COUNCIL CHAMBER, Topeka, Kansas, Tuesday, March 15, 2011. The
Councilmembers of the City of Topeka met in regular session at 6:00 P.M., with the following
Councilmembers present: Councilmembers Hiller, Alcala, Ortiz, Woelfel, Wolgast, Archer,
Preisner and Harmon -8. Absent: Mayor William W. Bunten -1. Deputy Mayor Swank
presided -1.

AFTER THE MEETING was called to order, Suz McIver volunteer Police Chaplain,
Midland Care, gave the invocation.

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

A PRESENTATION of the Pothole Repair Report was provided by Braxton Copley,
Utilities and Transportation Director; James Lopez, Quality Assurance Manager; and Ron
Raines, Street Maintenance Director. The report outlined the 3-tier communication system used
to report potholes; the criteria used to prioritize repairs; the workflow process; 2010 pothole
statistics; and the important role the community plays in assisting with the repair of potholes.

THE CONSENT AGENDA was presented as follows:

BOARD APPOINTMENT recommending the re-appointment of Pete Gierer to the
Topeka Landmarks Commission for a term ending March 31, 2014 was presented.

MINUTES of the regular meeting of March 8, 2011 were presented.

AN OPEN AFTER MIDNIGHT License application was presented for Whiplash Bar &
Grill located at 2107 SE California Avenue.

Councilmember Preisner moved to approve the consent agenda. The motion seconded by
Councilmember Alcala carried unanimously. (9-0-0)
Councilmember Alcala asked if documents relating to the scrap metal issue subpoenaed by the City Council were available for review.

Norton N. Bonaparte, Jr., City Manager stated the documents were available for review by the City Council.

Councilmember Alcala requested the documents be placed in the City Clerk’s office where the documents would be monitored and stored.

Councilmember Swank announced the consensus of the Council was taken and all Councilmembers agreed to store the documents in the City Clerk’s office.

Councilmember Alcala requested the documents be handed to the City Clerk and placed in the City Clerk’s office.

Councilmember Harmon asked if protocol has been developed for the confidentiality of the documents.

Jackie Williams, City Attorney stated discussion of document protocol would be outlined in an executive session following the Council Meeting.

A NOTICE OF PUBLIC HEARING

A PUBLIC HEARING for the purpose of hearing any and all comments that may be made as to the advisability of Improvement Project No. T-151011.00, which provides for repairs to an existing pond at Lauren’s Bay Villas Subdivision and Lauren’s Bay Estates.

A REVISED PETITION, A PROJECT BUDGET in the amount of $1,358,350 and RESOLUTION NO. 8317 introduced by City Manager Norton N. Bonaparte, Jr., authorizing Drainage Improvement Project No. T-151011.00, which provides for repair to the existing pond at Lauren’s Bay Villas Subdivision and Lauren’s Bay Estates, as more specifically described herein was presented.
CONTRACT NO. 41094 for the maintenance of public improvements at Lauren’s Bay Subdivision between the City of Topeka and Lauren’s Bay Estates Subdivision Homeowners Association, Inc., and Lauren’s Bay Home Owners Association, L.L.C., as a result of Improvement Project No. T-151011.00 and specifically authorizing the City Manager to execute the agreement was presented.

Norton N. Bonaparte, Jr., City Manager gave the staff report.

Councilmember Archer distributed an amendment to Line 36 of the resolution, to delete the words “parking facilities” and insert the words “five cut-back parking stalls.”

Councilmember Archer moved to amend the resolution. The motion seconded by Councilmember Harmon carried unanimously. (9-0-0)

Larry Lutz reported the pond issue has slowed home sales in the subdivision. He stated his clients believe the project would be a good solution to the problem.

Mike Unrein stated the project was developed because the dam was breached and has turned into a swamp. He also stated the improvement to the development would benefit the City by generating a higher tax base and the entire project would be paid 100% by the Improvement District. He encouraged the Council to approve the project.

Steve Lacasse stated he developed the cost estimate for the project. He reported he met with homeowners approximately one year ago regarding a safer solution to the dam and how to finance the project. He asked the Council to support the project.

Councilmember Hiller questioned how many parking spaces would be allowable.

