

Council Minutes – August 9, 2011

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, August 9, 2011. The Councilmembers of the City of Topeka met in regular session at 6:00 P.M., with the following Councilmembers present: Councilmembers Hiller, Alcalá, Ortiz, Wolgast, Manspeaker, Archer, Gray and Harmon -8. Mayor William W. Bunten presided -1. Absent: Councilmember Everhart -1.

AFTER THE MEETING was called to order, Chaplain Michael Haar, St. Francis Health Center Spiritual Care Department provided the invocation.

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

Councilmember Manspeaker requested to remove item 4B, a board appointment to the Topeka-Shawnee County Riverfront Authority Board from the consent agenda for separate discussion.

Councilmember Alcalá requested to consider Council agenda item 6A, a resolution relating to the installation of a memorial park bench in Santa Fe Park following the consent agenda.

Upon hearing no objections, Mayor Bunten announced item 4A would be removed from the consent agenda for separate discussion; and item 6A would be considered after the consent agenda.

Councilmember Alcalá stated Councilmember Everhart was ill and would not be attending the Council meeting.

THE CONSENT AGENDA was presented as follows:

BOARD APPOINTMENT recommending the appointment of Kelly Jacobsen to the Topeka Sustainability Advisory Board to fill an unexpired term ending December 15, 2011 was presented.

MINUTES of the regular meeting of August 2, 2011 were presented.

Councilmember Ortiz moved to approve the consent agenda as amended. The motion seconded by Councilmember Wolgast carried. Councilmember Gray voted “no.” (7-1-0)

BOARD APPOINTMENT recommending the re-appointment of Doug Kinsinger to the Topeka-Shawnee County Riverfront Authority Board for a term ending August 31, 2014 was presented.

Councilmember Manspeaker spoke in opposition of the board appointment and expressed concern with Mr. Kinsinger being re-appointed to the board only to maintain a status quo. He noted Mr. Kinsinger did not attend a recent Council meeting when requested by the Governing Body, as well as, he is not present to acknowledge this board appointment. He stated there have been no new developments with the Riverfront Development; therefore, he believes they need new board members.

Mayor Buntten asked if the board appointment needs Council approval.

Mary Feighny, Deputy City Attorney stated the board appointment must be made by the Mayor and approved by the Council.

Councilmember Ortiz moved to approve the board appointment. The motion was seconded by Councilmember Harmon.

Councilmember Gray questioned if there is a conflict of interest because Mr. Kinsinger serves as the Greater Topeka Chamber of Commerce Director, the GO Topeka President, and serves on the Board. He stated he has questions regarding the Riverfront Development that have not been answered and he would not support the appointment.

Councilmember Hiller reported the primary goal of the Board right now is to obtain Federal grant funding to help develop the Kansas River weir, and the Greater Topeka Chamber

of Commerce has taken the lead in keeping this effort alive and working as a partner with the Board.

Councilmember Gray stated his decision is nothing personnel against Mr. Kinsinger. He noted he would prefer to appoint individuals to the Board that would remain objective by questioning the need of the development and how it would be funded.

Councilmember Alcala spoke in support of the appointment. He stated he concurs with Councilmember Manspeaker, as well as, Councilmember Hiller and noted Mr. Kinsinger has a good working relationship with the State Legislature and the ability to raise funds instead of using tax dollars for the development.

Mayor Bunten spoke in support of the appointment and noted Mr. Kinsinger also has a close working relationship with the U.S. Army Corps of Engineers.

The motion to approve the board appointment carried. Councilmembers Manspeaker and Gray voted “no.” (6-2-0)

RESOLUTION NO. 8361 introduced by Deputy Mayor John Alcala requesting the installation of a memorial park bench in Santa Fe Park in honor of Tony Anguiano was presented.

Councilmember Alcala reported the family would raise the funds needed to purchase the bench; and City staff would install the bench. He stated approval of the resolution provides the City Manager the directive to begin the process.

Susie Anguiano spoke in support of the resolution and stated the family plans to raise the money needed to purchase the memorial bench through fundraisers.

Councilmember Ortiz asked if the service of installation of memorial park benches was eliminated from the budget last year.

Councilmember Alcala stated the service was eliminated last year; however, the family would pay for the cost of the bench and staff would install the bench.

Councilmember Alcala moved to approve the resolution. The motion seconded by Councilmember Manspeaker carried unanimously. (8-0-0)

A NOTICE OF PUBLIC HEARING

A PUBLIC HEARING for the purpose of obtaining public input on the 2012 City of Topeka Consolidated Action Plan was presented.

