City Council Minutes – March 23, 2004

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, March 23, 2004. The Councilmembers of the City of Topeka met in regular session at 7:00 P.M., with the following Councilmembers present: Alcala, Pomeroy, Chancler, Nave, Haynes, Duffy, Stubbs, Preisner and Price -9. Mayor James A. McClinton presided -1.

AFTER THE MEETING was called to order, prayer was offered by Councilmember Chancler.

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

THE CONSENT AGENDA was presented as follows:

A FINAL PLAT for Grand Oaks Subdivision No. 2 for a 3.17-acre parcel located on the west side of SE Truman Avenue, the centerline of which is approximately 610-feet north of SE 45th Street in the City of Topeka, Kansas, was presented. (P04/4)

Minutes of the Regular Meeting of March 16, 2004 were presented.

A Dance Hall License application bearing the approval of the Chief of Police and City Inspectors for The Wild Cherry, 520 NW Elm Row, was presented.

Open After Mid-Night 2004-2005 renewal applications bearing the approval of the Chief of Police and City Inspectors for the following were presented:

<table>
<thead>
<tr>
<th>BUSINESS NAME</th>
<th>ADDRESS</th>
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</thead>
<tbody>
<tr>
<td>A Knight's Realm Games and Comics</td>
<td>2900 SW Oakley</td>
</tr>
<tr>
<td>AMF Meadow Lanes</td>
<td>3118 S Topeka Blvd</td>
</tr>
<tr>
<td>American Legion Post 400</td>
<td>3029 NW Hwy 24</td>
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<tr>
<td>Amina Inc 5318</td>
<td>1731 SW Wanamaker</td>
</tr>
<tr>
<td>Applebee's Neighborhood Grill &amp; Bar</td>
<td>5928 SW 17th Street</td>
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<tr>
<td>Bob's Carwash Inc</td>
<td>3162 SE 6th Street</td>
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<tr>
<td>Bob's Carwash Inc</td>
<td>2733 California</td>
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<tr>
<td>California Amoco</td>
<td>2740 California Ave</td>
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<tr>
<td>Champions</td>
<td>1616 SW 17th Street</td>
</tr>
<tr>
<td>Chasers Billiards</td>
<td>5217 SW 28th Ct</td>
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<table>
<thead>
<tr>
<th>BUSINESS NAME</th>
<th>ADDRESS</th>
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<tbody>
<tr>
<td>Elan Grille</td>
<td>1301 Gage Blvd #100</td>
</tr>
<tr>
<td>Paternal Order of Eagles</td>
<td>2941 SE Fremont</td>
</tr>
<tr>
<td>Gage Bowl North</td>
<td>200 E Hwy 24</td>
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<tr>
<td>Gage Center Bowl</td>
<td>4200 SW Huntoon</td>
</tr>
<tr>
<td>Heart Attack Jacks</td>
<td>555 SW 39th St</td>
</tr>
<tr>
<td>Hollywood Fox Whitelakes #104</td>
<td>0320 SW Croix</td>
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<td>Hummers Market #3</td>
<td>600 Fairlawn</td>
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<tr>
<td>Hummers Market #4</td>
<td>2836 Fairlawn</td>
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<tr>
<td>Hummers Market #5</td>
<td>3300 Gage</td>
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<tr>
<td>Ichabod Laundra</td>
<td>1501 W 21st Street</td>
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<tr>
<td>Jeremiah Bullfrogs</td>
<td>2940 SW Wanamaker Rd</td>
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<tr>
<td>Jeremiah Bullfrogs II</td>
<td>4115 SW Huntoon</td>
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<tr>
<td>Joletta's</td>
<td>600 NW Paramore</td>
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<tr>
<td>Kelly Express</td>
<td>1001 SW Wanamaker</td>
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<tr>
<td>Kwik Shop #705</td>
<td>1114 NW Topeka Blvd</td>
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<td>Kwik Shop #720</td>
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<td>Kwik Shop #729</td>
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<td>Kwik Shop #740</td>
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<td>Kwik Shop #788</td>
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<tr>
<td>Kwik Shop #789</td>
<td>746 NE Wabash</td>
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<tr>
<td>La Flambeau</td>
<td>420 SE 6th Street</td>
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<tr>
<td>Michelle's</td>
<td>605 SW Fairlawn</td>
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<tr>
<td>Oscar's</td>
<td>1416 SW 15th Street</td>
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<tr>
<td>Philip Billard VFW Post 1650</td>
<td>3110 SW Huntoon</td>
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<tr>
<td>Ruby Tuesday</td>
<td>1625 SW Wanamaker Rd</td>
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<tr>
<td>Shawnee Country Club</td>
<td>913 SE 29th Street</td>
</tr>
<tr>
<td>Southwest Bowl</td>
<td>5265 SW 28th Ct</td>
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<td>Starlite South Skate Center</td>
<td>301 SE 45th Street</td>
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<tr>
<td>Steak n Shake</td>
<td>1415 Wanamaker Rd</td>
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<tr>
<td>Stingers</td>
<td>2335 NW Clay</td>
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<td>Stoney's Bar and Grill</td>
<td>1914 NW Topeka Blvd</td>
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<td>Taco Bell</td>
<td>2013 N Topeka Blvd</td>
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<tr>
<td>Taco Bell</td>
<td>1560 SW Wanamaker Rd</td>
</tr>
<tr>
<td>Taco Bell</td>
<td>101 SE 29th Street</td>
</tr>
<tr>
<td>Terry's Billiard Club</td>
<td>3919 SW 21st Street</td>
</tr>
<tr>
<td>Theatre Club of Topeka Inc</td>
<td>3028 SW 8th Ave</td>
</tr>
<tr>
<td>The Tool Shed Tap</td>
<td>921 S Kansas Ave</td>
</tr>
<tr>
<td>Topeka Country Club</td>
<td>2700 SW Buchanan</td>
</tr>
</tbody>
</table>

