

Council Minutes – April 15, 2014

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, April 15, 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, Ortiz, Everhart, De La Isla, Manspeaker, Schmidt and Harmon -8. Mayor Larry E. Wolgast presided -1. Absent: Councilmember Schwartz -1.

AFTER THE MEETING was called to order, Councilmember Manspeaker asked for a moment of silent meditation for the victims involved in the tragedy at the Jewish synagogue in Overland Park, Kansas, on April 13, 2014.

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

A PRESENTATION of the 2015 Budget Kickoff was presented by Nikkie Lee, City of Topeka Budget Manager.

Nikkie Lee distributed the 2015 Budget Process Kickoff and commented on the 2015 Budget Priorities; 2015 Budget Assumptions and the Tentative Budget Calendar. She listed the 2015 Organizational Priorities as follows:

- Commitment to Customer Service
- Fiscal Health and Sustainable Growth
- Organizational Excellence
- Safe and Secure Community
- Stewardship of the City's Physical Assets
- Thriving, Livable Neighborhoods

She reported the month of May would be dedicated to the 2015-2019 Capital Improvement Program and 2015-2017 Capital Improvement Budget to start planning projects for the future. She stated public engagement events would be scheduled in May and June, followed by staff providing the Council with a brief overview of public input, and a presentation of the budget in mid-June with hopes of adopting the City of Topeka 2015 Operating Budget by July 15, 2014.

Councilmember Ortiz asked what dates City departments would be making their budget presentations.

Jim Colson, City Manager, stated a plan would be identified prior to the budget meetings; however, he believes the presentations would fall somewhere around June 14, 2014.

Councilmember Ortiz expressed concern with the timeline and stated she believes it would not allow enough time for review of the budget.

Councilmember Campos II expressed concern with the timeline and stated he would like to have enough time to gather input from his constituents and Neighborhood Improvement Association.

Mayor Wolgast asked how the organizational priorities were determined and if the Council provided staff any direction.

Jim Colson stated the 2015 Budget Organizational Priorities were presented as recommendations.

Councilmember Hiller stated the tentative budget calendar lists one public engagement event on May 27th and two public events on May 28th and asked if there would be handouts prepared for the public so residents have some information on budget projections.

Jim Colson stated staff would provide handouts for the meetings indicating the issues and challenges the City will face in 2015, and gain information from the public for further discussion.

Mayor Wolgast offered his sympathy to the community of Overland Park, Kansas, for the tragedy that occurred at the Jewish synagogue on April 13, 2014.

Councilmember Hiller moved to add a resolution approving a special event known as the First Friday Concert Series; and a resolution granting a noise exception to Downtown Topeka

Inc., and The Celtic Fox to the Council agenda. The motion seconded by Councilmember De La Isla carried unanimously. (8-0-0)

Mayor Wolgast announced the resolutions would be placed on the Council agenda under New Business as items 6C and 6D, respectively.

THE CONSENT AGENDA was presented as follows:

RESOLUTION NO. 8608 introduced by Councilmember Michelle De La Isla, granting Boss Hawg's an exception to the provisions of City of Topeka Code Section 9.45.150, et seq., concerning noise prohibitions was presented.

RESOLUTION NO. 8609 introduced by Councilmember Michelle De La Isla, granting Boss Hawg's an exception to the provisions of City of Topeka Code Section 9.45.150, et seq., concerning noise prohibitions was presented.

MINUTES of the regular meeting of April 8, 2014, were presented.

