

## **Council Minutes – July 19, 2011**

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, July 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, Pastor Roger Randel, Randel Ministries gave the invocation.

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

Councilmember Wolgast requested to add a final plat for Kanza Fire Commerce Park to the Council agenda. He reported the Mars North America Plant representatives have requested the final plat be approved as soon as possible to ensure the project remain on schedule.

Upon hearing no objections, Mayor Bunten announced the final plat would be added to the Council agenda under New Business as item 7A, and the remaining New Business items would be renumbered accordingly.

THE CONSENT AGENDA was presented as follows:

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

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

### **A NOTICE OF PUBLIC HEARING**

A PUBLIC HEARING for the purpose of hearing any and all complaints that may be made as to the validity and fairness of the assessments on file in the office of the Clerk, on all lots, parcels and pieces of ground liable for the cost of improvement, same being Sanitary Sewer Improvement Project No. 40898-01, authorized by Resolution of Advisability and Authorization No. 8253, adopted and approved May 11, 2010 rescinding Resolution of Advisability and Authorization No. 7841, adopted and approved August 1, 2006.

ORDINANCE NO. 19605 introduced by City Manager Norton N. Bonaparte, Jr., apportioning and levying a special assessment on certain lots and pieces of ground in the City of Topeka, Shawnee County, Kansas, for the improvement of Arbor Valley and The Vineyard subdivisions with piping, manholes, engineering and all other contingencies needed to complete Main and Lateral Sanitary Sewer Improvement Project No. 40898-01, as defined and described in Resolution No. 8253, adopted and approved May 11, 2010 placed on first reading July 12, 2011 was again presented.

Daniel R. Stanley, Acting City Manager gave the staff report.

Councilmember Gray moved to close the public hearing and adopt the ordinance. The motion seconded by Councilmember Archer carried unanimously. Mayor Bunten voted “yes.” (10-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Hiller, Alcalá, Ortiz, Everhart, Wolgast, Manspeaker, Archer, Gray, Harmon and Mayor Bunten -10.

#### A NOTICE OF PUBLIC HEARING

A PUBLIC HEARING for the purpose of hearing any and all complaints that may be made as to the validity and fairness of the assessments on file in the office of the Clerk, on all lots, parcels and pieces of ground liable for the cost of improvement, same being Trafficway Improvement Project No. 70196-02, authorized by Resolution of Advisability and Authorization No. 8026, adopted and approved January 8, 2008 rescinding Resolution of Advisability and Authorization No. 7757 adopted and approved February 28, 2006.

ORDINANCE NO. 19606 introduced by City Manager Norton N. Bonaparte, Jr., apportioning and levying a special assessment on certain lots and pieces of ground in the City of Topeka, Shawnee County, Kansas, for the improvement of MacVicar Avenue from SW 6<sup>th</sup> Street to Interstate 70 with pavement, curb and gutter and all other contingencies needed to complete Trafficway Improvement Project No. 70196-02 as defined and described in Resolution No. 8026, adopted and approved January 8, 2008 placed on first reading July 12, 2011 was again presented.

Daniel R. Stanley, Acting City Manager gave the staff report.

Mayor Bunten noted the area is largely owned by the Topeka Unified School District and the State of Kansas. He questioned if special assessments would apply to these two entities.

Randy Speaker, Deputy City Manager reported the School District and State would be required to pay the special assessment.

Councilmember Hiller moved to close the public hearing and adopt the ordinance. The motion seconded by Councilmember Harmon carried unanimously. Mayor Bunten voted “yes.” (10-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Hiller, Alcalá, Ortiz, Everhart, Wolgast, Manspeaker, Archer, Gray, Harmon and Mayor Bunten -10.

#### A NOTICE OF PUBLIC HEARING

A PUBLIC HEARING for the purpose of hearing any and all complaints that may be made as to the validity and fairness of the assessments on file in the office of the Clerk, on all lots, parcels and pieces of ground liable for the cost of improvement, same being Trafficway Improvement Project No. 70203-00, authorized by Resolution of Advisability and Authorization No. 7785, adopted and approved April 18, 2006.

