

## **Council Minutes – January 28, 2014**

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, January 28, 2014. The Councilmembers of the City of Topeka met in regular session at 6:00 P.M., with the following Councilmembers present: Councilmembers Hiller, Campos II, Everhart, De La Isla, Manspeaker, Schwartz and Schmidt -7. Mayor Larry E. Wolgast presided -1. Absent: Councilmembers Ortiz and Harmon -2.

AFTER THE MEETING was called to order, Pastor Marcus Clark, Mount Carmel Missionary Baptist Church, gave the invocation.

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

THE CONSENT AGENDA was presented as follows:

BOARD APPOINTMENT recommending the appointment of Craig Strever to the Board of Mechanical Examiners for a term ending October 31, 2014, was presented.

BOARD APPOINTMENT recommending the appointment of Darryl Kopfman to the Board of Mechanical Examiners for an unexpired term ending June 30, 2014, and a two-year term ending June 30, 2016, was presented.

APPROVAL of a Workers Compensation Settlement for Gerald Biggs, Topeka Police Department detective, in the amount of \$10,467.30 for the permanent partial impairment of his left ankle from injuries suffered on January 4, 2012, was presented.

APPROVAL of a Workers Compensation Settlement for Scot Cramer, Utility System Worker III, Water Distribution Division, in the amount of \$23,053.82 for the permanent partial impairment of his neck and right shoulder from injuries he suffered from repetitive work duties was presented.

APPROVAL of a Workers Compensation Settlement for Scot Cramer, Utility System Worker III, Water Distribution Division, in the amount of \$33,555.30 for the permanent partial impairment of his low back and left shoulder from injuries suffered on September 6, 2011, when the unsupported sides of a ditch which had been excavated by a third party contractor collapsed was presented.

MINUTES of the regular meeting of January 21, 2014, were presented.

Councilmember De La Isla moved to approve the consent agenda. The motion seconded by Councilmember Schwartz carried unanimously. (7-0-0)

#### PUBLIC HEARING NOTICE

A PUBLIC HEARING to consider the advisability of establishing a Community Improvement District for Crosswinds Common located at 12<sup>th</sup> and Wanamaker Road.

ORDINANCE NO. 19878 introduced by City Manager Jim Colson, establishing a community improvement district (CID) located at 12<sup>th</sup> and Wanamaker Road (Crosswinds Common) levying a CID sales tax of one percent (1%) within the CID, and issuing special obligation bonds placed on first reading December 17, 2013, was again presented.

Jeff White, City Financial Advisor, reported approval would facilitate the redevelopment of commercial property located at SW 12<sup>th</sup> Street and SW Wanamaker Road by establishing a Community Improvement District; imposing a 1% sales tax within the district and issuing general obligation bonds. He stated the developer petitioned for a 1% sales tax for a period of 22 years and requested issuance of bonds if necessary to finance the development; however, the bonds would be paid solely from a pledge of the sales tax and would not be a general obligation of the City.

Mayor Wolgast spoke in support of the development and commended staff for their effort in engaging discussions with the developer for many months. He stated this redevelopment

would be a major investment and also commended the Christie Development team for their part in the project. He noted he understands concerns expressed by the public in regards to adding more commercial businesses along the Wanamaker corridor; however, this is \$25 million investment that would be added to the property tax rolls and he believes it would create construction jobs, as well as, new retail and food establishment jobs for the community. He also stated he looks forward to the increased revenues from the development.

Councilmember Hiller expressed her appreciation to staff and the developer for protecting the City's interests and clarifying the agreement. She noted the redevelopment would improve the area near the I-70 and I-470 connection which is a major corridor for visitors to Topeka. She expressed concern with the net present value of the project and briefly discussed the numbers regarding the tax value, net present value and the City's increase in revenue.

Mayor Wolgast moved to open the public hearing and asked if there was anyone present who would like to speak to the matter.

Jim Klausman, property owner at 1129 SW Wanamaker Road, spoke in support of the project and encouraged the Council to approve the project.

Matt Pennington, Christie Development, thanked City staff for the hard work and stated he is eager to move forward with the project.

Councilmember Schwartz spoke in support of the project and asked Mr. Pennington if there was anything the City could have done differently in regards to being more transparent during discussions.

Matt Pennington stated he and the Christie Development team experienced a very refreshing and tough negotiation with City staff members who remained informed throughout the process. He reported the negotiation process was very transparent and informative.