03-23-04
Councilmember Pomeroy moved to approve the consent agenda. The motion seconded by Councilmember Duffy carried unanimously. (9-0-0)

NOTICE OF PUBLIC HEARING

Notice is hereby given that there will be a special meeting of the Councilmembers of the City of Topeka, Shawnee County, Kansas, held Tuesday, March 23, 2004, at 7:00 P.M. to consider an amendment to the existing Neighborhood Revitalization Plan.

Bill Fiander, Planning Department gave the staff report and stated that the amendment added an additional subdivision (Drakes Farm) to the eligible area and modified the map and legal description for the Cowdin Subdivision area.

Councilmember Alcala moved to close the public hearing. The motion seconded by Councilmember Price carried unanimously. (9-0-0)

NOTICE OF PUBLIC HEARING

Notice is hereby given that there will be a special meeting of the Councilmembers of the City of Topeka, Shawnee County, Kansas, held Tuesday, March 23, 2004, at 7:00 P.M. to consider the advisability of Lateral Sanitary Sewer District No. 40919-01, located at approximately SE 21st Street and SE Rice Road.
A PUBLIC IMPROVEMENT PETITION, PROJECT BUDGET in the amount of $47,350.16 and RESOLUTION NO. 7452 introduced by Mayor James A. McClinton authorizing Lateral Sanitary Sewer District No. 40919-01 was presented.

Neil Dobler, Public Works Director gave the staff report.

Councilmember Price moved to close the public hearing and approve the public improvement petition, project budget and resolution. The motion seconded by Councilmember Duffy carried unanimously. (9-0-0)

NOTICE OF PUBLIC HEARING

Notice is hereby given that there will be a special meeting of the Councilmembers of the City of Topeka, Shawnee County, Kansas, held Tuesday, March 23, 2004, at 7:00 P.M. for the purpose of hearing any all complaints that may be made as to the validity and fairness of the assessments on file in the Office of the City Clerk, on all lots, parcels and pieces of ground liable for the cost of improvement of Lateral Sanitary Sewer Project No. 40583-H, Phase 2.

