Toad	5331 SW 22 <sup>nd</sup> Place, Suite 2

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

MINUTES of the Special meeting of April 7, 2011 were presented.

Councilmember Alcalá reported he requested the minutes be pulled from the consent agenda so he could state his opposition to how the April 7, 2011 Special meeting of the Governing Body was conducted. He stated in his opinion, the action taken at the meeting was not appropriate under Council Rules.

Councilmember Harmon moved to approve the Minutes of the Special Meeting of April 7, 2011. The motion seconded by Councilmember Wolgast carried. Councilmembers Alcalá, Manspecker, Archer and Gray voted “no.” (5-4-0)

A Retail Cereal Malt Beverage License application was presented for Jump Start Market located at 3830 SW 29<sup>th</sup> Street.

Councilmember Ortiz moved to approve the retail cereal malt beverage license application as presented. The motion seconded by Councilmember Archer carried unanimously. Mayor Bunten voted “yes.” (10-0-0)

ORDINANCE NO. 19551 introduced by City Manager Norton N. Bonaparte, Jr., allowing and approving City expenditures for the period of March 28, 2011, through April 3, 2011, and enumerating said expenditures therein presented for first and final reading.

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

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

The ordinance was adopted on roll call vote as follows: Ayes: Hiller, Alcalá, Ortiz, Everhart, Wolgast, Manspecker, Archer, Gray and Harmon -9.

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

Norton N. Bonaparte, Jr., City Manager announced Jennifer Spence, Recreation Specialist II as March Employee of the Month; and a Human Relations Commission Town Hall meeting would be held April 26<sup>th</sup> from 6:00 p.m. to 8:00 p.m. at the Cyrus K. Holliday building located at 620 SE Madison. He also announced a Surviving Progress Open House would be held April 27<sup>th</sup> from 4:00 p.m. to 7:00 p.m. at the Cyrus K. Holliday building and asked citizens to contact Mike Morrissey at 368-3842 for more information.

Councilmember Alcalá reported Councilmembers have until April 22, 2011 to review the personnel documents subpoenaed by the Council relating to the scrap metal theft issue, after this date, he will request the City Attorney remove the documents from the City Clerk's office. He distributed a handout outlining Council Committee assignments.

Councilmember Everhart commended the military personnel honored during the Military Presentation. She encouraged citizens to keep military personnel and their families in their thoughts and prayers.

Councilmember Manspeaker stated he would be introducing a resolution to be placed on the May 3, 2011 Council agenda concerning the installation of sanitary sewer service for Jerry's Bike Shop.

Councilmember Archer announced a JEDO Board meeting would be held May 12, 2011 at 6:00 p.m. in the City Council Chambers. He thanked the City Manager for his assistance in making arrangements for the meeting to be televised.

Councilmember Gray stressed the importance of military service. He spoke in support of the JEDO Board meeting being televised and stated he believes transparency and accountability are two very important issues to the citizens of Topeka.

Mayor Bunten commended military personnel for their service.

Councilmember Alcalá moved to adjourn the Council meeting. The motion seconded by Councilmember Archer carried unanimously. (9-0-0)

NO FURTHER BUSINESS appearing the meeting was adjourned at 6:56 p.m.

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Brenda Younger  
City Clerk