Randy Speaker, Public Works Director gave the staff report and provided a general overview of the funding outlined in the 2012 Consolidated Action Plan. He discussed the following funding allocations:

- Total funding under the 2012 Consolidated Action Plan: \$6,201,331
- New funding including Community Development Block Grant funds: \$1,802,449
- HOME Funds: \$659,600
- ESG Funds: \$87,508
- Shelter Plus Care Funds: \$1,394,784
- Program Income/Reprogrammed Funds: \$495,990
- City General funds for Youth Social Service Funds: \$141,000
- Affordable Housing HOME Fund Match: \$200,000
- Shelter Plus Care Administration: \$20,000
- Neighborhood Infrastructure Capital Improvement Program: \$1,400,000

Councilmember Harmon moved to close the public hearing. The motion seconded by Councilmember Wolgast carried unanimously. (8-0-0)

A NOTICE OF PUBLIC HEARING

A PUBLIC HEARING to obtain public input and answer questions and objections from taxpayers regarding the proposed 2012 City of Topeka budget was presented.

Daniel R. Stanley, Interim City Manager gave the staff report.

The following individuals provided public input on the proposed 2012 City of Topeka operating budget:

Robin Harris, Big Brothers Big Sisters (BBBS) encouraged the Council to continue the City's financial support of the BBBS program. He stated research proves influences of a positive adult role model play a crucial role in the development of community youth. He stated he respects the choices the Council has to make and encouraged them to restore funding to Youth & Social Services.

Damon Tucker, Big Brothers Big Sisters (BBBS) believes it is wrong to cut funding from the Youth & Social Services funding. He stated the BBBS program provided him with important personal life experiences that otherwise he would not have experienced. He asked the Council to restore funding to Youth & Social Services.

John Classen urged the Council to restore Youth & Social Services funding. He stated his son is homebound and is provided meals on a daily basis by social services.

Donna Yer spoke in support of LULAC and asked the Council to restore funding to Youth & Social Services. She stated the transportation services are essential for elderly and disabled citizens to utilize community centers and other services.

Michelle Perez spoke in support of LULAC and asked the Council to restore Youth & Social Services funding. She stated her elderly father utilizes LULAC and other senior centers and it is a very important part of his life.

Sandra Howard spoke in support of LULAC and expressed the need for the center, as well as, the transportation services provided by the center.

G.R. Laughlin, Homeless Management Information Systems distributed a handout outlining what the homeless population costs the citizens of Topeka. He gave a brief overview of the causes of the homeless population and asked the Council to reinstate funding for Youth & Social Services.

Barry Feaker, Topeka Rescue Mission distributed a handout outlining the current demographics of the Mission compared to past years. He asked the Council to reinstate Youth & Social Services funding because the services provided are essential to the people utilizing the Mission, having a direct impact on the overall community.

Jerry Farley, Co-Chair of Heartland Visioning stated he understands it is difficult to balance the budget and try to determine which Youth & Social Services should be cut. He stated the most important part of the visioning process is providing quality of life and social services is a critical piece, including transportation, child care and other community services. He urged the Council to prioritize the funding of the agencies and create a vibrant community for all people.

Sharon Silversmith spoke in support of the East Topeka Senior Center. She stated she is employed as a senior companion and utilizes the senior center transportation for rehabilitation services, grocery shopping, as well as, many other services and activities, allowing senior citizens to live with the dignity they deserve. She urged the Council to reinstate the funding of Youth & Social Services because decreasing funds would significantly affect much needed senior center services.

Bill Phillips spoke in support of all senior centers and the need of senior social services. He stated the transportation services have allowed his elderly family members to be more independent, provide a safe place to visit friends, and eat a balanced meal. He urged the Council to reinstate Youth & Social Services funding.

A.J. Feldman spoke in support of Papan's Landing Senior Center. He stated the center provides care for his wife and provides him peace of mind. He urged the Council to reinstate funding for Youth & Social Services.

David Brookens stated he lives at the Topeka Rescue Mission and needs the Health Access Prescription Funding Program assistance provided through the Mission which allows him

to afford his medication for his many health disorders. He stated the assistance enables him to stay healthy and continue to volunteer at the St. Francis Health Care Center and work towards full-time employment.

Barbara Wiggins, Topeka Performing Arts Center (TPAC) Executive Director provided a brief overview of the financials of the facility and reported they have set long-term goals to develop a sustainable plan to keep TPAC alive in the community. She stated the facility would receive approximately \$210,000 of private funding this year, as well as, raise \$500,000 in event revenues. She stated major cuts in funding would result in the closing of TPAC in 2012.

Dennis Reimer spoke in support of Let's Help and the services the organization provides to the community. He stated the services are necessary for many people to have a balanced meal on a daily basis. He reported a lot of people count on the facility and asked the Council to consider reinstating funding for Youth & Social Services.