ORDINANCE NO. 18197 introduced by Mayor James A. McClinton, 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 Lateral Sanitary Sewer District No. 40583-H, Phase 2, with piping, manholes, engineering and all other contingencies needed to complete Lateral Sanitary Sewer District No. 40583-H, Phase 2, as defined and described in Resolution No. 7189, adopted and approved October 3, 2001 place on first reading March 16, 2004 was again presented.

Neil Dobler gave the staff report.

Councilmember Preisner moved to close the public hearing and adopt the ordinance. The motion seconded by Councilmember Haynes carried unanimously. (9-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Alcala, Chancler, Pomeroy, Nave, Haynes, Duffy, Stubbs, Preisner and Price -9.
NOTICE OF PUBLIC HEARING

Notice is hereby given that there will be a special meeting of the Councilmembers of the City of Topeka, Shawnee County, Kansas, held Tuesday, March 23, 2004, at 7:00 P.M. for the purpose of hearing any all complaints that may be made as to the validity and fairness of the assessments on file in the Office of the City Clerk, on all lots, parcels and pieces of ground liable for the cost of improvement of Sanitary Sewer Improvement Project No. 40596-H, Phase 3.

ORDINANCE NO. 18198 introduced by Mayor James A. McClinton, 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 Lateral Sanitary Sewer District No. 40596-H, Phase 3, with piping, manholes, engineering and all other contingencies needed to complete Lateral Sanitary Sewer District No. 40596-H, Phase 3, as defined and described in Resolution No. 7073, adopted and approved July 19, 2000 placed on first reading March 16, 2004 was again presented.

The ordinance was adopted on roll call vote as follows: Ayes: Alcala, Chancler, Pomeroy, Nave, Haynes, Duffy, Stubbs, Preisner and Price -9.

NOTICE OF PUBLIC HEARING

Notice is hereby given that there will be a special meeting of the Councilmembers of the City of Topeka, Shawnee County, Kansas, held Tuesday, March 23, 2004, at 7:00 P.M. for the purpose of hearing any all complaints that may be made as to the validity and fairness of the assessments on file in the Office of the City Clerk, on all lots, parcels and pieces of ground liable for the cost of improvement of Lateral Sanitary Sewer Improvement Project No. 40901, Phase 1.

ORDINANCE NO. 18199 introduced by Mayor James A. McClinton, 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 Lateral Sanitary Sewer District No. 40901, Phase 1, with piping, manholes, engineering and all other contingencies needed to complete Lateral Sanitary Sewer District No. 40901, Phase 1, as defined and described in Resolution No. 7228, adopted and approved April 10, 2002 placed on first reading March 16, 2004 was again presented.
Neil Dobler gave the staff report.

Councilmember Haynes moved to close the public hearing and adopt the ordinance. The motion seconded by Councilmember Nave carried unanimously. (9-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Alcala, Chancler, Pomeroy, Nave, Haynes, Duffy, Stubbs, Preisner and Price -9.

NOTICE OF PUBLIC HEARING

Notice is hereby given that there will be a special meeting of the Councilmembers of the City of Topeka, Shawnee County, Kansas, held Tuesday, March 23, 2004, at 7:00 P.M. for the purpose of hearing any all complaints that may be made as to the validity and fairness of the assessments on file in the Office of the City Clerk, on all lots, parcels and pieces of ground liable for the cost of improvement of Lateral Sanitary Sewer Improvement Project No. 40901, Phase 1.

ORDINANCE NO. 18199 introduced by Mayor James A. McClinton, 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 Lateral Sanitary Sewer District No. 40901, Phase 1, with piping, manholes, engineering and all other contingencies needed to complete Lateral Sanitary Sewer District No. 40901, Phase 1, as defined and described in Resolution No. 7228, adopted and approved April 10, 2002 placed on first reading March 16, 2004 was again presented.

Neil Dobler gave the staff report.

