

Governing Body Minutes – May 2, 2017

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, May 2, 2017. The Governing Body members of the City of Topeka met in session at 6:00 P.M., with the following Councilmembers present: Hiller, Clear, Ortiz, Emerson, Jensen, Schwartz, Coen and Harmon -8. Mayor Larry E. Wolgast presided -1. Absent: Councilmember De La Isla -1.

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

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

A PRESENTATION on the City of Topeka Sustainability Advisory Board Report was presented by Bill Neager, Bartlett & West Engineers and Board member.

Mayor Wolgast announced the Sustainability Advisory Board was created for the purpose of providing recommendations to the Governing Body.

Councilmember Ortiz questioned the status of lighting in City facilities and if funds have been allocated to support sustainability initiatives.

Doug Gerber, Interim City Manager, stated Item No. 2 of the memorandum he distributed to the Governing Body, addresses City facility LED lighting conversion projects. He reported sustainability initiatives are incorporated in Capital Improvement projects whenever possible; however, specific funding has not been allocated for specific recommendations.

Councilmember Hiller suggested staff review the Comprehensive Energy Efficiency and Conservation Study conducted by Vermont Energy, outlining the goals and measurements for the City as well as the community to advance sustainability. She noted the study would help provide guidance to the City to help continue to take steps forward and serve as a leader in promoting sustainability initiatives in the community.

Mayor Wolgast requested to add a resolution granting a noise exception to Vanessa Retana-Meraz and Delia Meraz on May 6, 2017 to the consent agenda.

Upon hearing no objections, Mayor Wolgast announced the resolution would be added to the consent agenda as item 5J.

BOARD APPOINTMENT recommending the appointment of Nicholas Xidis to the Downtown Business Improvement District Advisory Board to fill an unexpired term and a full term expiring July 1, 2020, was presented.

Councilmember Jensen moved to approve the board appointment. The motion seconded by Councilmember Hiller carried unanimously. (8-0-0)

THE CONSENT AGENDA was presented as follows:

RESOLUTION NO. 8890 introduced by Councilmember Sylvia Ortiz, granting Leonard Gonzales an exception to the provisions of City of Topeka Code Section 9.45.150, et seq., concerning noise prohibitions, was presented.

RESOLUTION NO. 8891 introduced by Councilmember Sylvia Ortiz granting Visit Topeka, an exception to the provisions of City of Topeka Code Section 9.45.150, et seq., concerning noise prohibitions was presented.

RESOLUTION NO. 8892 introduced by Councilmember Karen Hiller granting Rotary Club of Topeka an exception to the provisions of City of Topeka Code Section 9.45.150, et seq., concerning noise prohibitions was presented.

RESOLUTION NO. 8893 introduced by Councilmember Karen Hiller granting TTWT an exception to the provisions of City of Topeka Code Section 9.45.150, et seq., concerning noise prohibitions was presented.

RESOLUTION NO. 8894 introduced by Councilmember Karen Hiller, granting Boys and Girls Clubs of Topeka an exception to the provisions of the City of Topeka Code Section 9.45.150 concerning noise prohibitions was presented.

RESOLUTION NO. 8895 introduced by Councilmember Karen Hiller approving a special event known as the 2017 Harley Party for the Boys and Girls Clubs of Topeka was presented.

RESOLUTION NO. 8896 introduced by Councilmember Karen Hiller, approving a special event known as the Rotary Freedom Festival to be held July 1, 2017, was presented.

MINUTES of the regular meeting of April 18, 2017, was presented.

APPROVAL of the following Cereal Malt Beverage License applications were presented:

<u>Business Name</u>	<u>Address</u>
Abraham SN, L.L.C.	1107 SW 6 th Avenue
Casey's #2261	600 SE Rice Road
Casey's #2312	4441 SE California Avenue
East Quick Stop	3100 SE 6 th Avenue
Glory Days	3310 SE 29 th Street
Larry's Short Stop	3834 SW Topeka Boulevard
Murphy Express #8599	1531 SW Wanamaker Road

APPROVAL of the following Open After Midnight License applications were presented:

<u>Business Name</u>	<u>Address</u>
6 th Street Back Door	610 SW Wayne Avenue
Gage Center Bowl	4200 SW Huntoon Street
Topeka Performing Arts Center	214 SE 8 th Avenue

RESOLUTION NO. 8897 introduced by Councilmember Sylvia Ortiz, granting Vanessa Retana-Meraz and Delia Meraz an exception to the provisions of City of Topeka Code Section 9.45.150, et seq., concerning noise prohibitions was presented.

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

ORDINANCE NO. 20063 introduced by Interim City Manager Doug Gerber, concerning carrying of firearms in City-owned buildings, repealing City of Topeka Code Section 9.40.005 was presented.

Doug Gerber, Interim City Manager, reported approval would repeal the ban on firearms in City-owned buildings as set forth in Topeka Municipal Code Section 9.40.005 in order to comply with State law. He stated staff continues to gather information in regards to security options in certain City buildings and the costs associated with these options.

