

## **Council Minutes – January 15, 2013**

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, January 15, 2013. The Councilmembers of the City of Topeka met in regular session at 6:00 P.M., with the following Councilmembers present: Councilmembers Hiller, Ortiz, Everhart, Wolgast, Manspeaker, Gray and Harmon -7. Mayor William W. Bunten presided -1. Council District No. 2 and Council District No. 7 are vacant.

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

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

THE CONSENT AGENDA was presented as follows:

BOARD APPOINTMENT recommending the re-appointment of Dode Lesser to the Board of Electrical Appeals for a term ending January 31, 2014, was presented.

DENIAL OF TORT CLAIM for Beverly Evans in the amount of \$42,000 for damages sustained from a sewer back up in the basement of her home on May 31, 2012, was presented.

MINUTES of the regular meeting of January 8, 2013, was presented.

Councilmember Wolgast moved to approve the consent agenda. The motion seconded by Councilmember Harmon carried unanimously. (7-0-0)

Jim Colson, City Manager, reported the City made a commitment to the community to have a transparent process regarding the Victory Village Apartment development project and the process was not as transparent as it could have been; therefore, he is requesting item 5A, a resolution expressing support for the Victory Village Apartment development be withdrawn from the Council agenda. He stated he understands that City staff, as well as, the developer and Veteran Affairs representatives have worked hard in drafting the proposal; however, there was

not enough opportunity for neighbors to communicate their concerns. He reported he spoke with Veteran Affairs representatives and they are aware of the delay. He stated he would be working with the Planning Department in creating a more aggressive notification process called the Citizen Participation Procedure to insure the developer is communicating with the public and conducting the necessary public meetings.

Councilmember Gray stated he appreciates the delay in the project because he has questions for the developer. He asked if the proposal has to be decided before February 2013.

Jim Colson stated the proposal does not have a February deadline.

Upon hearing no objections, Mayor Bunten announced item 5A would be withdrawn from the Council agenda.

No Retail Cereal Malt Beverage or Scrap Metal Dealer License applications were presented.

AN ORDINANCE introduced by City Manager Jim Colson, amending Topeka Municipal Code Section 3.40.030 establishing a service fee levy for 2013 relating to the Capital City Downtown Business Improvement District was presented for first reading.

AN ORDINANCE introduced by City Manager Jim Colson, relating to the vacation of a platted green space easement running along the southerly 4 feet of the property at 4422 SW Lakeside Drive and the southerly 40 feet of 7 properties located on the south side of SW 44<sup>th</sup> Terrace, between SW Lakeside Drive and SW Misty Harbor Drive, City of Topeka, Shawnee County, Kansas was presented for first reading. (VI2E/4)

AN ORDINANCE introduced by City Manager Jim Colson, relating to the vacation of platted street public rights-of-way on properties located in the 1200 block of SW Byron Street which would vacate both the north 10 feet and the south 10 feet of the 80-foot SW Byron Street

rights-of-way, City of Topeka, Shawnee County, Kansas was presented for first reading.

*(VI2S/5)*

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

Jim Colson, City Manager, commented on recent tragic events in the community and stated the emotion generated from the events have created a closeness in the community that he did not want to lose. He stated he would continue to work on bonding with the community by not letting negativity take over and seek ways for people to encourage positive interaction and peace with one another to help the community grow.

Councilmember Hiller stated she is very pleased with the Citizen Participation Procedure proposal which would ensure a developer communicates properly with neighborhoods and conducts the necessary public meetings. She noted she looks forward to using the new procedure as they move forward with the Victory Village Apartment development. She commented on upcoming Dr. Martin Luther King Jr., events scheduled in the community and stated the Topeka-Shawnee County area is one of the most active communities in the nation regarding the celebration of a legacy.

Councilmember Manspeaker stated he concurs with the City Manager and emphasized the importance of the Governing Body focusing on public safety, as well as, citizens running for office and those that continue to serve, to lead the community in the right direction. He stated neighborhoods should take responsibility and police themselves to build a better safety net within the community. He encouraged councilmembers to participate in a ride-a-long with a Topeka Police officer to gain a different perspective of what is happening in the community.

Councilmember Gray stated he concurs with the City Manager and believes reassurance and peace are essential in a community. He asked when the Christmas lights would be removed from the downtown area.

Jim Colson stated he is not sure when the Christmas lights are scheduled to be removed; however, he will make sure a timeframe is established for future holidays.

NO FURTHER BUSINESS appearing the meeting was adjourned at 6:15 p.m.

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Brenda Younger  
City Clerk