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., apportioning and levying a special assessment on certain lots and pieces of ground in the City of Topeka, Shawnee County, Kansas, in the area of Rockfire at the Lake and East Lake Shawnee Estates Subdivisions for the improvement of the intersection of SE 45<sup>th</sup> Street and Croco Road as well as improvements to SE Croco Road from SE 39<sup>th</sup> Street to SE 44<sup>th</sup> Street as provided for in Trafficway Improvement Project No. 70203-00 as defined and described in Resolution No. 7785, adopted and approved on April 18, 2006 placed on first reading July 12, 2011 was again presented.

Daniel R. Stanley, Acting City Manager gave the staff report.

Marian Chaffee spoke in opposition to the special assessment and stated she does not understand the process and has many questions. She asked to schedule a meeting with staff for a better understanding of the process.

Shawn Bruns, City Engineer reported the project was approved by the City Council establishing the improvement district and a public hearing was conducted in 2006. She stated approval of the ordinance would complete the special assessment process for the project.

Councilmember Alcalá offered his assistance and requested staff meet with Ms. Chaffee to explain the process.

Councilmember Everhart moved to defer the public hearing and ordinance until August 2, 2011. The motion was seconded by Councilmember Manspeaker.

Jim Langford, Budget and Finance Director reported the project is scheduled to be paid through the financing of general obligation bonds in September. He noted the City is currently at the limit to refinance the temporary notes for the particular project. He cautioned the Council if the ordinance is not approved this evening the City may have to pay cash for the project.

Councilmember Harmon asked if a one week deferral would be a better time limit.

Jim Langford stated any deferral at this point would eliminate the project from being financed through general obligation bonds.

Catherine Walter, Acting City Attorney stated residents were provided several opportunities to challenge the statutory process. She noted residents still have the right to file an action in District Court to set aside the assessment or challenge the validity of the process.

Councilmember Manspeaker questioned why property owners are being assessed \$1,000,000 on their property taxes.

Councilmember Everhart called the question.

The motion to defer the public hearing and ordinance until August 2, 2011 carried. Councilmembers Wolgast, Archer, Harmon and Mayor Bunten voted “no.” (6-4-0)

ORDINANCE NO. 19607 introduced by City Manager Norton N. Bonaparte, Jr., amending City of Topeka Code Sections 13.10.030 and 13.10.080 concerning the water department and creating the misdemeanor crime of trespass on the Kansas River and specifically repealing said original sections as well as repealing Section 13.10.110 in its entirety placed on first reading July 12, 2011 was again presented.

Daniel R. Stanley, Acting City Manager gave the staff report.

Braxton Copley, Office of Utilities and Transportation Director stated the ordinance would establish an exclusive zone on the south bank of the Kansas River where a dangerous river intake is located.

Councilmember Wolgast moved to adopt the ordinance. The motion seconded by Councilmember Manspeaker carried. Councilmember Gray voted “no.” (8-1-0)

The ordinance was adopted on roll call vote as follows: Ayes: Hiller, Alcalá, Ortiz, Everhart, Wolgast, Manspeaker, Archer and Harmon -8. Noes: Gray -1.

A PROJECT BUDGET in the amount of \$1,000,000 and ORDINANCE NO. 19608 introduced by City Manager Norton N. Bonaparte, Jr., authorizing Improvement Project No. T-601020.01, which provides for street improvements to Kansas Avenue between 7<sup>th</sup> Street and 9<sup>th</sup> Street, as more specifically described herein, all pursuant to Section A12-1 of the Code of the City of Topeka placed on first reading July 12, 2011 was again presented.

Daniel R. Stanley, Acting City Manager gave the staff report.

Bryan Welch, Ogden Publications; Martin Munoz, Lupitas Mexican Restaurant; Angel Romero, Washburn University Student Body; Chris Shultz, downtown business owner; Paul

Kosmala; John B. Dicus, Capital Federal Savings; and Jared Starkey, Think Big Topeka spoke in support of the project and discussed the following points:

- Downtown improvements would enhance quality of life.
- Improved infrastructure would ensure preservation of downtown culture.
- Downtown revitalization will be appreciated by future generations.
- It is understood the project would not solve all of the downtown infrastructure issues; however, it would be a step in the right direction.

Councilmember Manspeaker questioned the sanitary sewer situation for downtown businesses and if the project moves forward do business owners feel the project would solve the problems.

Joseph Ledbetter spoke in opposition of the project and questioned what types of problems the City would find when construction begins. He stated he believes the funds should come from the business owners or citizens.

Councilmember Manspeaker asked if any sales tax revenues would be used to finance the project.

