

Governing Body Minutes – September 19, 2017

CITY COUNCIL CHAMBERS, Topeka, Kansas, Tuesday, September 19, 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, De La Isla, Jensen, Schwartz, Coen and Harmon -9. Mayor Larry E. Wolgast presided -1.

AFTER THE MEETING was called to order, Pastor Tazarus Isom, Kingdom Encounter Church, gave the invocation.

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

A PRESENTATION of the “Big Check” for \$94,000 in private match funds for Topeka Bikeway’s Phase 2 was presented to Mayor Larry Wolgast and City Multi-Modal Transportation Planner Taylor Ricketts on behalf of the City of Topeka by Ralph Krumins, Topeka Bikeways Advisory Committee Chairman and Councilmember Karen Hiller, Topeka Bikeways Advisory Committee.

BOARD APPOINTMENT recommending the appointment of Matt Werner to the Topeka Planning Commission for a term ending September 30, 2019 was presented.

BOARD APPOINTMENT recommending the appointment of Marc Fried to the Topeka Planning Commission to fill an unexpired term and a full term expiring September 30, 2020 was presented.

BOARD APPOINTMENT recommending the appointment of Amy Copp-Hasty to the Topeka Human Relations Commission to fill an unexpired term and a full term expiring February 29, 2020 was presented.

Councilmember Schwartz moved to approve the board appointments. The motion seconded by Councilmember De La Isla carried unanimously. (9-0-0)

THE CONSENT AGENDA was presented as follows:

ORDINANCE NO. 20084 introduced by Interim City Manager Doug Gerber, allowing and approving City expenditures for the period of July 29, 2017, through September 1, 2017, and enumerating said expenditures therein was presented.

RESOLUTION NO. 8951 introduced Councilmember Jeff Coen, granting Tailgators an exception to the provisions of City of Topeka Code Section 9.45.150 concerning noise prohibitions was presented.

MINUTES of the regular meeting of September 12, 2017, was presented.

Councilmember Coen moved to approve the consent agenda. The motion seconded by Councilmember Emerson carried unanimously. (10-0-0)

RESOLUTION NO. 8952 introduced by Interim City Manager Doug Gerber, establishing a date for a public hearing concerning the continuation of the 2013-2017 Neighborhood Revitalization Plan (NRP) for an additional year was presented.

Doug Gerber, Interim City Manager, reported approval would set a public hearing date of October 3, 2017, to consider extending the current NRP until December 31, 2018. He stated staff is working to provide the information requested by the Governing Body before the ordinance is considered for adoption. He noted staff would begin meeting with taxing entities to answer questions about the program once the Governing Body has adopted the ordinance.

Councilmember Jensen moved to approve the resolution. The motion seconded by Councilmember Clear carried unanimously. (10-0-0)

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

Councilmember Jensen, Public Safety and Health Committee Chair, reported the Committee held three separate meetings for the purpose of reviewing the proposed miniature pig ordinance in conjunction with Topeka Municipal Code Title 6 (Animals) which was referred to the Committee by the Governing Body during its regular meeting of February 7, 2017, with a fourth meeting scheduled for September 28, 2017. He reported staff has been working towards the clarification of the Animal Code and processes so it can be easily understood by the public. He thanked Brendan Wiley, Topeka Zoo Director, for providing information to the Governing Body regarding statistics on miniature pigs.

Councilmember Harmon asked if the language discrepancies relating to the definition of “miniature pigs” and “hoof stock” have been addressed.

Councilmember Coen asked who would detain miniature pigs when picked up by Animal Control.

Councilmember Jensen reported the definition as well as a number of other language changes relating to general animal welfare has been revised in the proposed ordinance; and a local veterinarian has been contracted to detain miniature pigs when needed.

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

Doug Gerber, Interim City Manager, recognized Municipal Court Administrative Judge Jason Geier for his service to the City and establishing the Clean Slate Day program. He also recognized Bruce Northup, Water Operations Manager, for his 45 years of service to the City.

Mayor Wolgast reported the 2017 League of Kansas Municipalities Annual Conference held on September 17, 2017, in Wichita recognized municipal employees who have reached 35 to 45 years of service in which Bruce Northup was recognized as one of four employees in the State to

have accomplished this tenure. He thanked Bruce Northup and Municipal Court Administrative Judge Jason Geier for their service to the Topeka community.

Councilmember De La Isla thanked Municipal Court Administrative Judge Jason Geier and Water Operations Manager Bruce Northup for their service to the City.

Councilmember Hiller requested the new community policing district maps be distributed to the Governing Body so they are familiar with district realignment and assignment of new community officers.

Councilmember Clear encouraged everyone to participate in the many events occurring throughout the community each weekend.

Councilmember Ortiz announced October is Fire Safety Month and the Topeka Fire Department will host an Open House on October 14, 2017, with a memorial starting at 12:00 p.m. She thanked Fire Chief Craig Duke for educating the community and noted people can call the Topeka Fire Department at 785-368-4000 to inquire about the free smoke detector program.

Councilmember Emerson thanked the Topeka Police Department for their quick response to an abandoned car issue in Council District No. 4.

Councilmember Schwartz thanked the Topeka Police Department for resolving issues in Council District No. 7. She announced the Topeka Zoo would host Zoobilee on September 23, 2017; and the Jewish New Year Rosh Hashanah would begin September 20, 2017.

Councilmember Coen announced Oktoberfest on October 7, 2017, at Fairlawn Plaza at 1:00 p.m.

Councilmember Harmon announced he received a caricature of himself from a citizen before the Governing Body meeting. He asked for the person's contact information so he could extend his appreciation.

Elizabeth Toyne, City Council Assistant, stated she would email Councilmember Harmon the information.

Joseph Ledbetter appeared to speak under public comment.

Councilmember Emerson moved to recess into executive session for a time period not to exceed 20 minutes for consultation with the City's legal counsel to discuss attorney-client privileged matters, including potential litigation, as justified by K.S.A. 75-4319(b)(2). In order to aid the discussion, the following individuals should be present: Governing Body; Interim City Manager Doug Gerber, Financial and Administrative Services Director Nickie Lee, Associate City Attorney Nick Jefferson and City Attorney Lisa Robertson. The motion seconded by Councilmember Clear carried unanimously. (10-0-0)

Following a 20 minute time period, the Governing Body reconvened into open session and Mayor Wolgast announced no action was taken.

NO FURTHER BUSINESS appearing the meeting was adjourned at 7:00 p.m.

Brenda Younger
City Clerk