David Christie, Christie Development, expressed his appreciation to the Governing Body for their consideration and support. He stated he concurs with Mayor Wolgast about the location being a gateway to the City and noted he is also engaged in discussions with the property owner to the north of the planned development which would allow expansion of an additional phase for extra acreage.

Jamie Winter, owner of Discovery Furniture, reported the recent move of Discovery Furniture to Westridge Mall created vacant space in the proposed development area which he believes includes numerous opportunities for the City. He stated he believes the vacant property would have been occupied but would not be the caliber of business that the Christie Development team could provide. He spoke in support of the redevelopment and encouraged the Council to approve the project.

Councilmember Campos II expressed appreciation to City staff for their work on the redevelopment agreement. He spoke in support of the project and briefly discussed California Crossing at SE 29<sup>th</sup> Street and SE California Avenue which Christie Development restructured in the 1990s.

Councilmember Campos II moved to close the public hearing and adopt the amended ordinance as distributed. The motion was seconded by Councilmember De La Isla.

Councilmember Hiller asked for clarification of the amended ordinance and if there would be subsequent action in the future to issue bonds.

Jeff White reported the ordinance would approve the community improvement district petition, which includes the capacity to issue bonds, as well as, authorizes the City Manager to execute the development agreement; however, there are no specifics to issue bonds at this time.

Mayor Wolgast clarified the developer would have to come back before the Governing Body for approval of issuing bonds if needed.

Jeff White stated there are no other issues to come before the Council at this time regarding the development.

Councilmember Schmidt spoke in support of the project; however, he questioned if the amended ordinance states the Community Improvement District would be in effect for 22 years.

Jeff White stated there is a statutory restraint in the Community Improvement District petition which states it is in effect for 22 years.

The motion to close the public hearing and adopt the ordinance carried. Mayor Wolgast voted “yes.” Councilmember Everhart voted “no.” (7-1-0)

The ordinance was adopted on roll call vote as follows: Ayes: Hiller, Campos II, Everhart, De La Isla, Manspeaker, Schwartz, Schmidt and Mayor Wolgast -7. Noes: Everhart -1. Absent: Ortiz and Harmon -2.

A PROJECT BUDGET in the amount of \$12,890,000 and RESOLUTION NO. 8585 introduced by City Manager Jim Colson, authorizing Project No. T-841017.00 which provides for citywide maintenance and improvements to existing city streets as more specifically described herein was presented.

Doug Whitacre, Public Works Director, reported approval would provide maintenance and improvements to existing city streets, curbs, gutters, and sidewalks limited to elements which are already in place and in need of maintenance, repair or replacement as determined by the engineer. He listed the following specific projects and locations for 2014:

### 2013 Projects (Continued)

- SE Golden Avenue from I-70 to SE 2<sup>nd</sup> Street (final lift of asphalt, concrete work and clean up)
- SW 4<sup>th</sup> Street/SW 5<sup>th</sup> Street/SW Willow Street – SW Topeka Boulevard to SW Elmwood Avenue (decorative crosswalks, final lift of asphalt and clean up)
- SW 37<sup>th</sup> Street from SW Fairlawn Road to SW Wanamaker Road (seeding or sodding, final clean up)
- SW 17<sup>th</sup> Street from SW MacVicar Avenue to SW Washburn Avenue (street lighting, sidewalk, final grading, seeding or sodding and final clean up)

### 2014 Projects (Scheduled to Begin)

- NE Seward Avenue from NE Branner Street to NE Rice Road (mill and overlay)
- SW Gage Boulevard from SW 33<sup>rd</sup> Terrace to SW 29<sup>th</sup> Street (reconstruction)
- SW Mulvane Street from SW 6<sup>th</sup> Street to SW 10<sup>th</sup> Street (reconstruction)
- SW Hope Street from SW 17<sup>th</sup> Street to SW 21<sup>st</sup> Street (reconstruction)
- SW 15<sup>th</sup> Street from SW Gage Boulevard to SW McAlister Avenue and SW Woodhull Street from SW 15<sup>th</sup> Street to SW Huntoon Street (reconstruction)
- SE 6<sup>th</sup> Street Bridge over BNSF Railroad (repair work identified during inspection)
- NE Meriden Road Bridge over Soldier Creek (repair work identified during inspection)
- Local Street Repair Program (mill and overlay of streets within intensive care neighborhoods)

Mayor Wolgast expressed appreciation to City staff for the comments and presentations on the CIP infrastructure improvements which are very important to help understand the planning and need of each project.