Steve Lacasse explained the original proposal included no parking spaces and City staff recommended no more than 20 spaces to be located on the south end of the pond. He stated
residents expressed concern with developing a parking lot area and would prefer cut-back parking.

Jackie Williams, City Attorney stated the amendment distributed by Councilmember Archer provides for cut-back parking spaces.

Monte Brokate stated his property has lost 10-15% value due to the dam breach and requested the City assist the community in resolving the problem. He stated he strongly endorses the project.

Rick Slocum stated the pond has become an eyesore and devalued many properties within Lauren’s Bay. He reported the community has held many meetings to discuss a solution and thanked Councilmembers for their support.

Bill Hachmeister thanked Randy Speaker, Deputy City Manager for assisting the residents with information and spoke in support of the project.

Don Ford resident stated he appreciates the community working together and becoming united in the effort to clean up the pond area. He thanked Councilmembers for their guidance and help for the past 18 months and asked for their support.

Deb McFarland encouraged the Council to support the project.

Stanley Smith spoke in support of the proposal and believes it is fair for the development; however, he asked for additional review of the off-street parking. He expressed concern with potential vandalism of parked vehicles.

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

Councilmember Archer moved to approve the revised petition, project budget and resolution as amended. The motion was seconded by Councilmember Preisner.
Councilmember Archer thanked the community of Lauren’s Bay for appearing before the Council and expressing their support of the project.

Councilmember Woelfel expressed concern with the City acquiring another park to maintain; the project having the same end results as the College Hill Development; the City financing the improvement of private property; how the project would be financed; and increasing the City’s bonded indebtedness. He asked the following questions:

- If the pond is removed would the development have to be platted again?
- Would the City purchase the parcel and has the parcel been appraised?
- Who would be responsible for the maintenance?
- What parties are involved in the special assessment agreement?
- Has property tax values decreased throughout the County and City?
- Would the bonds be sold locally?
- Did property owners ask local banks to finance the project?

In response, staff members clarified the development would not have to be platted again; the parcel was appraised at the same value listed by the Shawnee County Appraiser; property owners would be responsible for all maintenance except the mowing of the dam; the agreement would be between the City and the Home Owners Association; some property values decreased but have now stabilized; and bonds are sold through the competitive bid process.

Councilmember Preisner asked what the Parkland fees are for a new development and what portion of the fee would be collected from Improvement District residents.

David Thurbon, Planning Director reported the Parkland Fee would be $170 per home owner.

Councilmember Alcala spoke in support of the project. He stated he believes the Improvement District would be a positive solution to the problem, as well as, provide infrastructure improvements for the development.
Councilmember Swank spoke in support of the project and stated she views the project as a way to expand the City’s tax base.

The motion to approve the revised petition, project budget and resolution as amended carried. Councilmember Woelfel voted “no.” Mayor Bunten was absent. (8-1-0)

Councilmember Preisner moved to approve the maintenance agreement. The motion seconded by Councilmember Wolgast carried unanimously. (9-0-0)

CHARTER ORDINANCE NO. 103 introduced by the City Council Policy and Finance Committee amending City of Topeka Code Section A9-2 and repealing said original section concerning the Topeka Metropolitan Transit Authority (TMTA) placed on first reading March 8, 2011 was again presented.

Councilmember Wolgast gave the staff report.

Councilmember Wolgast moved to adopt the charter ordinance. The motion was seconded by Councilmember Preisner.

Kevin Siek distributed a handout from the Topeka Independent Living Resource Center and asked the Council to consider permanently setting the mill levy cap at 5 mills to provide continuity to the transit system. He expressed concern with not being able to provide enough to sustain existing services with less federal funding being provided and increasing gas prices.

Councilmember Archer stated he hopes the demand to utilize public transportation would increase helping TMTA to be less dependent on taxpayer subsidiaries in the future.

Councilmember Woelfel asked if the Council could expand the mill levy if needed at a later date.

Councilmember Preisner expressed concern with limiting the possibility of a mill levy increase in the future and questioned if the Council could amend the mill levy for 2012, and
following 2013 budget discussions TMTA warrants another mill levy increase then the charter ordinance could be amended.

