

Council Minutes – May 10, 2011

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, May 10, 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, Councilmember Archer asked for a moment of silent meditation in honor of our military personnel.

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

A PRESENTATION on the Topeka Police Department Quarterly Report was provided by Ron Miller, Topeka Police Chief.

Councilmember Alcalá moved to suspend the Council Rules to add a Committee of the Whole recommendation regarding the qualifications for the Interim City Manager position to the Council agenda. The motion seconded by Councilmember Everhart carried unanimously.

(9-0-0)

Councilmember Alcalá moved to add the Committee of the Whole recommendation to the consent agenda as item 4C. The motion seconded by Councilmember Hiller carried unanimously. (9-0-0)

Councilmember Alcalá moved to reinstate the Council Rules. The motion seconded by Councilmember Harmon carried unanimously. (9-0-0)

THE CONSENT AGENDA was presented as follows:

MINUTES of the regular meeting of May 3, 2011 were presented.

OPEN AFTER MIDNIGHT License application approvals were presented for the following:

<u>Business Name</u>	<u>Address</u>
Boss Hawg's	2833 SW 29 th Street
Bottom's Up	5235 SW 28 th Court
Goose One Sports Bar & Grill	3203 SW Sowers Court
Kick's 66	3300 SW Gage
Terry's Bar & Grill	522 SW 6 th Street

APPROVAL of Committee of the Whole Recommendation, "that the minimum qualifications of the Interim City Manager Position for the City of Topeka include, "Bachelor's degree in Public Administration or closely related field; Master's degree preferred. Minimum 10 years progressively responsible experience and the management of government entities preferred; including: a demonstrated record of effective staff management, strong management of budgetary and financial matters, strong community relations, and experience working with a council or board; or an equivalent combination of training and experience," was presented.

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

Norton N. Bonaparte, Jr., City Manager requested to defer Council agenda items 5A, 5B and 5C for one week.

Councilmember Ortiz moved to defer Council agenda item 5A, a petition, project budget and resolution authorizing Waterline Improvement Project No. T-281036.00 for one week. The motion seconded by Councilmember Gray carried unanimously. (9-0-0)

Councilmember Ortiz moved to defer Council agenda item 5B, a petition, project budget and resolution authorizing Sanitary Sewer Improvement Project No. T-401026.00 for one week. The motion seconded by Councilmember Archer carried unanimously. (9-0-0)

Councilmember Ortiz moved to defer Council agenda item 5C, a petition, project budget and resolution authorizing Street Improvement Project No. T-601024.00 for one week. The motion seconded by Councilmember Manspeaker carried unanimously. (9-0-0)

ORDINANCE NO. 19559 introduced by City Manager Norton N. Bonaparte, Jr., allowing and approving City expenditures for the period of April 18, 2011, through April 24, 2011, and enumerating said expenditures therein was presented for first and final reading.

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

Joseph Ledbetter questioned the following expenditures:

- Page 7, Santa Fe Siding Company \$18,645
- Page 8, Topeka Performing Arts Center \$15,625

Jim Langford, Budget and Financial Services Director reported he would email Mr. Ledbetter the response regarding the payment made to Santa Fe Siding Company; and the payment made to the Topeka Performing Arts Center was the quarterly payment approved by the City Council to support their operations.

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

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

NO Retail Cereal Malt Beverage License applications were presented.

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., authorizing Improvement Project No. T-281037.00 for disinfection modifications at the Water Treatment Plant approving cost estimates of the proposed improvements, and doing all other things necessary and incidental thereto, and authorizing the use of utility operation funds, authorizing the publication of the Notice of Intention of the governing body of the City of Topeka, Kansas, to issue and sell revenue bonds of said City to make such improvements which constitutes improvements to the municipally owned water, water pollution control, and stormwater utility system of the City of Topeka, Shawnee County, Kansas, pursuant to K.S.A. 10-101 and 10-1201,

et seq., and all amendments thereto, authorizing issuance of general obligation bonds to pay the costs of the project which further constitutes a general improvement to the City's water and/or stormwater and/or sewage disposal system pursuant to City of Topeka Code Section A12-1, and authorizing the borrowing of funds from the KDHE SRF Loan to pay the cost thereof was presented for first reading.