Open After Midnight License applications were presented for the following:

<u>BUSINESS NAME</u>	<u>ADDRESS</u>
Boobie Trap Bar	1417 S.W. 6 th Avenue
Break Room	911 S. Kansas Avenue
Ichabod Laundra Bar	1501 S.W. 21 st Street
Uncle Bo's	420 S.E. 6 th Avenue
Vaqueros Antro Bar	1201 S.E. 6 th Avenue
Wild Horse Saloon	3249 S.W. Topeka Boulevard
Woodvalley Racquet Club	2909 S.W. 37 th Street

Councilmember Schmidt moved to approve the consent agenda. The motion seconded by Councilmember De La Isla carried unanimously. (8-0-0)

ORDINANCE NO. 19899 introduced by City Manager Jim Colson, concerning the adoption of the 2012 International Property Maintenance Code, repealing in their entirety Sections 6.35.060, 8.60.180 through 8.60.220 and Chapters 8.65, 8.70 and 8.75 of the Topeka Municipal Code, as well as, amending Sections 2.25.250, 8.60.010 through 8.60.170, 8.80.040,

8.80.050, 14.35.050 and 14.70.150 and specifically repealing said original sections placed on first reading April 8, 2014, was again presented.

Jim Colson, City Manager, thanked the Mayor for his on-going efforts in helping to implement a new property maintenance code. He reported staff has been working on the issue for several months while gathering public input.

Chad Sublet, City Attorney, reported there have been several public meetings to gather input to ensure the International Property Maintenance Code (IPMC) would be enforceable and sustainable for the City of Topeka.

Councilmember Manspeaker moved to adopt the ordinance. The motion was seconded by Councilmember De La Isla.

Chad Sublet suggested amending Line 432 of the ordinance by changing the words “building official” to “code official.”

Councilmember Everhart moved to amend Line 432 of the ordinance by changing the words “building official” to “code official”. The motion seconded by Councilmember Manspeaker carried unanimously. Mayor Wolgast voted “yes.” (9-0-0)

Chad Sublet suggested amending Line 434 of the ordinance by inserting the word “replacement” before the word “value” to clarify the type of value.

Councilmember Hiller moved to amend Line 434 of the ordinance by inserting the word “replacement” before the word “value.” The motion seconded by Councilmember Everhart carried. Councilmember Manspeaker voted “no.” Mayor Wolgast voted “yes.” (8-1-0)

Chad Sublet suggested amending the ordinance beginning on Line 744 by inserting the statement, “Exceptions: 1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required

provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the International Plumbing Code.”

Councilmember Campos II asked what would be a litmus test for testing the equipment to ensure it is operating at capacity and if the City would require Code Enforcement officers to be certified in heating and cooling.

Chad Sublet stated Code Enforcement would partner with other entities that specialize in these areas within the City when performing inspections. He noted the code officers, prosecutors and municipal court judges would be subject to trainings and certifications by experts in these fields.

Councilmember Campos II expressed concern with code officers who may not pass the certifications.

Chad Sublet stated if a code officer could not pass the tests, they will not become certified.

Councilmember Hiller moved to amend the ordinance on beginning on Line 744 by inserting the statement, “Exceptions: 1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the International Plumbing Code.” The motion seconded by Councilmember De La Isla carried unanimously. Mayor Wolgast voted “yes.” (9-0-0)

Councilmember Manspeaker moved to amend the ordinance on Line 771 by deleting the word “is” and inserting the word “in” before the words “its entirety.” The motion seconded by Councilmember Campos II carried unanimously. Mayor Wolgast voted “yes.” (9-0-0)

Councilmember Harmon asked if the amended ordinance was included in the Council agenda packet.

Chad Sublet stated the amended language was distributed in the handouts this evening.

Councilmember Ortiz asked when the ordinance would take effect if approved.

Chad Sublet stated the 2012 International Property Maintenance Code would become effective July 1, 2014.

Councilmember Ortiz stated she has spoken with constituents and they would prefer to defer the ordinance so they have more time to review the IPMC for better understanding.

Maryanna Quilty, Topeka-Shawnee County League of Women Voters President, spoke in support of the IPMC and commended the Citizen Advisory Council and Code Compliance Committee for their thoroughness and willingness to review the code and how it applies to Topeka. She stated neighborhood blight is damaging to the city, not appealing to potential home buyers and a reason for property value declines. She commented on the IPMC and stated she believes it is written clearly and concisely by experts in code enforcement and building trades and also promotes the health, safety and well-being for citizens. She encouraged the Council to support the ordinance.