Lorean Williams, Human Relations Commission Chair stated they distributed their operating budget earlier this year and did not receive a response from the Governing Body. She reported they are still asking for the same amount, and offered to distribute the budget handout again if necessary.

Councilmember Ortiz requested a copy of the budget be delivered to the Council Office for distribution to the Council.

Nancy Johnson commended the Governing Body for the work they do and the difficult decisions they have to make. She discussed the average yearly financials of a family of four and a single person. She urged the Council to reinstate the funding of Youth & Social Services because many of the social services enable families to be provided with the necessities they otherwise could not afford.

Councilmember Harmon moved to close the public hearing. The motion seconded by Councilmember Alcalá carried unanimously. (8-0-0)

ORDINANCE NO. 19618 introduced by Interim City Manager Daniel R. Stanley, allowing and approving City expenditures for the period of July 18, 2011, through July 24, 2011, an enumerating said expenditures therein was presented for first and final reading.

Daniel R. Stanley, Interim City Manager gave the staff report.

Councilmember Ortiz moved to adopt the ordinance. The motion seconded by Councilmember Manspecker carried unanimously. (8-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Hiller, Alcalá, Ortiz, Wolgast, Manspecker, Archer, Gray and Harmon -8.

NO Retail Cereal Malt Beverage License Applications, were presented.

AN ORDINANCE introduced by Interim City Manager Daniel R. Stanley, attesting to the increase in taxes levied for budget year 2012 necessary to finance public services for the City of Topeka was presented for first reading.

AN ORDINANCE introduced by Interim City Manager, Daniel R. Stanley, authorizing the City of Topeka, Kansas, to issue its Economic Development Refunding Revenue Bonds, Series 2011A (YMCA Project) in the maximum principal amount of \$7,065,000 for the purpose of refunding certain of the City's outstanding Economic Development Revenue Bonds issues to finance the construction, furnishing and equipping of a new 38,000 square foot recreational health center in the City; authorizing execution of a trust indenture by and between the City and CoreFirst Bank & Trust in the City of Topeka, Kansas, as Trustee; authorizing the City to lease said project to the Young Men's Christian Association of Topeka, Kansas, a Kansas Not-For-Profit Corporation, and authorizing execution of a lease by and between said City and Association; and authorizing the execution of the bond purchase agreement for the bonds by and

among the City, the Young Men's Christian Association of Topeka, Kansas and George K. Baum & Company, Topeka, Kansas, as representative of the purchasers of the bonds was presented for first reading.

AN ORDINANCE introduced by Interim City Manager Daniel R. Stanley, amending the "District Map" referred to and made a part of the Zoning Ordinances by Section 18.50.050 of the Topeka Municipal Code (TMC), by providing for certain changes in zoning on property located 109 and 115 North Kansas Avenue from "I-2" Heavy Industrial District TO "D-3" Downtown District was presented for first reading. (Z11/10)

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

Allen Bradshaw, Topeka Fire Chief provided an update on the Topeka High School fire incident and stated the fire was extinguished in approximately 20 minutes and they have not yet determined how the fire was ignited.

Councilmember Hiller commended the Topeka Police Department for arresting the people involved in a recent string of crimes including the murder of a woman in the Kenwood Neighborhood.

Councilmember Alcalá stated he received an email from Mr. Bill Gomez, Oakland Neighborhood Improvement Association President acknowledging the one-year anniversary of the removal of graffiti from the Sardou Bridge and expressing sincere thanks to Topeka Police Lieutenant Tom Glor, Police Chief Ron Miller and Patty Burkholder, Code Enforcement Unit Manager for initiating the graffiti clean up. He reported he would request a resolution be added to the Council agenda next week directing the City Manager to move forward with the investigation of the health expenditure fund, hopefully, bringing closure and accountability to the issue.

Councilmember Manspeaker stated due to the recent arrests made by the Police Department the city is a much safer place to live. He commended those individuals appearing in support of Youth and Social Services and noted the presentations were very informative. He requested the Council think about the concept of “quality of life” in terms of caring for the individuals who need it as they move forward with adoption of the budget.

Mayor Bunten encouraged the Council to discuss all budget amendments with the City Manager prior to next week’s Council meeting. He requested Pam Simecka, Acting Budget and Finance Director distribute the same handout he received outlining City Manager Stanley’s proposed budget compared to the previous City Manager's proposed budget and noted the handout clearly outlines the differences between the two budget proposals.

Councilmember Alcalá moved to adjourn the Council meeting. The motion seconded by Councilmember Gray carried unanimously. (8-0-0)

NO FURTHER BUSINESS appearing the meeting was adjourned at 7:38 p.m.

Brenda Younger
City Clerk