Jackie Williams, City Attorney clarified the charter ordinance would amend the mill levy cap for 2012 at 4.2 mills then revert back to 3 mills in 2013 and every year thereafter. He stated the Council has the authority to review the charter ordinance annually.

Councilmember Swank questioned if reviewing the mill levy cap on an annual basis in productive in the long-term. She suggested setting the mill levy cap at 5 mills permanently.

Councilmember Woelfel questioned if the Council should defer the charter ordinance for 30 days to review and restructure the mill levy cap.

Jackie Williams stated deferral would interfere with the petition provision of the charter ordinance.

Councilmember Archer stated the Policy and Finance Committee heard testimony from TMTA and management stated 4.2 mills would suffice; however, it would be the obligation of the Council to review their finances and make a responsible decision.

Councilmember Wolgast stated he would support changing the mill levy cap to 4.2 mills on a permanent basis, providing TMTA with a better long-term financial planning mechanism.

Councilmember Swank made a substitute motion to amend the charter ordinance and set the TMTA mill levy cap at 5 mills permanently. The motion was seconded by Councilmember Ortiz.

Councilmember Ortiz expressed concern with service cuts and how it would affect constituents who rely on the public transportation system. She spoke in support of an increase and encouraged TMTA to become self-sufficient in the future.
Councilmember Woelfel stated he would not support raising the mill levy cap because essentially it would be a tax increase for the citizens.

Norton N. Bonaparte, Jr., clarified the charter ordinance proposes to raise the mill levy cap which does not increase taxes for citizens. He noted the Council would determine the actual mill levy in August.

Councilmember Hiller stated she would prefer to set a standard mill levy for TMTA. She expressed concern with their reports not being consistent and encouraged the Council to continue to remain involved in overseeing the organization.

The substitute motion to amend the charter ordinance and set the TMTA mill levy cap at 5 mills permanently failed. Councilmembers Hiller, Woelfel, Archer and Harmon voted “no.” (5-4-0)

Councilmember Wolgast made a substitute motion to amend the charter ordinance and set TMTA mill levy cap at 4.2 mills permanently. The motion seconded by Councilmember Hiller carried. Councilmembers Woelfel and Harmon voted “no.” (7-2-0)

Councilmember Archer moved to reconsider the substitute motion. The motion seconded by Councilmember Woelfel carried. Councilmember Preisner voted “no.” (8-1-0)

The substitute motion made by Councilmember Wolgast to amend the charter ordinance and set TMTA mill levy cap at 4.2 mills permanently failed. Councilmembers Woelfel, Archer and Harmon voted “no.” (6-3-0)

The motion to adopt the charter ordinance carried. Councilmember Woelfel voted “no.” (8-1-0)
The charter ordinance was adopted on roll call vote as follows: Ayes: Hiller, Alcala, Ortiz, Wolgast, Swank, Archer, Preisner and Harmon -8. Noes: Woelfel -1. Absent: Mayor Bunten -1.

ORDINANCE NO. 19528 introduced by City Manager Norton N. Bonaparte, Jr., amending the project budget and authorizing as amended Improvement Project No. T-291002.00 (HTE 291120) for replacement of Northland I Pump station approving cost estimates of the proposed improvements, and doing all other things necessary and incidental thereto, and authorizing the publication of the Notice of Intention of the governing body of the City of Topeka, Kansas, to issue and sell revenue bonds of said City to make such improvements which constitutes improvements to the municipally owned water, water pollution control, and stormwater utility system of the City of Topeka, Shawnee County, Kansas, pursuant to K.S.A. 10.101 and 10.1201, et seq., and all amendments thereto, authorizing issuance of general obligation bonds to pay the costs of the project thereto, further constitutes a general improvement to the City’s sanitary and/or stormwater and sewage disposal system pursuant to City of Topeka Code Section A12-1, and authorizing the borrowing of funds from the Kansas Department of Health and Environment State Revolving Loan Fund to pay the cost thereof and specifically repealing those sections of City of Topeka Ordinance No. 19172 in conflict with this Ordinance placed on first reading March 8, 2011 was again presented.