Mark Galbraith, Code Compliance Committee, thanked the Council and Mayor Wolgast for their leadership in the neighborhood summits. He stated code compliance and property enforcement issues were brought forward by the community during the summits with a great deal of frustration and need for change. He noted the current property maintenance code is vague, difficult to apply and defend in court; however, the IPMC is unambiguous and does work in many cities and states across the nation.

Councilmember Manspeaker referenced an email from Mr. Galbraith on April 21, 2013, about frustrating neighborhood codes and the need for change. He noted he believes valuable work has been done almost a year later and the IPMC is ready to be enforced in the community.

Frank Aguilar, Oakland Neighborhood Improvement Association President, spoke in support of the IPMC because there are many homes in the Oakland community in need of repair and the current code has been very hard to enforce and clean up neighborhoods. He stated the IPMC is simple and easy for the City to enforce. He noted there are many programs and organizations geared toward home repair assistance offered to assist elderly and low-income households.

Deborah Edwards expressed concern with IPMC Section 104.3 “Right of Entry” and stated it is ambiguous and vague. She requested the Council defer the ordinance for further review.

Chad Sublet stated the IPMC states a code enforcement official would be bound by the judicial process as in the criminal statutes and an administrative warrant would have to be approved by a judge if a code official is denied entry for inspection under remedies of the law.

Councilmember Campos II referenced a 2010 Supreme Court decision regarding unlawful entry of a police officer and stated he concurs with Ms. Edwards and was concerned that some code enforcement officers may not follow the proper procedures for entry onto property.

Councilmember Ortiz stated code enforcement officers are not police officers; however, they work in conjunction with the Topeka Police Department. She asked if code officers would be certified law officers because she does not want right of entry to become an issue with code enforcement staff.

Chad Sublet stated legal staff would provide the proper training to code enforcement officers annually; however, they would not become certified law officers. He explained the code officers are required to follow the administrative process for a property search.

Councilmember Ortiz asked if there were any plans to certify the code enforcement officers to become law officers.

Jim Colson stated there are no plans to certify code enforcement officers to become law enforcement officers.

Councilmember Hiller explained there are no procedural differences in how a code enforcement officer acquires a search warrant in the current code or the 2012 IPMC.

Councilmember Campos II asked if psychoanalysis performed on police officers are required for code enforcement officers as well.

Jacque Russell, Human Resources Director, stated there are no requirements to perform psychoanalysis on code enforcement officers.

Councilmember Manspeaker stated the IPMC gives the City structure and clarity for property maintenance which is important for neighborhoods and the City as a whole.

John Moyer, Topeka Neighborhood Task Force Chair, spoke in support of the IPMC and stated the Neighborhood Task Force voted unanimously to recommend the Council approve the IPMC. He stated the IPMC clears up many references, training and certifications for inspectors, increases credibility and experience. He noted the IPMC will not fix everything; however, it can be a foundation for the City to make significant improvements and progress in neighborhoods.

Joe Ledbetter stated he would prefer a landlord code because it is the number one problem voiced by residents at Hi-Crest Neighborhood Improvement Association meetings. He listed

many questions and concerns about the following language in the ordinance and suggested referring the ordinance to the Public, Health and Safety Committee for further review.

- Page 13 – Administrative penalty of \$100 for owners of inoperable vehicles
- Page 14 – General violations administrative penalty \$140
- Page 15 – Reasonable time not to exceed 60 calendar days
- Page 16 – File appeal with code official
- Page 17 –Due Process and notification process
- Page 18 – Notice served on any holder of mortgage, deed of trust, lien or encumbrance
- Page 20 – Unreasonable to repair
- Page 21 – Appeal process
- Page 22 – Stop work order
- Page 39 – Moving buildings

Councilmember Schmidt reported committees consisting of local residents reviewed the code extensively over the past several months and have done a great job. He referenced Page 20, Line 433 through 435 which states “In this section, “unreasonable to repair” means that the repair costs exceed 30% of the replacement value of the structure as established by the Shawnee County Appraiser” and stated the Shawnee County Appraiser is the person appointed to perform this task. He asked if there is a provision for completing a corrective action during winter months because the notice states the corrective action is necessary with a reasonable time not to exceed 60 calendar days which may not be doable during harsh weather conditions.