Councilmember Hiller moved to approve the project budget and resolution. The motion was seconded by Councilmember De La Isla.

Councilmember Manspeaker asked if the 2013 list of projects is projects that would be completed in 2014 and were included in the budget.

Doug Whitacre stated the actual funding is in the City's operating budget and already approved; however, this list of projects has not been presented to the Council until now. He noted not all expenses have been paid until a project has been completed.

Councilmember Hiller stated she would prefer to see the engineering costs listed for future projects. She suggested distributing the financial reports of each project after it has been completed so the Council could get a clear picture of the total amount spent on a project.

The motion to approve the project budget and resolution carried. Councilmember Manspeaker voted “no.” (6-1-0)

A PROJECT BUDGET in the amount of \$300,000 and RESOLUTION NO. 8586 introduced by City Manager Jim Colson, authorizing Improvement Project No. T-841027.00 which provides handicapped accessible curb cuts and sidewalk ramps at selected intersections throughout the City, as more specifically described herein was presented.

Doug Whitacre, Public Works Director, reported approval would construct handicapped accessible curb cuts and sidewalk ramps at selected intersections within the city to meet requirements of the Americans with Disabilities Act, in accordance with the City’s sidewalk ramp transition plan. He stated the general vicinity of these projects would be from SW Gage Boulevard to SW Washburn Avenue and from I-70 to SW 17<sup>th</sup> Street.

Councilmember Hiller clarified that all ADA ramps throughout the city may be completed by the end of the City’s Ten Year Sidewalk Ramp Transition Plan.

Councilmember Campos II moved to approve the project budget and resolution. The motion seconded by Councilmember Everhart carried unanimously. (7-0-0)

A PROJECT BUDGET in the amount of \$500,000 and RESOLUTION NO. 8587 introduced by City Manager Jim Colson, authorizing Project No. T-841028.00 which provides for curbs, gutters and street repair at locations throughout the City, as more specifically described herein was presented.

Doug Whitacre, Public Works Director, reported approval would provide maintenance and repairs to existing city streets, curbs and gutters included on the 2014 Curb and Gutter Location List and is already in need of maintenance and/or repair as determined by the Street Maintenance and Traffic Operations Division.

Councilmember Campos II asked why the curb and gutter replacement on NE Seward is scheduled to take place when the area is slated for repair in the streetscape plan.

Ron Raines, Street Maintenance Director, reported the 2014 Curb and Gutter Project Location List dates back to 2009; therefore, there could be some areas listed that are scheduled in other projects that have been planned since 2009. He stated staff would review the list and compare locations listed with other projects and if a project falls off the list, the next highest priority project would move into place to stay within budget.

Councilmember Campos II asked if there have been many reports from constituents regarding sidewalk repair since the launch of Topeka's e311 customer service portal.

Ron Raines reported there have been many e311 reports of sidewalks in need of repair from constituents.

Councilmember De La Isla moved to approve the project budget and resolution. The motion seconded by Councilmember Schwartz carried unanimously. (7-0-0)

A PROJECT BUDGET in the amount of \$250,000 and RESOLUTION NO. 8588 introduced by City Manager Jim Colson, authorizing Improvement Project No. T-841029.00 which provides for citywide alley rehabilitation at various locations within the city limits of Topeka, as more specifically described herein was presented.

Doug Whitacre, Public Works Director, reported approval would provide maintenance and repairs to existing city alleys and is limited to locations which are shown on the 2014 Alley

Rehabilitation List and in need of maintenance and/or repair as determined by the Street Maintenance and Traffic Operations Division.

Councilmember Campos II asked for clarification on how many alleys the project would repair.

Doug Whitacre stated the 2014 Alley Rehabilitation Location List includes the W. 400 block between SW Topeka Boulevard and SW Harrison; W. 1400 block between SW Polk and SW Western and W. 1100 block between SW Mulvane and SW Garfield.

Councilmember Campos II asked how much has been spent on alley repairs to date because he believes \$250,000 in repair costs for three alleys is too high.