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

The ordinance was adopted on roll call vote as follows: Ayes: Hiller, Clear, Ortiz, Emerson, Jensen, Schwartz, Coen, Harmon and Mayor Wolgast -9. Absent: De La Isla -1.

DISCUSSION regarding the request to name the 10th Street and Branner Bridge the Nick Chiles Memorial Bridge, was presented.

Doug Gerber, Interim City Manager, reported a request has been made by Mr. Del Wilburn to name the 10th Street and Branner Bridge the Nick Chiles Memorial Bridge.

Patrick Wood and Del Wilburn spoke in support of the request and the important role Mr. Chiles played in the community.

Councilmember Emerson questioned why the City plans to provide funding to purchase the signs for the request. He noted in the past, similar requests were funded through private dollars.

Councilmembers Ortiz spoke in support of the request; however, the Neighborhood Improvement Association has not had an opportunity to meet and vote on the issue. She expressed the importance of the City being consistent in regards to funding these types of requests.

Councilmember Schwartz spoke in support of the request and stated she concurs with Councilmembers Emerson and Ortiz concerning consistency in funding. She requested staff create a web page that would provide historical information on individuals being memorialized throughout the city.

Councilmember Hiller spoke in support of the request and the funding recommendation made by staff. She reported traditionally, applicants were not required to pay for signs on bridges because they memorialized leaders that contributed extensively to the full history of the community, whereas, requests for streets, tend to memorialize a particular location and/or person which generally does not have such grand historical community stature.

DISCUSSION on the status of the Proposed Miniature Pig Ordinance and Animal Code review was presented.

Councilmember Jensen, Public Health and Safety Committee Chair, reported the Committee met twice in April 2017 and determined the scope of work to be completed regarding the proposed ordinance as well as a comprehensive review of all animal control policies (Topeka Municipal Code Title 6 –Animals). He reported the next Committee meeting would be scheduled in May 2017.

Councilmember Jensen moved to refer the issue back to the Public Health and Safety Committee. The motion seconded by Councilmember Coen carried unanimously. (9-0-0)

Discussion continued by Governing Body members concerning opposition expressed by constituents; how miniature pigs compare to large livestock; the need for citizens and animal shelters to become more involved in the committee discussion; and the extensive costs associated with allowing miniature pigs in city limits.

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

Doug Gerber, Interim City Manager, introduced Nick Hawkins, the City's new Budget and Performance Manager. He thanked Aly Van Dyke, Media Relations Director, for her service to the City and stated Amy McCarter would serve as Interim Media Relations Director. He commented on the recent random acts of violence in the community.

Mayor Wolgast announced a Special Meeting of the Governing Body would be held on May 23, 2017, at 6:00 p.m. in the City Council Chambers to discuss City Manager candidates. He commented on the recent random acts of violence in the city.

Councilmember Jensen announced a Town Hall Meeting for Council District No. 6 would be held on May 4, 2017, at 6:30 p.m. at the Topeka-Shawnee County Public Library.

Councilmember Schwartz thanked those who participated and volunteered at the Roar and Pour Wine Fest at the Topeka Zoo on April 29, 2017, hosted by the Friends of the Topeka Zoo. She requested more information on zoning associated with residential group homes.

Councilmember Coen commented on the recent tragic events and loss of life in the community.

Councilmember Hiller commented on the recent random acts of violence in the community. She expressed her condolences to the Rita Wolf family. She announced the First Friday Art Walk on May 5, 2017, as well as, the CULTivate event at SE 7th Street and S. Kansas Avenue starting at 5:30 p.m.; and KidsFest on May 6, 2017, at the Westridge Mall starting at 10:00 a.m.

Councilmember Clear announced the Oakland neighborhood would host community-wide garage sales the weekend of May 5, 2017, and the Two Block Chalk Walk would occur on May 13, 2017, along N. Kansas Avenue in the NOTO Arts District.

Councilmember Ortiz commented on the recent random acts of violence and offered her thoughts and prayers to the families. She stated mental health illness continues to be a serious issue and community needs are high at this time. She thanked Topeka Police Officer Aaron Bulmer who rescued a 4-year old boy from drowning in the Central Park pond on April 30, 2017.

Councilmember Emerson thanked all who attended the Arts in the Park and the 100th Anniversary of Highland Park High School celebration. He announced Sharefest, an event for churches and organizations to reach out to the community, will be serving United School District 501, The Topeka Rescue Mission and Boys and Girls Club of Topeka by assisting with landscaping, painting, constructing and cleaning up the grounds of area schools and buildings on May 6, 2017. He encouraged people to participate in the Sharefest event by registering online at www.sharefestopeka.com.

Camille Nohe, League of Women Voters of Topeka appeared to speak under public comment.

NO FURTHER BUSINESS appearing the meeting was adjourned at 7:18 p.m.

Brenda Younger
City Clerk