Chad Sublet stated at the end of the 60 days, the prosecutor would review the factors of the case and have the discretion at the hearing to grant an extension to a property owner.

Councilmember Campos II expressed concern with the Shawnee County Appraiser because many property owners have taken issue with appraisals conducted by the county.

Councilmember Hiller stated many of these items are currently in City code and there is very little change to the appraisal procedure; however, she hopes training would help. She noted

moving houses has been challenging and would have to evaluate it in the context of the model code.

Councilmember Schmidt asked if the Governing Body has a better suggestion than the County Appraiser who can provide an appraised value of property.

Councilmember Ortiz asked if there are any exceptions for apartment or duplex properties and if not, did the committees look further into the issue.

Chad Sublet stated the exceptions would apply to any structure within the city of Topeka. He reported if the issue exceeds the 60-day deadline and goes to court, the prosecutor would review the evidence and has the discretion to extend the 60 days. He noted currently issues are taking two to three years to address because the current code is very vague.

Councilmember Hiller stated the IPMC does grant a code enforcement officer the authority to grant a one-year extension if the property is vacant.

Aaron Edwards expressed concern with the code enforcement officer trainings and IPMC Section 104.3 “Right of Entry”. He stated he understands the need for code updates because he believes it has been unequally applied in the past; however, he asked the Council to defer the ordinance to allow time for further review of that particular section.

Joe Charay stated she became involved in the process when she assisted with the renovation of the Ritchie House. She reported she has seen many vacant properties for many years and nothing has been done with them. She noted she has learned a great deal about the process and that there are many programs available to those in need of assistance. She encouraged the Council to vote in favor of the ordinance to provide the City with a clear and concise property code.

Councilmember Campos II asked if any of the committee members were provided copies of the International Property Maintenance Code.

Joe Charay stated she served on the Code Compliance Committee and was provided a copy of the proposed ordinance; however, not the IPMC booklet.

William Gomez asked the Council to support the IPMC to provide a safer, cleaner, healthier community. He stated he looks forward to the eventual improvements to neighborhoods that have experienced a decline in property value because of the unenforceable codes the City currently has in effect. He thanked the committees that have done a great service by working with City staff for the betterment of the community and supported a working document with the ability to change when needed. He noted he was provided a copy of the 2012 IPMC to review.

Pat DeLapp expressed concern with the lack of public input and the need for thorough training of code enforcement officers. He spoke in opposition of the ordinance and stated in his opinion, there are still many unanswered questions about the IPMC.

Elinor Cowell, Seward Avenue Action Group Chair and Oakland Neighborhood Improvement Association Secretary encouraged the Council to adopt the ordinance because it would be enforceable and clear. She stated the current City code hearing process is long and does not solve the issues. She expressed concern with the amount of code enforcement officers currently employed with the City and questioned if more could be hired in order to address the issues so the IPMC would work.

Andy Landis expressed concern with Section 104.3 “Right of Entry” and stated he concurs with Mr. Ledbetter and believes there are many issues within the IPMC that need further review.

Councilmember Ortiz asked if Mr. Landis questions had been answered.

Andy Landis stated most of his questions were answered in a landlord association meeting when the IPMC was being discussed.

Mayor Wolgast asked for a summary of the public meetings and citizen input.

Darin Scott, Neighborhood Relations, stated the Code Compliance Committee, Citizen Advisory Council and Neighborhood Task Force Committee meetings were conducted after the Neighborhood Summits in 2013 which categorized the community's biggest needs and produced a "wish list" from community input. He stated City staff also attended many Neighborhood Improvement Association meetings to provide information and gather public input on the issue. He reported three Council Work Sessions were held (December 10, 2013; March 4, 2014; April 1, 2014) where information was presented to the Governing Body regarding the IPMC and four Capital Journal newspaper articles have been written addressing the issue. He apologized to those who have voiced their concerns this evening that he did not get a chance to meet with.