NOTICE OF INTENTION of the governing body of the City of Topeka, Kansas, to make improvements under Improvement Project No. T-291002.00 (HTE 291120) which provides for the replacement of Northland I Pump Station and to issue and sell revenue bonds of said City pursuant to K.S.A. 10-101 and 10-1201, et seq., and all amendments thereto, and to issue general obligation bonds pursuant to City of Topeka Code Section A12-1, and to borrow funds from the
Kansas Department of Health and Environment, or any combination thereof, to pay the cost of the project.

Norton N. Bonaparte, Jr., City Manager gave the staff report.

Councilmember Archer questioned the revised project budget amount and expressed concern with the amount of the increase. He stated he was frustrated more documentation was not included in the Weekly Council Report to outline or justify the large increase.

Braxton Copley, Utilities and Transportation Department Director reported he researched the pump station and found the existing line was very old (approximately 55-60 years old) and had failed. He stated he questioned when the next part of the line would fail located adjacent to the Soldier Creek Trail. He stated he believes it would be in the best interest of City utilities to make improvements on the pump station and move the entire site; install and upsize a new force main to handle the capacity and re-route existing lines to the new location. He distributed the proposed amendment which includes the debt service reserve in the project budget. He noted staff would provide more detailed information to the Council on projects in the future.

Councilmember Preisner moved to amend the ordinance to change the amount from $1,447,130.00 to $1,620,786.00 on Lines 52 through 54 and Lines 68 through 70. The motion seconded by Councilmember Alcala carried. Councilmember Archer voted “no.” (8-1-0)

Councilmember Preisner moved to approve the project budget and adopt the ordinance and notice of intention as amended. The motion seconded by Councilmember Alcala carried. Councilmember Archer voted “no.” Mayor Bunten was absent. (8-1-0)

The ordinance was adopted on roll call vote as follows: Ayes: Hiller, Alcala, Ortiz, Woelfel, Wolgast, Swank, Preisner and Harmon -8. Noes: Archer -1. Absent: Mayor Bunten -1.
A PROJECT BUDGET in the amount of $426,999 and AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., authorizing Improvement Project No. T-131015.00, which provides for improvements to City owned facilities, as more specifically described herein, all pursuant to Section A12-1 of the Code of the City of Topeka placed on first reading February 22, 2011 was again presented.

Norton N. Bonaparte, Jr., City Manager gave the staff report and requested the Council defer the project for one week to allow staff time to break down the costs to be bonded, as well as, research some of the funds recognized as additional carry over funds that could be used from 2010.

Councilmember Preisner moved to defer the project budget and ordinance until March 22, 2011. The motion was seconded by Councilmember Alcala.

Councilmembers Hiller and Wolgast spoke in support of splitting the project and using cash to pay for the projects.

The motion to defer the project budget and ordinance until March 22, 2011 carried.
(9-0-0)

A PROJECT BUDGET in the amount of $199,250 and ORDINANCE NO. 19529 introduced by City Manager Norton N. Bonaparte, Jr., authorizing Improvement Project No. T-131016.00, which provides for boiler replacement in City Hall, as more specifically described herein, all pursuant to Section A12-1 of the Code of the City of Topeka placed on first reading February 22, 2011 was again presented.

Norton N. Bonaparte, Jr., City Manager gave the staff report.

Councilmember Hiller asked if one boiler would be replaced and the other would be kept to be used as a backup system.
Mike McGee, Building and General Services Director stated the second boiler would be used as backup.

Councilmember Archer spoke in support of the project and stated he believes the project would be a good example of the City spending money wisely.

Councilmember Swank spoke in support of the project and noted the project would be a long range investment for the City.

Joseph Ledbetter expressed concern with the projects. He questioned if the boilers serve the entire Municipal Building including the Topeka Performing Arts Center (TPAC). He stated replacing fifty year-old equipment with a more energy efficient system would be a smart investment; however, he noted TPAC has stated in past years that they would become self-sufficient yet they still rely on the City for funding.

Mike McGee stated the boilers support the entire municipal building, including TPAC.

Councilmember Wolgast stated when the arts center was established it was never intended to become fully self-sufficient. He noted an arts center in a community the size of Topeka seldom becomes self sufficient.