Councilmember Stubbs moved to close the public hearing and adopt the ordinance. The motion seconded by Councilmember Nave carried unanimously. (9-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Alcala, Chancler, Pomeroy, Nave, Haynes, Duffy, Stubbs, Preisner and Price -9.
NOTICE OF PUBLIC HEARING

Notice is hereby given that there will be a special meeting of the Councilmembers of the City of Topeka, Shawnee County, Kansas, held Tuesday, March 23, 2004, at 7:00 P.M. for the purpose of hearing any all complaints that may be made as to the validity and fairness of the assessments on file in the Office of the City Clerk, on all lots, parcels and pieces of ground liable for the cost of improvement of Lateral Sanitary Sewer Improvement Project No. 40904, Phase 1.

ORDINANCE NO. 18200 introduced by Mayor James A. McClinton, 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 Lateral Sanitary Sewer District No. 40904, Phase 1, with piping, manholes, engineering and all other contingencies needed to complete Lateral Sanitary Sewer District No. 40904, Phase 1, as defined and described in Resolution No. 7237, adopted and approved June 7, 2002 placed on first reading March 16, 2004 was again presented.

Neil Dobler gave the staff report.

Councilmember Preisner moved to close the public hearing and adopt the ordinance. The motion seconded by Councilmember Price carried unanimously. (9-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Alcala, Chancler, Pomeroy, Nave, Haynes, Duffy, Stubbs, Preisner and Price -9.

NOTICE OF PUBLIC HEARING

Notice is hereby given that there will be a special meeting of the Councilmembers of the City of Topeka, Shawnee County, Kansas, held Tuesday, March 23, 2004, at 7:00 P.M. for the purpose of hearing any all complaints that may be made as to the validity and fairness of the assessments on file in the Office of the City Clerk, on all lots, parcels and pieces of ground liable for the cost of improvement of Street Improvement Project No. 60389-H, Phase 2.

ORDINANCE NO. 18201 introduced by Mayor James A. McClinton, 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 Street Improvement Project No. 60389-H, Phase 2, with pavement, curb and gutter, and all other contingencies needed to complete Street Improvement
Project No. 60389-H, Phase 2 as defined and described in Resolution No. 7074, adopted and approved July 19, 2000 placed on first reading March 16, 2004 was again presented.

Neil Dobler gave the staff report.

Councilmember Nave moved to close the public hearing and adopt the ordinance. The motion seconded by Councilmember Preisner carried unanimously. (9-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Alcala, Chanler, Pomeroy, Nave, Haynes, Duffy, Stubbs, Preisner and Price -9.

NOTICE OF PUBLIC HEARING

Notice is hereby given that there will be a special meeting of the Councilmembers of the City of Topeka, Shawnee County, Kansas, held Tuesday, March 23, 2004, at 7:00 P.M. for the purpose of hearing any all complaints that may be made as to the validity and fairness of the assessments on file in the Office of the City Clerk, on all lots, parcels and pieces of ground liable for the cost of improvement of Street Improvement Project No. 60468-H, Phase 3.

ORDINANCE NO. 18202 introduced by Mayor James A. McClinton, 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 Street Improvement Project No. 60468, Phase 3, with pavement, curb and gutter, and all other contingencies needed to complete Street Improvement Project No. 60468, Phase 3 as defined and described in Resolution No. 7190, adopted and approved October 3, 2001 placed on first reading March 16, 2004 was again presented.

Neil Dobler gave the staff report.

Councilmember Preisner moved to close the public hearing and adopt the ordinance. The motion seconded by Councilmember Price carried unanimously. (9-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Alcala, Chanler, Pomeroy, Nave, Haynes, Duffy, Stubbs, Preisner and Price -9.
NOTICE OF PUBLIC HEARING

Notice is hereby given that there will be a special meeting of the Councilmembers of the City of Topeka, Shawnee County, Kansas, held Tuesday, March 23, 2004, at 7:00 P.M. for the purpose of hearing any all complaints that may be made as to the validity and fairness of the assessments on file in the Office of the City Clerk, on all lots, parcels and pieces of ground liable for the cost of improvement of Street Improvement Project No. 84289.