Councilmember Gray stated it was his understanding \$600,000 of the project cost would be funded with sales tax revenue funds.

Randy Speaker stated the project budget would be financed through general obligation bonds, and a portion (\$600,000) would be funded through sales tax revenue funds.

Councilmember Manspeaker stated in his opinion, the project budget does not have enough funds to repair the infrastructure issues downtown. He questioned what issues would be found once construction begins; how old are the medians; and if there is any bonded indebtedness associated with downtown.

Randy Speaker stated phase 1 of the project would not repair all of the issues; the medians were installed in 1985; and there is no bonded debt associated with downtown.

Bonnie Gish spoke in support of revitalizing downtown Topeka; however, she does not believe the City should pay for the project. She stated she believes the project should be approved by citizens through a public vote due to the large sum of money involved.

Bill Moore requested the revitalization project be performed by local workers to allow the funds to be regenerated back into the community.

Jason Fizell spoke in support for the majority of the project; however, he expressed concern with City leaders not providing clear information to the public.

Councilmember Manspeaker questioned how much it would cost to repair the sewer issues.

Jason Fizell stated the proposal is to undertake the revitalization project block by block on South Kansas Avenue.

Councilmember Wolgast moved to approve the project budget and adopt the ordinance. The motion was seconded by Councilmember Harmon.

Councilmember Wolgast stated the entire project is a fine example of all levels of the community coming together to take an important step in making Topeka the type of City to be proud of.

Councilmember Manspeaker stated he believes the project would not provide a solution for downtown.

Councilmember Gray asked how the \$1,000,000 project budget was determined.

Jim Langford stated early estimates determined the project budget amount as outlined in the Capital Improvement Budget approved by the City Council.

Councilmember Harmon questioned if retailer needs have been addressed in anticipation of construction. He spoke in support of the project and suggested the use of underground cameras to assess as much of the infrastructure as possible because the successful outcome of the

two-block project would determine how the rest of South Kansas Avenue revitalization would move forward.

Randy Speaker stated an innovation team is being developed to assist with the final design process and address accessibility issues of downtown businesses during construction.

Councilmember Hiller stated she has been involved in revitalizing downtown since the 1980s, and now it is time to put the plans into action. She reported \$100,000 is strictly for the planning phase and \$900,000 is for infrastructure; the construction management plan which is critical to the merchants is almost completed. She thanked everyone involved with the project for their support of the process.

Councilmember Alcalá stated he has spoken with many constituents both in support and in opposition of the project. He noted the City has gone through many changes in the downtown area but none to this extent. He suggested attracting anchor stores to the downtown area and believes JEDO should focus their efforts towards this idea. He stated he has an amendment to present that would make the dollars go further and allow the project to move forward.

Councilmember Alcalá made a substitute motion to amend Phase 1 by including verbiage that would require the City to match private investments funds dollar for dollar. The motion was seconded by Councilmember Ortiz.

Councilmember Wolgast reported the private sector has contributed significantly and now is the time for the City to financially do their part. He noted a community has never been asked to pay for half of the cost to improve infrastructure.

Councilmember Alcalá noted if private funds have been invested in the project then the City could match the amount dollar for dollar, demonstrating a strong commitment to the private-public partnership of the project.



Councilmember Gray spoke in support of the amendment; however, he asked how the City could match amenities.

Councilmember Hiller stated she believes the amendment would be a good idea for phases 2 and 3 of the project.

Councilmember Wolgast stated the downtown area needs a good base structure which he believes is the City's responsibility. He spoke in opposition of the amendment and stated he believes it would defeat the project.

The substitute motion to amend Phase 1 by including verbiage that would require the City to match private investments funds dollar for dollar failed. Councilmembers Hiller, Everhart, Wolgast, Manspeaker, Archer, Gray and Harmon voted "no." (2-7-0)

Councilmember Archer stated he would support approval of the project because it would bring economic development to the area. He asked for an explanation of what is included in the \$1 million project budget and if it includes curbs and gutters.