Ron Raines, Street Maintenance Director, reported alley repairs are done by the City each year and cost approximately \$40,000 to \$60,000 for a one block section. He stated costs could differ between alleys because it depends on the subgrade condition and engineering issues with the infrastructure that is located under an alley.

Councilmember De La Isla moved to approve the project budget and resolution. The motion seconded by Councilmember Everhart carried. Councilmembers Campos II and Manspeaker voted “no.” (5-2-0)

A PROJECT BUDGET in the amount of \$60,000 and RESOLUTION NO. 8589 introduced by City Manager Jim Colson, authorizing Improvement Project No. T-241022.00, which provides for the Citywide 50/50 Sidewalk Repair Program, as more specifically described herein was presented.

Doug Whitacre, Public Works Director, reported approval would remove and replace damaged or hazardous concrete/brick sidewalks throughout the city. He stated the City assists in the funding of repairs for residential sidewalks by providing funding for 50% of the repair costs

and property owners must pay their 50% share of the repair costs before construction is scheduled.

Councilmember Everhart moved to approve the project budget and resolution. The motion was seconded by Councilmember De La Isla.

Councilmember Campos II gave a brief description of the process to review the location and determine the cost of repair. He stated some property owners could not afford to pay 50% of the costs; therefore, the cost is applied to the property tax rolls. He suggested identifying funding that could be allocated through the social services to help property owners, especially those on a fixed income, allowing them to participate in the 50/50 Sidewalk Program.

Councilmember Schmidt asked for clarification of the City's share of funding in the 50/50 Sidewalk Program.

Doug Whitacre stated the City would hire contractors to do repairs at various locations up to \$60,000 then the property owner would be responsible for paying the City back for 50% of the costs or \$30,000.

Councilmember Campos II stated at this time, the only option to property owners is to either volunteer to pay the 50% of costs or add the amount to the property tax rolls.

Councilmember Hiller suggested property owners contact the City's Forestry Division if tree roots are causing sidewalk issues because they could cut the roots without harming the tree. She also suggested low-income neighborhoods apply for Stages of Resource Targeting (SORT) grants or neighborhood empowerment grants to help offset the costs of sidewalk repairs.

The motion to approve the project budget and resolution carried unanimously. (7-0-0)

A PROJECT BUDGET in the amount of \$5,200,000 and A RESOLUTION introduced by City Manager Jim Colson, authorizing Improvement Project No. T-701005.01 which provides

for the widening of SW 10<sup>th</sup> Avenue from SW Gage Boulevard to SW Fairlawn Road as more specifically described herein was presented.

Doug Whitacre, Public Works Director, approval would provide for construction of improvements on SW 10<sup>th</sup> Avenue from SW Gage Boulevard to SW Fairlawn Road to include new pavement, curb and gutter, sidewalks, street lighting and drainage systems. He noted a project budget was approved by the City Council on March 29, 2011, for design and right-of-way acquisition for widening SW 10<sup>th</sup> Avenue between SW Gage Boulevard and SW Fairlawn Road; therefore, this phase of the project includes widening the street to three lanes in the section of SW 10<sup>th</sup> Avenue from SW Fairlawn Road to SW Civitan Lane, then the roadway would widen to five lanes through the commercial area to SW Gage Boulevard. He noted the project is listed in the City's Long Range Transportation Plan and is expected to be constructed over two years in 2015 and 2016.

Mayor Wolgast clarified the City has already received the funding (\$5.2 million) from the Federal Fund Exchange Program through the Kansas Department of Transportation.

Doug Whitacre stated the project has been reduced to widening the street from five lanes to three lanes in the section of SW 10<sup>th</sup> Avenue from SW Fairlawn Road to SW Civitan Lane, with the roadway widening to five lanes through the commercial area to SW Gage Boulevard. He noted extra funding would be applied to the 6<sup>th</sup> Street project because of the change in roadway width.

Councilmember Manspeaker questioned the need for the project at this time because he is concerned the City could not maintain the new roadway.

Councilmember Harmon entered the room.

Doug Whitacre stated it has been determined that three lanes would help with traffic flow and sustain a twenty year growth period in the area.

Councilmember Schmidt asked if the Topeka Zoo Master Plan was taken into consideration and if there were any conclusions about an increase in traffic flow. He questioned why the first proposal widened the roadway to five lanes.