ORDINANCE NO. 18203 introduced by Mayor James A. McClinton, 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 Street Improvement Project No. 84289 with pavement, curb and gutter, and all other contingencies needed to complete Street Improvement Project No. 84289 as defined and described in Resolution No. 7137, adopted and approved March 21, 2001 placed on first reading March 16, 2004 was again presented.

Neil Dobler gave the staff report.

Councilmember Pomeroy moved to close the public hearing and adopt the ordinance.

The motion seconded by Councilmember Preisner carried unanimously. (9-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Alcala, Chancler, Pomeroy, Nave, Haynes, Duffy, Stubbs, Preisner and Price -9.

NOTICE OF PUBLIC HEARING

Notice is hereby given that there will be a special meeting of the Councilmembers of the City of Topeka, Shawnee County, Kansas, held Tuesday, March 23, 2004, at 7:00 P.M. in conjunction with vacation request V04E/3 by Pendelton Construction, Inc., to vacate a portion of an ingress/egress and utility easement on property located at the northwest corner of SW 30th Street and SW Eveningside Drive.

ORDINANCE NO. 18204 introduced by Mayor James A. McClinton relating to the vacation of a portion of an ingress/egress and utility easement on property located at the northwest corner of SW 30th Street and SW Eveningside Drive, as dedicated by the plat of
Eveningside Subdivision, City of Topeka, Shawnee County, Kansas, placed on first reading March 16, 2004 was again presented. *(V04E/3)*

Bill Fiander gave the staff report.

Brian Honaker, Pendelton Construction, Inc., appeared for questions.

Councilmember Preisner moved to close the public hearing and adopt the ordinance. The motion seconded by Councilmember Stubbs carried unanimously. *(9-0-0)*

The ordinance was adopted on roll call vote as follows: Ayes: Alcala, Chancler, Pomeroy, Nave, Haynes, Duffy, Stubbs, Preisner and Price -9.

NOTICE OF PUBLIC HEARING

Notice is hereby given that there will be a special meeting of the Councilmembers of the City of Topeka, Shawnee County, Kansas, held Tuesday, March 23, 2004, at 7:00 P.M. in conjunction with vacation request V04SB/1 by Martha E. Skillman, owner, to vacate a 30-foot platted building setback line on property located west of SW Gage Boulevard between SW Holly Lane and SW Stratford Road.

ORDINANCE NO. 18205 introduced by Mayor James A. McClinton relating to the vacation of a 30-foot wide platted building setback as dedicated by Bergersons Subdivision, City of Topeka, Shawnee County, Kansas, placed on first reading March 16, 2004 was again presented. *(V04SB/1)*

Bill Fiander gave the staff report.

Councilmember Haynes moved to close the public hearing and adopt the ordinance. The motion seconded by Councilmember Nave carried unanimously. *(9-0-0)*

The ordinance was adopted on roll call vote as follows: Ayes: Alcala, Chancler, Pomeroy, Nave, Haynes, Duffy, Stubbs, Preisner and Price -9.
NOTICE OF PUBLIC HEARING

Notice is hereby given that there will be a special meeting of the Councilmembers of the City of Topeka, Shawnee County, Kansas, held Tuesday, March 23, 2004, at 7:00 P.M. in conjunction with vacation request V04SB/3 by Pendleton Construction, Inc., to vacate a 30-foot platted building setback line for six consecutive lots located at the northwest corner of SW 30th Street and SW Eveningside Drive.

ORDINANCE NO. 18206 introduced by Mayor James A. McClinton relating to the vacation of a 30-foot wide platted building setback as dedicated by Eveningside Subdivision, City of Topeka, Shawnee County, Kansas, placed on first reading March 16, 2004 was again presented. (V04SB/3)

Bill Fiander gave the staff report.

Councilmember Price asked how they could prevent developers from encroaching on setback lines in the future.

Councilmember Stubbs asked if there is a penalty that can be charged to the developer.

Councilmember Chancler suggested implementing a policy that would penalize developers.

Bill Fiander stated that at this time City inspectors do not check property lines, however, the Public Works Department could include it as part of the inspection process.