Randy Speaker referenced the financial breakdown and stated there are two aspects of the plan; \$50,000 for engineering costs and \$100,000 for the final conceptual plan. He stated the cost does not include curbs and gutters. He reported the financial breakdown of the construction cost estimate for Project No. T-601020.01 – S. Kansas Avenue, Phase 1 as follows:

<u>Items of Work</u>	<u>Estimated Cost</u>
4 <sup>th</sup> Street to 11 <sup>th</sup> Street	
Demolish Medians	\$75,000
Install Temporary Surfacing in Median Areas	\$90,000
Install Planters with Curb Protection in Median Areas	\$90,000
Provide Temporary Traffic Control/Signs/Pedestrian Protection	\$60,000
7 <sup>th</sup> Street to 9 <sup>th</sup> Street	
Install Waterline (with stub outs) in Central Utility Corridor	\$220,000
Install Electrical Service (with stub outs) in Central Utility Corridor	\$30,000
Install Fiber Conduit in Central Utility Corridor	\$25,000
Provide Subsurface Exploration for Existing Utility Verification	\$25,000

<u>Items of Work (continued)</u>	<u>Estimated Cost</u>
Utilize Existing Underground Cisterns for Surface Water Storage	\$24,835
TOTAL ESTIMATED COSTS	\$639,835

Councilmember Manspeaker expressed concern with the project estimate being way below what the actual project costs are going to be in the long term. He stated the City is not financially able to do the project, and noted the City could not afford to pay \$500,000 for Topeka Police Department officers wage increases.

The motion to approve the project budget and adopt the ordinance carried.  
Councilmember Alcalá, Ortiz, Manspeaker and Gray voted “no.” (5-4-0)

The ordinance was adopted on roll call vote as follows: Ayes: Hiller, Everhart, Wolgast, Archer and Harmon -5. Noes: Alcalá, Ortiz, Manspeaker and Gray -4.

A PROJECT BUDGET in the amount of \$500,000 and ORDINANCE NO. 19609 introduced by City Manager Norton N. Bonaparte, Jr., authorizing Improvement Project No. T-841015.00 which provides for curbs, gutters and street repair at locations throughout the City, as more specifically described herein placed on first reading July 12, 2011 was again presented.

Daniel R. Stanley, Acting City Manager gave the staff report.

Councilmember Wolgast moved to approve the project budget and adopt the ordinance.  
The motion was seconded by Councilmember Gray.

Councilmember Alcalá asked how staff determines which streets are considered priority.

Councilmember Ortiz gave a brief description of deteriorated areas located at 1218 SE 26<sup>th</sup> Street and SW 6<sup>th</sup> and Jackson. She asked what is being done to repair alleys.

Braxton Copley, Office of Utilities and Transportation Director reported when a curb and gutter is reported to the City they are repaired in the order received unless deterioration poses a threat to public safety then the reported area is made a priority; and if potholes and other traffic

defects are reported and considered a threat to motoring safety, repairs are made a priority. He noted Improvement Project T-841015.00 covers curb and gutter repairs and staff is currently trying to repair alleys when possible.

The motion to approve the project budget and adopt the ordinance 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.

A FINAL PLAT for Kanza Fire Commerce Park Subdivision located south of SW Gary Ormsby Drive, between South Topeka Boulevard and U.S. Highway 75 within unincorporated Shawnee County, Kansas was presented. (P10/7)

Councilmember Wolgast gave the staff report.

Joseph Ledbetter questioned the urgency to present the final plat to the City Council.

Councilmember Wolgast stated the Mars Corporation requested the final plat be approved and recorded prior to the closing of the agreement.

Exparte communications were declared by Councilmembers Alcalá, Everhart, Wolgast and Mayor Bunten.

Councilmember Wolgast moved to approve the final plat. The motion seconded by Councilmember Everhart carried. Councilmember Manspeaker voted “no.” (8-1-0)

AUTHORIZING a public hearing date for the City of Topeka 2012 Operating Budget on August 9, 2011 and authorizing the publication of the Notice of Public Hearing was presented.

Daniel R. Stanley, Acting City Manager gave the staff report.

Ted Mize encouraged the City Council to be creative in utilizing volunteers to help the City save money and enhance the beauty of the city.

Councilmember Wolgast moved to approve the publication of the Public Hearing Notice. The motion seconded by Councilmember Harmon carried unanimously. Mayor Bunten voted “yes.” (10-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Hiller, Alcala, Ortiz, Everhart, Wolgast, Manspeaker, Archer, Gray, Harmon and Mayor Bunten -10.

APPROVAL of a three-year Labor Agreement between the City of Topeka and AFT Kansas Local 6406 (formerly KAPE) was presented.