Doug Whitacre reported staff reviewed growth potential and capacity ratings for the area and the roadway currently has a “C-” capacity rating; however, with the proposed widening to three lanes it would bring the rating up to a “C.” He stated updates to the capacity were done due to the new Topeka Zoo Master Plan and review of the City’s 2040 Long Range Transportation Plan; therefore, he believes widening the roadway to three lanes would be adequate.

Councilmember Hiller spoke in support of the project and appreciates staff reviewing the project more in-depth to reduce the widening to three lanes and is agreeable to rolling the project back even further. She also spoke in support of the allocation of extra project funding being applied to the 6<sup>th</sup> Street project.

Doug Whitacre stated staff would review the design as the project moves forward for any adjustments.

Councilmember Schmidt stated the Council approved a \$25 million commercial development this evening connecting the north part of SW Wanamaker Road which could also serve as a major connection to this area.

Doug Whitacre stated staff did factor the redevelopment into the model.

Councilmember Schwartz moved to approve the project budget and resolution. The motion seconded by Councilmember De La Isla failed. Councilmembers Campos II, Manspeaker and Schmidt voted “no.” Councilmember Harmon abstained. (4-3-1)

A PROJECT BUDGET in the amount of \$5,772,000 and A RESOLUTION introduced by City Manager Jim Colson, authorizing Improvement Project 70198-03B, which provides for the widening of SW 21<sup>st</sup> Street as more specifically described herein, all pursuant to Section A12-1 of the Code of the City of Topeka was presented.

Doug Whitacre, Public Works Director, reported approval would provide for final design and construction of improvements on SW 21<sup>st</sup> Street between SW Urish Road and SW Indian Hills Road which includes new pavement, curb and gutter, sidewalks, street lighting and drainage systems. He stated the widening project on SW 21<sup>st</sup> Street between SW Urish Road and SW Indian Hills Road was listed as one of the improvement projects to be funded by the countywide half-cent retailers’ sales tax. He noted a project budget was approved by the City Council on March 27, 2007, for preliminary design of widening SW 21<sup>st</sup> Street between SW Urish Road and SW Indian Hills Road; therefore, this phase of the project would provide for final design, right-of-way acquisition and construction.

Councilmember Manspeaker spoke in opposition of the project and expressed concern with widening streets because he believes there are already issues with the City trying to maintain streets already in place. He encouraged his constituents to think about voting on a project that is planned ten years into the future.

Councilmember Hiller asked if the City and Shawnee County could work together to move the project forward.

Mayor Wolgast noted that any Countywide Half-Cent Sales Tax revenues not spent on projects by the end of 2016 would revert back to the City and County.

Mary Feighny, Deputy City Attorney, stated in August 2004, Shawnee County voters specifically voted in favor of a 12-year half cent retailers' sales tax to fund a list of infrastructure improvement projects and this project was listed as one of the improvement projects to be funded by the Countywide Half Cent Retailers' Sales Tax.

Councilmember Hiller asked for clarification on the process if the Council chooses to revise the project.

Councilmember Everhart moved to approve the project budget and resolution. The motion was seconded by Councilmember Schwartz.

Councilmember Schmidt asked if the sidewalks for the bikeways system would tie into the improvements already made to SW 21<sup>st</sup> Street between SW Urish Road and SW Wanamaker Road.

Doug Whitacre stated the Topeka Bikeways Master Plan extends to SW Kingsrow and turns south to SW 25<sup>th</sup> Street, or north to SW 17<sup>th</sup> Street and would not extend to SW Urish Road or SW Indian Hills Road from SW 21<sup>st</sup> Street.

Councilmember Hiller reported the Bikeways Committee did raise this issue in public forums and believes further discussions should be held with staff, as well as, Shawnee County.

Councilmember Campos II expressed concern with the planning perspective and asked if there is any public recourse if the project is not approved.

Mary Feighny stated in her opinion, the project has to be done because Shawnee County voters specifically voted for this project; however, she would assume if the project is not approved, Shawnee County would have to do it.

Councilmember Schmidt stated this project is an example of constructing streets and not incorporating it into the bikeways system when the area's expanse of roadway is clear on both sides with plenty of room to add that type of infrastructure because the area does lead into the heaviest road bike locations.

Councilmember Manspeaker stated he understands concerns expressed by the voters; however, he believes it is wasteful spending and does not need to be done.