Councilmember Harmon moved to approve the project budget and adopt the ordinance. The motion seconded by Councilmember Wolgast carried unanimously. (9-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Hiller, Alcala, Ortiz, Woelfel, Wolgast, Swank, Archer, Preisner and Harmon -9.

A PROJECT BUDGET in the amount of $11,480,000 and ORDINANCE NO. 19530 introduced by City Manager Norton N. Bonaparte, Jr., authorizing Improvement Project No. T-841013.00 which provides for city-wide maintenance and improvements on existing streets, as more specifically described herein placed on first reading March 8, 2011 was again presented.
Norton N. Bonaparte, Jr., City Manager gave the staff report.

Councilmember Woelfel moved to approve the project budget and adopt the ordinance. The motion was seconded by Councilmember Preisner.

Councilmember Woelfel stated Mr. Bob Schneider, Highland Acres Neighborhood Improvement Association asked him to convey the Association’s support of the project.

Fred Martinez, Highland Acres Neighborhood Improvement Association asked for Council support of the project and noted SE California is a major arterial and in desperate need of repairs. He requested the Council and City staff review the street maintenance projects and reprioritize the projects to make the roads safe again.

Mike Morrissey, City Project Engineer reported on the following street repair locations and beginning construction dates:

- 21st Street from Gage to Topeka Boulevard on June 15, 2011.
- California Avenue from 21st to 29th Streets on June 27, 2011.
- 37th Street from Adams Street to Kansas Avenue repairs would be dependent on revenue received in 2011; however, the repairs are included in the 2011 street repair list.

Fred Martinez asked if the City would consider repairing 37th Street and Adams first, followed by California Avenue from 21st to 29th Streets, and make the overall repairs to California Avenue last.

Councilmember Woelfel asked what the construction start date would be for 21st Street repairs between California Avenue and Whittenburg Road; and would a turning lane be incorporated in the SE 28th Street and California Avenue project.

Mike Morrissey reported the Whittenburg Road project would be considered for 2012; and the SE 28th Street project would include the turning lane project.
Councilmember Swank asked Mike Morrissey follow up with Mr. Martinez and Mr. Schneider in regards to prioritizing projects.

Councilmember Ortiz asked if Whittenburg Road would be widened in 2012.

Councilmember Wolgast spoke in support of the project and encouraged the City to keep the momentum going. He stated he would prefer information be provided to the Council as soon as possible so they could make an informed decision. He requested a report on 2010 project expenditures; a list of the completed projects in 2010; projects scheduled to be carried over in 2011; and 2011 planned projects.

Mike Morrissey reported their priority would be to complete the 2010 projects first, and all projects not completed in 2011 would carry over to 2012. He stated half-cent sales tax revenue could only be used for maintenance and improvements of streets, not widening. He also stated they would work to improve getting more detail to the City Council in a timely manner.

Councilmember Hiller expressed concern with voting on the project and stated she believes the overall policy needs to be reviewed in detail. She expressed her support of the half-cent sales tax program and realizes all sections of the plan are related. She noted the plan only lists some of the streets discussed. She requested to receive more project details so she could make an informed decision; a breakdown of how much would be spent on street repairs vs. sidewalk repairs for each project; and a detailed report on each project prior to Council approval.

Norton N. Bonaparte, Jr., stated the 2010 Annual Report distributed to the Council included what projects were carried over in 2011 from 2010; what projects were started and completed in 2010; what projects were added in 2011; as well as, how much was spent and a narrative on alley repairs, the 50/50 program, ADA ramps and other street repairs.
Councilmember Preisner stated he believes the Council was provided enough detailed information in the 2010 Annual Report to make an informed decision. He noted a 10 year program was drafted in 2006 with the understanding degradation of streets would happen over time.

Deputy Mayor Swank stated the project is time sensitive; however, she understands if the Council would prefer to have more information before making a decision. She stated in her opinion, enough information was provided in the 2010 Annual Report to make an informed decision.

Councilmember Hiller stated in her opinion, the City should take better advantage of the 50/50 Sidewalk Program and use the money they would spend to repair sidewalks on additional street repairs.