Daniel R. Stanley, Acting City Manager gave the staff report.

Councilmember Manspeaker moved to approve the labor agreement. The motion was seconded by Councilmember Everhart.

Councilmember Hiller expressed concern with having enough funds in the budget to cover what is being proposed in the labor agreement. She questioned if the Council should defer action until it is determined there is sufficient funds in the budget to cover the increases.

Councilmember Hiller made a substitute motion to defer the labor agreement for sixty (60) days. The motion was seconded by Councilmember Archer.

Councilmember Harmon asked if the proposed 2012 City of Topeka Budget included the labor agreement figures.

Jim Langford, Budget and Finance Director stated the proposed 2012 City of Topeka Budget included an overall 2% increase; however, any excess would have to be absorbed by the department.

Councilmember Alcala stated he would support the deferral because he wants to be certain the City could support the funding, keep current services and justify the increases.

The substitute motion to defer the labor agreement for sixty (60) days failed. Councilmembers Everhart, Wolgast, Manspeaker, Gray and Harmon voted “no.” (4-5-0)

The motion to approve the labor agreement failed. Councilmembers Hiller, Alcala, Ortiz, Archer and Gray voted “no.” (4-5-0)

Councilmember Alcala moved to reconsider the motion to defer the labor agreement for sixty (60) days. The motion seconded by Councilmember Ortiz failed. Councilmembers Everhart, Wolgast, Manspeaker, Archer and Gray voted “no.” (4-5-0)

APPROVAL of a three-year Labor Agreement between the City of Topeka and Water Pollution Control Division Local Union was presented.

Daniel R. Stanley, Acting City Manager gave the staff report.

Councilmember Everhart moved to approve the labor agreement. The motion was seconded by Councilmember Manspeaker.

Councilmember Alcala spoke in opposition to the labor agreement and stated he is unsure what the financial impact would be on the City’s budget at this time.

The motion to approve the labor agreement failed. Mayor Bunten voted “yes.” Councilmembers Hiller, Alcala, Ortiz, Archer and Gray voted “no.” (5-5-0)

APPROVAL of a Retail Cereal Malt Beverage License application for Sunny Star Café located at 2135 SW Gage, was presented.

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

A RESOLUTION introduced by Councilmember Richard Harmon establishing an analytical framework for elected leaders and staff to work with other taxing authorities in developing cooperative arrangements was presented.

Councilmember Harmon gave the staff report and stated the Council adopted a department policy in 2004 concerning how much debt should consume the City's budget. He listed the following 11 items for specific analysis:

1. Side-by-side comparisons of both departments or functional units, in terms of: Personnel, Budget, Debt, Assets, Programs/Services, Contractual Obligations.
2. Identification of duplication of personnel costs, assets, and program/services, if any.
3. Identification of cost savings to be achieved by a cooperative arrangement, if any.
4. Identification of additional costs occasioned by a cooperative arrangement, if any.
5. Whether elimination of duplicate costs, assets and programs/services can be achieved by, and the benefits to and detriments of, the following:
  - a. Inter-local agreements
  - b. Consolidation into jointly-operated department or service
  - c. Merger of department/functional group from one local taxing authority into a department/functional group of another local taxing authority
6. Plan description for the improvement in the delivery and quality of identified services and program.
7. Plan description for governance and jurisdictional issues.
8. Plan description for public involvement and input throughout the planning process.
9. Public vote where appropriate.
10. Timeframe for:
  - a. Annual budget approval.
  - b. Bargaining unit negotiating policies and procedures.
11. Previously approved long-range plans and commitments.

David Fish, AFT Local 6406 President stated negotiations must be handled with the union as a bargaining unit before the City negotiates with the County and noted there are many issues that need resolved before consolidation takes place.

Councilmember Gray asked for a legal opinion in regards to Union position classifications.

Catherine Walter, Acting City Attorney suggested the discussion take place in an executive session.

Joseph Ledbetter stated public input should be heard first and foremost in regards to City and County department consolidation. He spoke in support of the resolution and suggested the following amendments:

- Line 14 add the statement, “Objective report and standard sources”
- Line 17 add the statement, “Objective reports and objective goals”
- Line 23 add the statement, “KORA standards in relation to allocation or use of tax funds”
- Line 23 and 24 delete the word “consumer” and insert the word “citizen”
- Line 40 add the words, “objective appraisals”

Councilmember Harmon moved to refer the resolution to the Policy and Finance Committee for further review. The motion was seconded by Councilmember Archer.