Councilmember Everhart questioned if the disapproval of the project would subject the City to potential litigation.

Mary Feighny stated she would research if there is a possibility of any disputes that could arise from not approving the project and would report back to the Council. She suggested reducing the project budget to solely repave the street.

Jim Colson, City Manager, suggested the Council defer the project to allow staff additional time to research the issue and provide a greater understanding of the project to the Council for consideration.

Councilmember Campos II made a substitute motion to defer the project budget and resolution until March 4, 2014. The motion seconded by Councilmember De La Isla carried unanimously. (8-0-0)

Councilmember Everhart asked and how the deferral would affect the project.

Doug Whitacre stated the deferral would delay the design phase of the project.

Mary Feighny stated staff could revise the project and reappear before the Council with a different project budget and resolution for action.

ORDINANCE NO. 19879 introduced by City Manager Jim Colson, allowing and approving City expenditures for the period of November 30, 2013, through January 3, 2014, and enumerating said expenditures therein was presented for first and final reading.

Jeff White, City Financial Adviser, reported staff is currently working on the City's year end reports to close out 2013.

Councilmember Schmidt moved to adopt the ordinance. The motion seconded by Councilmember De La Isla carried. Councilmember Campos II voted "no." (7-1-0)

The ordinance was adopted on roll call vote as follows: Ayes: Hiller, Everhart, De La Isla, Manspeaker, Schwartz, Schmidt and Harmon -7. Noes: Campos II -1. Absent: Ortiz -1.

NO retail cereal malt beverage or scrap metal dealer license applications were presented.

AN ORDINANCE introduced by City Manager Jim Colson, authorizing Improvement Project No. T-291018.01 for Phase 1 of Oakland Waste Water Treatment Plant Solids Handling/Bio-Gas evaluation, approving cost estimates of the proposed improvements, and doing all other things necessary and incidental thereto, and authorizing the use of utility operation funds, 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, et seq., and 10-1201, et seq., and all amendments thereto, authorizing issuance of general obligation bonds to pay the costs of the project which further constitutes a general improvement to the City's waterworks, sanitary and/or stormwater sewage disposal system pursuant to City of Topeka Code Section A12-1, and authorizing the borrowing of funds from the KDHE SRF Loan to pay the cost thereof was presented for first reading.

AN ORDINANCE introduced by City Manager Jim Colson, authorizing Improvement Project No. T-291030.00 for Combined Sewer Overflow No. 7 Rehabilitation, approving cost estimates of the proposed improvements, and doing all other things necessary and incidental thereto, and authorizing the use of utility operation funds, 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, et seq., and 10-1201, et seq., and all amendments thereto, authorizing issuance of general obligation bonds to pay the costs of the project which further constitutes a general improvement to the City's waterworks, sanitary and/or stormwater sewage disposal system pursuant to City of Topeka Code Section A12-1, and authorizing the borrowing of funds from the KDHE SRF Loan to pay the cost thereof was presented for first reading.

AN ORDINANCE introduced by City Manager Jim Colson, authorizing Improvement Project No. T-281028.00 for water main extension SW 37<sup>th</sup> Street through Clarion Park to SW 41<sup>st</sup> and Wanamaker Road, approving cost estimates of the proposed improvements, and doing all other things necessary and incidental thereto, and authorizing the use of utility operation funds, 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, et seq., and 10-1201, et seq., and all amendments thereto, authorizing issuance of general obligation bonds to pay the costs of the project which further constitutes a general improvement

to the City's waterworks, sanitary and/or stormwater sewage disposal system pursuant to City of Topeka Code Section A12-1, and authorizing the borrowing of funds from the KDHE SRF Loan to pay the cost thereof was presented for first reading.

AN ORDINANCE introduced by City Manager Jim Colson, authorizing Improvement Project No. T-151016.01 for water piping replacement at SE 29<sup>th</sup> Street between Kansas Avenue and SE Fremont Street, approving cost estimates of the proposed improvements, and doing all other things necessary and incidental thereto, and authorizing the use of utility operation funds, 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, et seq., and 10-1201, et seq., and all amendments thereto, authorizing issuance of general obligation bonds to pay the costs of the project which further constitutes a general improvement to the City's waterworks, sanitary and/or stormwater sewage disposal system pursuant to City of Topeka Code Section A12-1, and authorizing the borrowing of funds from the KDHE SRF Loan to pay the cost thereof was presented for first reading.