At 8:55 p.m., Deputy Mayor Swank announced the Council meeting would recess for a time period not to exceed ten minutes to allow staff to change the recording tape.

At 9:07 p.m., Deputy Mayor Swank reconvened the Council meeting.

Joseph Ledbetter expressed concern with the increase of potholes in various locations of the city making the streets hazardous to travel. He questioned why streets have not been repaired as quickly as promised and why half-cent sales tax revenue would be used to revitalize two blocks of Kansas Avenue.

Norton N. Bonaparte, Jr., clarified use of half-cent sales tax revenue funds for improvements to Kansas Avenue would depend on the design of the project, as well as, the repaving of Kansas Avenue would not take place until the design phase was complete.

The motion to approve the project budget and adopt the ordinance carried.

Councilmember Hiller voted “no.” (8-1-0)
The ordinance was adopted on roll call vote as follows: Ayes: Alcala, Ortiz, Woelfel, Wolgast, Swank, Archer, Preisner and Harmon -8. Noes: Hiller -1.

A PROJECT BUDGET in the amount of $710,000 and ORDINANCE NO. 19531 introduced by City Manager Norton N. Bonaparte, Jr., authorizing Improvement Project No. T-841014.00 which provides for the design of the projects in the 2012 Street Maintenance Program, as more specifically described herein placed on first reading March 8, 2011 was again presented.

Norton N. Bonaparte, Jr., City Manager gave the staff report.

Joseph Ledbetter stated he is concerned the Council has lost their focus on what money means to taxpayers. He questioned if the project includes overlays; how many projects are included in the proposal; and if the pothole repair mix was under warranty. He stated he believes the City is solely responsible for the repair of potholes.

Mike Morrissey stated the list of street repairs is based on the initial 10 year program; however, streets will be re-evaluated annually to make sure the list remains current with needed street repairs.

Councilmember Preisner moved to approve the project budget and adopt the ordinance. The motion was seconded by Councilmember Wolgast.

Councilmember Hiller questioned the project assessment process.

Mike Morrissey reported each road differs depending on weather conditions which could create new issues and definitely increases the need for patches on the road. He stated staff conducts a final walk-through before a project is bid to provide a current assessment of the project area.
Councilmember Hiller asked if it would be necessary to allocate new money to projects each year because it appears there will be a backlog of project funds carried over from year to year.

Mike Morrissey noted they have only begun year 2 of the 10 year plan and in his opinion it would be more beneficial for the City to plan ahead and design more than enough projects to complete each year. He stated they could review the policy of carrying over project funds from year to year.

The motion to approve the project budget and adopt the ordinance carried unanimously. (9-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Hiller, Alcala, Ortiz, Woelfel, Wol gast, Swank, Archer, Preisner and Harmon-9.

A Retail Cereal Malt Beverage License application was presented for Glory Days Pizza located at 1033 SW Gage Boulevard.

Councilmember Ortiz moved to approve the retail cereal malt beverage license application as presented. The motion seconded by Councilmember Wolgast carried unanimously. (9-0-0)

ORDINANCE NO. 19532 introduced by City Manager Norton N. Bonaparte, Jr., allowing and approving City expenditures for the period of February 21, 2011, through February 27, 2011, and enumerating said expenditures therein presented for first and final reading.

Norton N. Bonaparte, Jr., City Manager gave the staff report.

Joseph Ledbetter questioned the expenditure listed on page 15 in the amount of $4,915 to the Greater Topeka Chamber of Commerce and on page 3 in the amount of $7,932.60 to
Downtown Topeka, Inc. He expressed concern with the City paying dues to the Greater Topeka Chamber of Commerce.

Jim Langford, Budget and Finance Director reported the payment made to the Greater Topeka Chamber of Commerce was for membership dues; and the payment to Downtown Topeka, Inc., was for the Business Improvement District fees the City pays monthly.

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

The ordinance was adopted on roll call vote as follows: Ayes: Hiller, Alcala, Ortiz, Woelfel, Wolgast, Swank, Archer, Preisner and Harmon -9.

