

## **Council Minutes – January 10, 2012**

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, January 10, 2012. 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 and Harmon -8. Mayor William W. Bunten presided -1. Absent: Councilmember Gray -1.

AFTER THE MEETING was called to order, Councilmember Manspeaker gave the invocation.

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

Daniel R. Stanley, Interim City Manager announced there would be no presentation from the Kansas Department of Transportation regarding the proposed improvements of US Highway 24 and Topeka Boulevard. He requested to withdraw Council agenda item 4A, denial of a tort claim by Allen Goodwin from the consent agenda.

Upon hearing no objections, Mayor Bunten announced consent agenda item 4A would be withdrawn from the Council agenda.

Councilmember Archer moved to suspend the Council Rules to add a resolution concerning the reduction of the City's bonded indebtedness cap to the Council agenda. The motion was seconded by Councilmember Alcalá.

Councilmember Hiller spoke in opposition to the resolution and stated she believes it would be premature to change the cap at this time prior to discussing the matter at the January 17, 2012 work session.

Councilmember Manspeaker spoke in opposition to adding the resolution to the agenda. He stated by not following the proper procedure it limits citizen input.

The motion to suspend the Council Rules to add a resolution concerning the reduction of

the City's bonded indebtedness cap to the Council agenda failed. Councilmembers Hiller, Everhart, Wolgast, Manspeaker and Harmon voted "no." (3-5-0)

THE CONSENT AGENDA was presented as follows:

DENIAL OF TORT CLAIM by former employee, Stephanie Workman, for \$46,634 in back pay wage loss to-date, plus unspecified future foregone earnings and benefits, attorneys' fees and interest, for an allegedly retaliatory October 2010 "bumping" from her position as a horticulturalist with the Parks and Recreation Department was presented.

MINUTES of the regular meeting of January 3, 2012 were presented.

A Dance Hall License application for Tequila's Mexican Restaurant & Bar located at 2911 SW 29<sup>th</sup> Street was presented.

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

ORDINANCE NO. 19690 introduced by Interim City Manager Daniel R. Stanley, allowing and approving City expenditures for the period of December 5, 2011, through December 25, 2011, and enumerating said expenditures therein was presented for first and final reading.

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

Councilmember Everhart 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, Ortiz, Everhart, Wolgast, Manspeaker, Archer and Harmon -8. Absent: Gray -1.

No Retail Cereal Malt Beverage License Applications were presented.

AN ORDINANCE introduced by Interim City Manager Daniel R. Stanley, concerning conditional use permits, amending City of Topeka Code Sections 18.215.010 through 18.215.050

and specifically repealing said original sections, as well as, creating Sections 18.215.060 through 18.215.080 was presented for first reading. (ACZR11/3)

AN ORDINANCE introduced by Interim City Manager Daniel R. Stanley, amending the “District Map” referred to and made a part of the Zoning Ordinances by Section 18.50.050 of the Topeka Municipal Code by providing for certain changes in zoning on certain designated properties was presented for first reading. (Z11/21) (Z11/25) (Z11/27)

AN ORDINANCE introduced by Interim City Manager Daniel R. Stanley, amending City of Topeka Code Section 12.40.010 concerning snow and ice removal and specifically repealing said original section was presented for first reading.

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

Daniel R. Stanley, Interim City Manager reported the \$1.5 million of City funds, requested by the Kansas Department of Transportation, for the proposed improvements of US Highway 24 and Topeka Boulevard improvements is included in the Capital Improvement Program and split over a two year period (2013 and 2014).

Councilmember Hiller announced the El Shaddai church located at 920 S.E. Sherman would be hosting events in honor of Martin Luther King, Jr., the week of January 16, 2012.

Councilmember Alcala stated Councilmember Gray was absent from the Council meeting due to illness.

Councilmember Ortiz commented on the Adams Neighborhood Crime Rally and thanked Councilmember Manspeaker for speaking at the event in her absence due to illness. She stated she is confident the criminal activity would cease and the Hudson Crossing development would be open again soon. She commended Councilmembers for supporting the crime prevention events.

Councilmember Everhart reported crime statistics have improved in the Highland Park area. She announced the Highland Park High School theater group has been selected as 1 of the 50 applicants selected to travel to Scotland to participate in a theater competition. She stated Highland Park High School is only the second school in Kansas to ever receive the honor.

Councilmember Wolgast stated RDG Consulting, Inc., the company providing design services for S. Kansas Avenue has opened an office located at 828 S. Kansas Avenue and would host a ribbon cutting ceremony and Open House event on January 13, 2012, from 4:00 p.m. to 7:00 p.m. He encouraged citizens to visit the new office and provide their input on the design of S. Kansas Avenue.

Councilmember Manspeaker commended Corrie Wright, Housing and Neighborhood Development employee for organizing the Adams Neighborhood Crime Rally. He stated the event provided a great opportunity to meet neighborhood leaders and receive positive feedback from the community.

Philicia McKee, David Hupp and Ted Mize appeared to speak under public comment.

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

NO FURTHER BUSINESS appearing the meeting was adjourned at 6:30 p.m.

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Brenda Younger  
City Clerk