Councilmember Preisner moved to close the public hearing and adopt the ordinance. The motion seconded by Councilmember Price carried. Councilmember Stubbs voted "no". (8-1-0)

The ordinance was adopted on roll call vote as follows: Ayes: Lane, Alcala, Pomeroy, Nave, Haynes, Duffy, Preisner and Price -8. Noes: Stubbs-1.

Councilmember Stubbs asked if the Public Works Department and Planning Department could create a policy.
CHARTER ORDINANCE NO. 93 introduced by Councilmember Jeff Preisner, amending City of Topeka Charter Ordinance A2-16 concerning the filing fee and petition requirements for filling a vacancy in the offices of Mayor or District Councilmember, and repealing the original of said Charter Ordinance placed on first reading March 16, 2004 was again presented.

Councilmember Preisner explained the charter ordinance and how it would refine the application process.

Richard Skinner spoke in opposition of the charter ordinance and stated that the increase in filing fees would eliminate qualified applicants.

Councilmember Stubbs stated that they need a policy to follow and the increase in filing fees and signatures helps ensure serious candidates and community support. She also gave a brief overview of the cost of a County Commission election and suggested that they double the filing fees for a regular election for Councilmembers or the Mayor.

Councilmember Stubbs moved to make an amendment to the charter ordinance to double the filing fee and signatures for regular elections. The motion was seconded by Councilmember Duffy.

Councilmember Alcala stated that he opposes the amendment and charter ordinance because he believes the process needs to be easier.

Councilmember Chancler stated that she would also oppose the amendment because she believes it is not necessary to pay a lot of money to be a qualified candidate. She stated that they need uniformity, not an increase in fees.

The amendment to double the filing fees and signatures carried. Councilmembers Alcala, Chancler, Nave and Haynes voted "no". (5-4-0)
Mayor McClinton noted that a supermajority vote is required to adopt the ordinance.

The charter ordinance was not adopted on roll call vote as follows: Ayes: Pomeroy, Duffy, Stubbs, Preisner and Price -5. Noes: Alcala, Chancler, Nave and Haynes -4.

Councilmember Duffy asked if it was possible to reconsider the original document.

Brenden Long, City Attorney stated that a member from the prevailing side of the original document that was voted on must move to reconsider.

Councilmember Nave moved to reconsider the amended charter ordinance. The motion seconded by Councilmember Chancler carried. Councilmembers Alcala and Haynes voted "no". (7-2-0)

Councilmember Stubbs moved to reconsider the amendment. The motion seconded by Councilmember Price carried. Councilmembers Alcala and Haynes voted "no". (7-2-0)

Councilmember Duffy moved to make an amendment to the charter ordinance to double the filing fee and signatures. The motion seconded by Councilmember Stubbs failed. Councilmembers Chancler, Pomeroy, Nave, Haynes, Duffy, Stubbs, Preisner and Price voted "no". (1-8-0)

The charter ordinance was adopted on roll call vote as follows: Ayes: Chancler, Pomeroy, Nave, Duffy, Stubbs, Preisner and Price -7. Noes: Alcala and Haynes -2.

AN ORDINANCE introduced by Councilmember Clark Duffy concerning the eligibility standards for the granting of economic development tax exemptions, amending Topeka City Code Sections 138-83 and 138-84, and repealing said original sections placed on first reading March 9, 2004 was again presented.

Councilmember Duffy stated that the committee report for items 5B, 5C and 5D all recommended “Do Not Pass”.

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Councilmember Duffy stated that he presented this ordinance because he did not believe city taxpayers should pay a company to bring unskilled labor workers to the Topeka area without health insurance. His intention was not to raise the minimum wage to $9.00 an hour encouraging a cheap labor force standard in the City of Topeka.

Councilmember Duffy moved to adopt the committee report. The motion was seconded by Councilmember Haynes.

Several Councilmembers stated that they agree with Councilmember Duffy and do not want to encourage cheap labor force in the City of Topeka.