Mayor Wolgast stated City staff worked to keep people informed as much as possible over the last several months.

Councilmember Campos II asked why the Council has not been provided any minutes from the public forums or committee meetings.

Darin Scott stated most of the committees have met with City staff to answer questions and/or gather more information on certain issues.

Chad Sublet reported each of the three Council Work Sessions referenced the various committee meetings; committee members and meeting subjects. He stated his office never received any requests from Councilmembers regarding the committee meetings and what was being discussed.

Councilmember Campos II stated the Council should have been provided the minutes from the committee meetings and the committees should have been provided copies of the IPMC. He suggested remanding the ordinance to the Public, Health and Safety Committee for further review because he believes the review process has not been completed.

Jim Colson expressed his appreciation for the comments made on the IPMC. He noted the subject matter has been discussed at length over the past several months and City staff has worked consistently and openly with the Governing Body and community regarding the issue.

Mayor Wolgast noted there will be changes made to the IPMC as the City moves forward and begins the process.

Councilmember De La Isla reported the property code has been the number one issue voiced by the community at the Neighborhood Summits and the process has been discussed at length. She stated she is extremely disheartened that additional information is being requested at this time and certain individuals have not worked to remain informed on the issue. She noted that it is extremely difficult to get every person's opinion on the issue; however, many comments have included excellent points and not everyone is going to agree 100%. She stated City staff in partnership with residents have worked hard to bring this issue forward to the Council and believes the changes are what citizens want in their communities.

Councilmember Hiller expressed her appreciation to the City Manager and staff for presenting the ordinance and thanked the City Attorney's office for their responses to her questions. She suggested a public meeting be held between now and July 1, 2014, when the IPMC goes into effect, so questions could be answered for better understanding.

Chad Sublet read IPMC Section 104.3 "Right of Entry" and stated the section was clear in requiring protection of the right of privacy; the code enforcement officer must stipulate why

access is needed and its relevance to the case; presentation of proper identification from the code enforcement officer and inspections must be aimed at securing or determining compliance with the provisions and intent of the regulations that are specifically within the established scope of the code official's authority.

Councilmember Schmidt asked for clarification regarding double jeopardy.

Chad Sublet reported City ordinance states the administrative process does not bar criminal prosecution and gave Driving Under the Influence (DUI) cases as an example.

Councilmember Harmon stated he believes the City's current property code makes enforcement inadequate and consideration of the 2012 IPMC is an improvement. He suggested the Governing Body work along with staff to develop quantifiable metrics so years from now there is data to compare the 2012 IPMC versus the current code.

Jim Colson stated staff would be moving forward in regards to accountability of standards.

Councilmember Campos II asked if budgetary impacts have been considered if the IPMC is adopted.

Jim Colson stated staff has anticipated the impact to the 2015 City budget and accounted for it.

Councilmember Hiller stated she was contacted by the Shawnee County Landlords Association who requested to defer the ordinance for further review. She noted she has comments regarding the issue and photos from Ms. Joyce Ritchie if anyone is interested in reading them.

Councilmember De La Isla stated she spoke with Margie Eklund, Shawnee County Landlords Association President, just before the Council meeting and stated Darin Scott had called her earlier and answered her questions; therefore, she is very excited about the changes.

Councilmember Manspeaker stated the current property code is failing and commended everyone involved in the process to bring forth a community driven initiative to attempt to solve issues that impact neighborhoods and home values. He stated the IPMC focuses on habitual offenders of property codes and adoption would provide a better opportunity to pursue the enforcement process.

The motion to adopt the ordinance as amended carried. Councilmember Campos voted “no.” Mayor Wolgast voted “yes.” (8-1-0)

The ordinance was adopted on roll call vote as follows: Ayes: Hiller, Ortiz, Everhart, De La Isla, Manspeaker, Schmidt, Harmon and Mayor Wolgast -8. Noes: Campos II -1. Absent: Schwartz -1.