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., amending City of Topeka Code Sections 18.55.030 and 18.55.160, concerning definitions for zoning regulations and specifically repealing said original sections was presented for first reading. (ACZR10/4)

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., concerning accessory uses for various zoning districts, amending Section 18.210.020 and specifically repealing said original section was presented for first reading. (ACZR10/5)

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., amending the “District Map” referred to and made a part of the Zoning Ordinances by Section 48-1.04 of the Code of the City of Topeka, by providing for certain changes in zoning for multiple properties throughout the Central Highland Park neighborhood from “M-1” Two Family Dwelling District, “M-2” Multiple Family District, and “C-2” Commercial District ALL TO “R-2” Single Family Dwelling District was presented for first reading. (Z11/1)

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., amending the “District Map” referred to and made a part of the Zoning Ordinances by Section 48-1.04 of the
Code of the City of Topeka, by providing for certain changes in zoning for multiple properties between the 1100 and 1200 blocks of SE 27th Street within the Central Highland Park neighborhood from “C-2” Commercial District ALL TO “C-1” Commercial District was presented for first reading. (Z11/2)

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., amending City of Topeka Code Section 9.05.080, concerning adoption of the 2010 Uniform Public Offense Code and specifically repealing said original section was presented for first reading.

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., authorizing Improvement Project No. T-141009.00, which provides for traffic signal replacement at four intersections, 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 City Manager Norton N. Bonaparte, Jr., authorizing Improvement Project No. T-241011.00, which provides for citywide 50/50 sidewalk repairs, as more specifically described herein was presented for first reading.

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., authorizing Improvement Project No. T-701004.00, which provides constructing a left turn lane at SE California Avenue and SE 28th Street, 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 City Manager Norton N. Bonaparte, Jr., amending Sections 13.10.190, 13.10.200 and 13.10.210 of the Code of the City of Topeka concerning fluoridation in the city’s water system, specifically repealing said original sections, and specifically repealing the following sections in their entirety Sections 13.10.200 and 13.10.210 was presented for first reading.
PRESENTATIONS BY THE CITY MANAGER, MAYOR AND MEMBERS OF THE COUNCIL;

Norton N. Bonaparte, Jr., City Manager announced Bobbie McGirr, Central Park Community Center Recreation Aide was awarded January Employee of the Month; the last day the Topeka Zoo Polar Ice Cap Skating Rink would be open is March 31, 2011; and the Housing and Neighborhood Development Department would provide rental assistance through federal funding to the first 100 people who qualify on March 18, 2011 starting at 8:30 a.m. He instructed citizens to call 368-3711 for more information.

Councilmember Hiller referenced the labor reports provided by staff and suggested they provide a more accurate amount to reflect hourly wages, including equipment, training, and the supervision involved for street employees.

Councilmember Ortiz congratulated George Rocha, Deputy Fire Chief on his retirement and commended him for 34 years of service.

Allen Bradshaw, Topeka Fire Chief congratulated Deputy Fire Chief George Rocha on his retirement and announced a retirement party would be held in his honor at the Fire Academy Building located at 324 SE Jefferson on March 16, 2011 at 9:00 a.m.

Councilmember Woelfel asked the City Manager to research if the project budget for item 8H, an ordinance authorizing Traffic Improvement Project No. T-701004.00 could be reduced by $20,000 to allow the City to pay cash for the project instead of financing the project through general obligation bonds.

Norton N. Bonaparte, Jr., stated staff could reduce the project budget estimate; however, bids may not meet the reduced amount.
Councilmember Archer stated he attended the preview of the Kansas Children’s Discovery Center and is very excited about the project. He congratulated Beth Faeger for being awarded the Women of Distinction award at the American Business Women Association luncheon.

Councilmember Preisner announced the Topeka Fire Department hired 10 new firefighters through a federal grant they received.

Councilmember Harmon stated he appreciates the Lauren’s Bay neighborhood coming together as a community and presenting their concerns to the Council. He thanked City staff for their role in formulating a solution to the pond repair and parking issues.

Joseph Ledbetter and Yvonne May appeared to speak under public comment.

Councilmember Swank moved to adjourn the City Council meeting. The motion seconded by Councilmember Hiller carried unanimously. (9-0-0)

NO FURTHER BUSINESS appearing the meeting was adjourned at 10:00 p.m.

Brenda Younger  
City Clerk