Councilmember Archer thanked Councilmember Harmon for drafting the resolution. He stated it is a good starting point towards cooperating with other taxing authorities.

Councilmember Hiller stated she concurs with Councilmember Archer and supports the referral to the Policy and Finance Committee.

The motion to refer the resolution to the Policy and Finance Committee for further review carried unanimously. (9-0-0)

A RESOLUTION introduced by Councilmember Karen Hiller establishing a framework for creation and adoption of a proposal to consolidate the City of Topeka Parks and Recreation Department and the Shawnee County Department of Parks and Recreation was presented.

Councilmember Hiller gave the staff report and thanked City staff for their input on the document. She stated the resolution is a systematic approach to addressing and resolving issues inherent in consolidation of parks and recreation programs, services and personnel.

Councilmember Archer noted the Shawnee County Commissioners did not approve the resolution; therefore, he believes it is not very practical at this point.

Joseph Ledbetter expressed concern with the language of the resolution and stated he believes it is too confusing.

Councilmember Hiller clarified she accepted an invitation from the Shawnee County Commissioners to attend their meeting; however, she was surprised they took action on the resolution so quickly.

Councilmember Hiller moved to approve the resolution. The motion died due to a lack of a second.

A JOINT CITY OF TOPEKA RESOLUTION AND SHAWNEE COUNTY RESOLUTION expressing the intent of the Governing Body of the City of Topeka and the Board of Shawnee County Commissioners intention to consolidate the City of Topeka Parks and Recreation Department into the Shawnee County Parks and Recreation Department was presented.

Councilmember Archer gave the staff report. He noted the late hour and stated he would prefer to discuss the resolution next week to allow for sufficient time to discuss the matter.

Marge Ahrens spoke in support of consolidation of City-County services whenever possible. She stated consolidation has the potential to utilize resources and tax dollars in the most cost effective way. She suggested the Council identify the impacts that budget cuts have made on City departments and outline the proposed projected costs of maintaining the Parks and Recreation Department over the next five years.

Councilmember Archer moved to defer the resolution for one week. The motion seconded by Councilmember Gray carried. Mayor Bunten voted “yes.” Councilmember Hiller voted “no.” (9-1-0)

ORDINANCE NO. 19610 introduced by City Manager Norton N. Bonaparte, Jr., amending the “District Map” referred to and made a part of the Zoning Ordinance by Section



18.50.050 of the Topeka Municipal Code (TMC) by providing for certain changes in zoning on property located at 1733 SW Western Avenue from “M-2” Multiple Family Dwelling District TO PUD (“M-2” Multiple Family use group plus exhibition staging area) and adding it to the Kansas Expo Master Planned Unit Development Plan placed on first reading July 12, 2011 was again presented. (Z96/21E)

Daniel R. Stanley, Acting City Manager gave the staff report.

Exparte communications were declared by Councilmember Wolgast.

Councilmember Ortiz moved to adopt the ordinance. The motion seconded by Councilmember Wolgast carried unanimously. Mayor Bunten voted “yes.” (10-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Hiller, Alcala, Ortiz, Everhart, Wolgast, Manspeaker, Archer, Gray, Harmon and Mayor Bunten -10.

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

Councilmembers Hiller, Ortiz, Everhart, Wolgast, Harmon and Mayor Bunten congratulated Jim Langford on his retirement and thanked him for his years of dedicated service to the City.

Councilmember Ortiz stated the U.S. flag flying outside of TPAC is tattered and requested it be replaced.

Councilmember Harmon thanked the legal staff for drafting the consolidation resolution. He announced the grand opening of Miracle Field, an adaptive recreation baseball field on July 23, 2011 at 10:00 a.m.

Councilmember Ortiz announced a Public, Health and Safety Committee meeting would be held on July 21, 2011 at 4:00 p.m. in the First Floor Conference Room at City Hall.

Mayor Bunten congratulated Steve Ebberts on his new appointment as Shawnee County District Court Judge.

Ted Mize, Bill Johnson and Joseph Ledbetter appeared to speak under public comment.

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

NO FURTHER BUSINESS appearing the meeting was adjourned at 10:05 p.m.

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Brenda Younger  
City Clerk