

Council Minutes – November 25, 2014

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, November 25, 2014. The Councilmembers of the City of Topeka met in regular session at 6:00 P.M., with the following Councilmembers present: Councilmembers Hiller, Brown, Ortiz, Everhart, De La Isla, Manspeaker, Schwartz and Harmon -8. Mayor Larry E. Wolgast presided -1. Absent: Councilmember Schmidt -1.

AFTER THE MEETING was called to order, Councilmember Everhart asked for a moment of silent meditation.

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

A PRESENTATION on Heartland Visioning was provided by John Hunter, Heartland Visioning Executive Director. He gave a brief overview of the Heartland Visioning organizational purpose, bringing people together from the public and private sector to discuss important issues and address individual needs in the community. He referenced community projects Heartland Visioning has been involved with or is currently working on. He asked the Governing Body to trust in Heartland Visioning because change takes time and invited them to attend a Community Engagement event on December 12, 2014, at the Washburn Institute of Technology.

A PRESENTATION of the 2014 Snow Preparations and Plan was presented by Doug Whitacre, Public Works Director. He outlined the objective of the new plan, to clear routes in a reasonable time to protect public safety and meet the needs of city residents. He provided an overview of snow preparation details; residential and downtown snow removal plans; the benefits of the new snow removal plan, as well as, basic winter weather plan information.

THE CONSENT AGENDA was presented as follows:

APPROVAL of a Workers Compensation Settlement for Beverly Holly, Office Assistant III, Topeka Police Department, in the amount of \$40,000 for permanent partial impairments of her left ankle and right knee for injuries she suffered on February 6, 2008, was presented.

MINUTES of the regular meeting of November 18, 2014, was presented.

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

NOTICE OF PUBLIC HEARING

A PUBLIC HEARING to consider vacation request V14S/1 by Gerald H. Graves, Kevin and Sarah Guesby, adjoining property owners, to vacate the public street and alley rights-of-way located east of SE Cottage Road and approximately 250 feet north of SE 6th Avenue, City of Topeka, Shawnee County, Kansas was presented.

ORDINANCE NO. 19930 introduced by City Manager Jim Colson, relating to the vacation of public street and alley rights-of-way lying between SE Rice Road and SE Cottage Avenue and approximately 250 feet north of SE 6th Avenue, in the City of Topeka, Shawnee County, Kansas was presented. (V14S/1)

Jim Colson, City Manager, stated approval would allow one of the property owners to construct a single-family residence with driveway access across the alley connecting to SE Cottage Avenue.

Bill Fiander, Planning Department Director, reported the vacation of the public alley right-of-way would accommodate a land-locked property for infill development of a single-family residence. He stated the alley and segment of the street right-of-way connecting to SE Cottage Avenue would be retained as a Fire Rescue and Public Service Vehicle Easement to be maintained with gravel by the property owners to help support the weight of a fire truck and service vehicles. He noted the remainder of the area being vacated would be maintained as a Public Utility Easement due to the presence of water, sanitary sewer and telephone lines.

Mayor Wolgast moved to open the public hearing and asked if there was anyone present who would like to speak to the matter.

Upon no one appearing, Mayor Wolgast closed the public hearing.

Councilmember Hiller moved to adopt the ordinance. The motion seconded by Councilmember Everhart carried unanimously. Mayor Wolgast voted “yes.” (9-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Hiller, Brown, Ortiz, Everhart, De La Isla, Manspeaker, Schwartz, Harmon and Mayor Wolgast -9. Absent: Schmidt -1.

There were no retail cereal malt beverage or scrap metal dealer license applications.

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

Jennifer Goodrich, Assistant City Clerk, provided an overview of the December 2, 2014, Council agenda.

Jim Colson, City Manager, stated he recognizes it has been a very challenging and busy time the last several months for citizens and the City. He wished everyone a happy Thanksgiving and hopes everyone is looking forward to spending time with their family.

Mayor Wolgast commented on recent issues that have made the last week very tumultuous for the nation. He stated his thoughts are with the community of Ferguson, Missouri, and expressed the importance of recognizing and respecting all opinions relating to the issue. He acknowledged the outstanding community we live in and the Community Thanksgiving Dinner that is scheduled on November 27, 2014, from 12:00 p.m. (noon) to 3:00 p.m. at the Kansas Expocentre. He expressed his appreciation to all the volunteers that deliver and serve meals to over 3,000 people each year.

Councilmember Everhart wished everyone a wonderful Thanksgiving holiday and asked the community to remember those people in need. She expressed her appreciation to the private organizations that assist those in need on a daily basis.

Councilmember De La Isla announced she is working with City staff on behalf of the Economic and Community Development Committee to conduct a meeting before year end to discuss City Utility Assistance Programs and an appeal process. She encouraged everyone to shop locally during the holiday season and support the local economy. She commented on the issues faced by the community in Ferguson, Missouri, and stated her thoughts and prayers are with them at this time. She encouraged families to use caution and solve issues with words, not violence.

Councilmember Manspeaker welcomed Captain Darin Scott back to active duty with the Topeka Police Department. He wished everyone a happy Thanksgiving.

Councilmember Harmon referenced the contract between the City of Topeka and Shawnee County regarding the consolidation of the Topeka-Shawnee County Parks and Recreation Departments. He reported the contract included a clause that stipulates the Parks and Recreation Advisory Board is to be a functioning board. He stated he has been advised by his constituents that the Board has only met once since March; therefore, he would like the City Manager to look into the matter.

Councilmember Hiller reported the December 2, 2014 Council agenda includes an ordinance authorizing the issuance of STAR Bonds for Heartland Park. She announced a public meeting would be held to answer questions or concerns about the Heartland Park STAR Bond District on December 1, 2014, at Terry's Bar & Grill located at 522 SW 6th Avenue at 6:00 p.m. She commented on a recent fire incident that took the life of 18 year old Morgan Duncan. She

announced a donation fund has been created at gofundme.com/morganduncan to assist with funeral costs and other expenses. She reported Topeka Fire Department employees would be going door-to-door in the Duncan family neighborhood to help promote the SAFE Program and general fire safety and education. She acknowledged the advocates for Back-in Parking along various city streets and hopes it will be considered in other locations throughout the city. She recognized the vigils occurring on November 25, 2014, in support of the Ferguson, Missouri, community, and expressed her thoughts and prayers. She encouraged individuals who would like to discuss racial issues further to engage with her so issues could be solved peacefully.

Councilmember Brown stated he concurs with Councilmember Hiller and is open to public discussions regarding similar issues in our community. He stated he is glad Captain Darin Scott, Topeka Police Department, has returned to active duty. He announced the City of Topeka Volunteer Partnership Program seeks to match community groups and projects needing assistance with Topeka residents who want to give back to the community. He noted for more information on volunteering contact Shane Wilson at 785-368-4492 or access the City's website at www.topeka.org/vpp.

Councilmember Ortiz encouraged Councilmembers to ask constituents about their smoke detectors when they have the opportunity to help promote fire safety and education in the community. She thanked the Mayor for his volunteer efforts in the community and encouraged others to volunteer whenever possible. She also thanked the City Manager and Doug Whitacre, Public Works Director, for their support, as well as, the extension of love by City employees to the Munoz and Ortiz families while dealing with the tragic death of Michael Munoz.

NO FURTHER BUSINESS appearing the meeting was adjourned at 6:49 p.m.

Brenda Younger
City Clerk