The motion to adopt the committee report carried unanimously. (9-0-0)

AN INTERLOCAL AGREEMENT between the City of Topeka and Shawnee County relating to financing countywide infrastructure and economic development to be funded by a one quarter of one cent countywide retailers sales tax was presented.

Councilmember Duffy moved to adopt the committee report. The motion seconded by Councilmember Stubbs carried unanimously. (9-0-0)

A RESOLUTION introduced by Councilmember Clark Duffy, relating to the issuance of industrial revenue bonds, providing procedures for review of Industrial Revenue Bond applications and rescinding City of Topeka Resolution No. 6876, was presented.

Councilmember Duffy moved to adopt the committee report. The motion seconded by Councilmember Nave carried unanimously. (9-0-0)

A COMMUNICATION to approve the selection of two Councilmembers to serve on the Metropolitan Planning Organization (MPO) Policy Board, was presented.

Councilmember Pomeroy stated that the term of office has not yet been set for the MPO Policy Board and he would like to defer the item until a decision has been made.
Councilmember Preisner moved to defer until April 6, 2004. The motion seconded by Councilmember Duffy carried unanimously. (9-0-0)

AN ORDINANCE introduced by Mayor James A. McClinton, authorizing Park Improvement Project No. 30246-00, which provides for the parking lot paving at various community centers as more specifically described herein, all pursuant to Section A12-1 of the Code of the City of Topeka was presented for first reading.

AN ORDINANCE introduced by Mayor James A. McClinton, authorizing Improvement Project No. 30250-00, which provides for the addition to the Carousel in Gage Park for ADA accessible restrooms and a multipurpose room for community use as more specifically described herein, all pursuant to Section A12-1 of the Code of the City of Topeka was presented for first reading.

AN ORDINANCE introduced by Councilmember Gary Price relating to the parking of vehicles on non-paved surfaces, and specifically authorizing property maintenance inspectors to cite for violations thereof, amending City of Topeka Code Sections 50-41, 50-48, 50-58 and 142-355 and specifically repealing said original section was presented for first reading.

AN ORDINANCE introduced by Councilmember Gary Price, Jeff Preisner, and Lisa Stubbs, creating the property maintenance chapter and repealing City of Topeka Code Chapter 26, Article XI, Unsafe structures, including sections 26-546 through 26-558 inclusive, Chapter 66, Article II, Nuisances, including sections 66-25 through 66-36 inclusive, Chapter 66, Article III, Junked and abandoned vehicles, including sections 66-56 through 66-62 inclusive, Chapter 82, Article II, Housing Code, including sections 82-31 through 82-270 inclusive and specifically repealing said original sections was presented for first reading.
AN ORDINANCE introduced by Mayor James A. McClinton authorizing initiation of condemnation proceedings to acquire property by eminent domain for the City of Topeka Hi-Crest Park Project No. 302480, in the area of Hi-Crest was presented for first reading.

REPORTS OF COMMITTEES AND OFFICERS, were presented.

Councilmember Stubbs announced that there would be a Public, Health and Safety Committee meeting held on March 29, 2003 at 3:00 p.m. in the City Council Office.

REPORT FROM THE CHIEF ADMINISTRATIVE OFFICER, was presented.

Dave Graversen gave distributed the weekly Legislative report.

PRESENTATIONS BY MEMBERS OF THE COUNCIL, were presented.

Councilmember Duffy thanked Ed Klumpp, Chief of Police for providing a City of Topeka Crime Statistics Update memorandum to the Council. He asked if there would be a May 18, 2004 Council meeting due to the events scheduled for the grand opening of the Monroe Historical Site.

Councilmember Pomeroy stated that there would be two meetings scheduled in the month of May concerning the possible change or restructuring of City government.

Councilmember Chancler asked if it would be possible to schedule the committee meetings later in the day to better accommodate those who have to work. She also announced that the month of April has been designated as community clean up in the Monroe Area and encouraged all Councilmembers to participate.

NO FURTHER BUSINESS appearing the meeting was adjourned at 8:18 p.m.

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Iris Walker
City Clerk