AN ORDINANCE introduced by Deputy Mayor John Alcala authorizing the sale, consumption and possession of alcoholic liquor at specified locations and times for the 2011 Germanfest celebration on June 4 and 5, 2011, to be held at Sacred Heart-St. Joseph Parish was presented for first reading.

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., amending the "District Map" referred to and made a part of the Zoning Ordinances by Section 18.50.050 of the Topeka Municipal Code (TMC), by providing for certain changes in zoning on property located at 2721 SE Indiana Avenue from "C-4" Commercial District TO "O&I-1" Office and Institutional District was presented for first reading. (Z11/5)

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., amending the "District Map" referred to and made a part of the Zoning Ordinances by Section 18.50.050 of the Topeka Municipal Code (TMC), by providing for certain changes in zoning on property located at 2715 SE Indiana Avenue from "C-2" Commercial District TO "O&I-1" Office and Institutional District was presented for first reading. (Z11/7)

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., amending the "District Map" referred to and made a part of the Zoning Ordinances by Section 18.50.050 of the Topeka Municipal Code (TMC), by providing for certain changes in zoning on property located

at 2700 SE Kentucky Avenue from “C-2” Commercial District TO “M-1” Two-Family Dwelling District was presented for first reading. (Z11/8)

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

Norton N. Bonaparte, Jr., City Manager announced Topeka Bikeways Master Plan Open House events would be held on May 17th at the Topeka-Shawnee County Public Library from 11:00 a.m. to 1:00 p.m. and the Central Park Community Center from 5:00 p.m. to 8:00 p.m.; and on May 18th at Crestview Community Center from 5:00 p.m. to 8:00 p.m.; the Topeka Police Department is hosting youth summer camp for three weeks this summer and asked interested citizens to call 368-9066 for more information; the Topeka Police Department is conducting police officer recruitment testing on May 20th and asked interested citizens to contact Sergeant Ron Gish at 368-9490 for more information; and City pools would open on May 28th.

Councilmember Hiller reported the plans for the Topeka Bikeways Master Plan have been underway for sometime and encouraged the Council to become familiar with the plan and proposed maps in preparation for the implementation. She stated surveys on suggested bikeways were conducted and over 1,000 citizens participated, as well as, public sessions were conducted resulting in excellent community participation. She encouraged the Council and citizens to become involved in crime prevention through learning about improved environmental design and noted the Police Department would offer an advance crime prevention class for citizens this year.

Councilmember Alcalá referenced the May 6, 2011 City Council weekly report and the City Manager’s response in regards to building permits for property located at 3923 SW 40th Terrace. He asked on what date was the complaint received; on what date were the building inspectors on site; and how much work was completed when the building inspectors arrived on

site. He asked if staff has the authority to create an encroachment agreement. He expressed concern with the deterioration of curbs and gutters in the downtown area and questioned if general maintenance improvements are being put on hold in anticipation of the Downtown Revitalization Project. He stated he has received numerous complaints regarding needed alley repairs in Council District No. 2 and noted many alleys are used as a driveway access for residents. He stated he is not satisfied with the quality of repairs and reported he has been told it is due to a reduction in funding; however, he questions when there was a reduction in funding because there have been no changes to the budget from last year. He requested a work session be scheduled to discuss alley repairs. He asked for the financial breakdown of the federal block grant money the City receives including the total amount received; how much is allocated to neighborhoods; and the total amount allocated for administrative fees.

Councilmember Wolgast commented on the North Topeka Arts District Open House and stated the event was well attended and an excellent example of the new Topeka. He encouraged everyone to continue the hard work in making Topeka a great place to live.

Councilmember Archer invited the public to attend the Joint Economic Development Organization meeting on May 12th at 6:00 p.m. in the City Council Chambers located at 214 SE 8th Street. He noted the meeting would be televised.

Joseph Ledbetter appeared to speak under public comment.

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

NO FURTHER BUSINESS appearing the meeting was adjourned at 6:38 p.m.

Brenda Younger
City Clerk