AN ORDINANCE introduced by City Manager Jim Colson, authorizing Improvement Project No. T-501018.00 for Phase I of the City Park Stormwater Pump Station Rehabilitation, approving cost estimates of the proposed improvements, and doing all other things necessary and incidental thereto, and authorizing the use of utility operation funds, 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, et seq., and 10-1201, et seq., and all amendments thereto, authorizing issuance of general obligation bonds to pay the costs of the project which further constitutes a general improvement to the City's waterworks, sanitary and/or stormwater sewage disposal system pursuant to City of Topeka Code Section A12-1, and authorizing the borrowing of funds from the KDHE SRF Loan to pay the cost thereof was presented for first reading.

AN ORDINANCE introduced by City Manager Jim Colson, authorizing Improvement Project No. T-291028.00 for 2014 Wastewater Main Lining and Replacement Program, approving cost estimates of the proposed improvements, and doing all other things necessary and incidental thereto, and authorizing the use of utility operation funds, 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, et seq., and 10-1201, et seq., and all amendments thereto, authorizing issuance of general obligation bonds to pay the costs of the project which further constitutes a general improvement to the City's waterworks, sanitary and/or stormwater sewage disposal system pursuant to City of Topeka Code Section A12-1, and authorizing the borrowing of funds from the KDHE SRF Loan to pay the cost thereof was presented for first reading.

AN ORDINANCE introduced by City Manager Jim Colson, authorizing Improvement Project No. T-281076.00 for 2014 Water Main Replacement Program, approving cost estimates of the proposed improvements, and doing all other things necessary and incidental thereto, and authorizing the use of utility operation funds, 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, et seq., and 10-1201, et seq., and all amendments thereto, authorizing issuance of general obligation bonds to pay the costs of the project which further constitutes a general improvement to the City's waterworks, sanitary and/or stormwater sewage disposal system pursuant to City of Topeka Code Section A12-1, and authorizing the borrowing of funds from the KDHE SRF Loan to pay the cost thereof was presented for first reading.

AN ORDINANCE introduced by City Manager Jim Colson, amending the "District Map" referred to and made a part of the Zoning Ordinances by Section 18.50.050 of the Topeka Municipal Code, by amending the District Zoning classification from "R-1" Single Family Dwelling District TO "R-1/NCD-1" Single Family Dwelling District/Westboro Neighborhood Conservation District on properties located between SW Huntoon and SW 17<sup>th</sup> Street and between SW Oakley and SW Gage Boulevard, excluding the commercial properties on the southwest corner of SW Huntoon and SW Oakley (Westboro Shopping Center) was presented for first reading. *(NCD13/1)*

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

Councilmember Manspeaker commented on the total project expenditures (\$37 million) that were approved by the City Council this evening. He stated he wanted citizens to understand that he takes these types of decisions seriously.

Councilmember Schwartz encouraged the community to volunteer for the Point-In-Time Count taking place between 6:00 a.m. and 8:00 p.m. on January 29, 2014, and stated people could also donate socks, gloves, hats and toiletries such as shampoo, toothbrushes and toothpaste to the cause for care packages that would be distributed to the people as the count is being conducted. She reported donations could be dropped off at 620 SE Madison, Housing and Neighborhood Development Department, 1<sup>st</sup> Floor. She stated people could receive more information by contacting Corrie Wright, Chair of the Topeka/Shawnee County Homeless Task Force at [cwright@topeka.org](mailto:cwright@topeka.org) or 368-3711, or Point-In-Time Team Leader Theresa Douthart at [tdouthart@breakthroughhouse.org](mailto:tdouthart@breakthroughhouse.org) or 232-6807, ext. 325.

Councilmember Campos II thanked Suzie Gilbert, Communications and Marketing Director, and Jim Brennan for hosting the Capitol Building Tour which would broadcast at a later date on City4. He distributed a handout titled, “2012 State of Well-Being” which discusses the Well-Being Index conducted by Gallup-Healthways and encouraged the Governing Body to review the report.

Mayor Wolgast announced the State of Kansas would be celebrating its 153<sup>rd</sup> Anniversary of entering the union as a free state on January 29, 2014.

NO FURTHER BUSINESS appearing the meeting was adjourned at 7:45 p.m.

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Brenda Younger  
City Clerk