RESOLUTION NO. 8610 introduced by Councilmember Nathan Schmidt, adopting revised City Council Rules and Procedures placed first reading April 8, 2014, was again presented.

Councilmember Schmidt distributed a clean draft of the Topeka City Council Rules and Procedures.

Councilmember Schmidt moved to approve the resolution. The motion was seconded by Councilmember De La Isla.

Mayor Wolgast asked if the clean copy included Council suggestions made at the work session when discussed.

Chad Sublet stated the clean copy incorporates all suggestions.

Councilmember Ortiz stated there have been a lot of changes made and believes some are unclear.

Chad Sublet listed the revisions to the Topeka City Council Rules and Procedures.

Councilmember Hiller clarified Section 5.4 “Planning Department Agenda Items” that there would be no more public hearings; however, it would not preclude public comment.

Councilmember Harmon stated this is the first comprehensive revision of the Topeka Council Rules and Procedures since he has served on the Council and expressed appreciation to City staff and Councilmembers who contributed to the revisions.

Councilmember Ortiz asked if the revised Topeka City Council Rules and Procedures address the Deputy Mayor presiding over the Budget Committee meetings.

Chad Sublet referenced Section 8.2(d) which states, “The deputy mayor shall be the chair of the Budget, Long-Range Planning and the Committee of the Whole. The mayor shall serve as a non-voting, advisory member of all standing committees comprised of all members of the council.”

Councilmember Hiller expressed concern with Section 8.10 “Minutes” and a committee approving minutes at the next meeting and not by email or voicemail. She stated she is hopeful that the minutes could be presented for approval at Council meetings to keep it simple since the meetings are already scheduled.

Mayor Wolgast stated he concurs with Councilmember Hiller and the language could be amended.

The motion to approve the resolution carried unanimously. (8-0-0)

ORDINANCE NO. 19900 introduced by City Manager Jim Colson, allowing and approving City expenditures for the period of March 1, 2014, through March 28, 2014, and enumerating said expenditures therein was presented for first and final reading.

Brandon Kauffman, Chief Fiscal Officer, reported approval would authorize City expenditures in the amount of \$17,621,383.49.

Councilmember Schmidt moved to adopt the ordinance. The motion was seconded by Councilmember Campos II.

Councilmember Campos II asked what state statute requires the Council to adopt City expenditures.

Chad Sublet, City Attorney, stated he would research the statutes and report back to Councilmember Campos II.

The motion to adopt the ordinance carried unanimously. (8-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Hiller, Campos II, Ortiz, Everhart, De La Isla, Manspeaker, Schmidt and Harmon -8. Absent: Schwartz -1.

NO Retail Cereal Malt Beverage License applications were presented.

RESOLUTION NO. 8611 introduced by Councilmember Karen Hiller approving a special event known as the First Friday Concert Services was presented.

Councilmember Hiller moved to approve the resolution. The motion was seconded by Councilmember Campos II.

Councilmember Ortiz expressed concern with the resolution and approving the event dates because they are later in the year. She questioned how the Council would proceed if there are issues with the event disturbing the peace.

Chad Sublet, City Attorney, stated the Council could repeal the resolution and recommended the Topeka Police Department address the public nuisance.

The motion to approve the resolution carried. Councilmember Ortiz voted “no.” Mayor Wolgast voted “yes.” (8-1-0)

RESOLUTION NO. 8612 introduced by Councilmember Karen Hiller, granting Downtown Topeka Inc., and The Celtic Fox an exception to the provisions of City of Topeka Code Section 9.45.150, et seq., concerning noise prohibitions was presented.

Councilmember Hiller moved to approve the resolution. The motion was seconded by Councilmember Schmidt.

Councilmember Hiller reminded event coordinators seeking noise or alcohol exceptions that they should get their documents to the City Clerk at least six weeks in advance of the event date to allow time for City staff to prepare the necessary documents for the Council agenda.

The motion to approve the resolution carried. Councilmember Ortiz voted “no.” Mayor Wolgast voted “yes.” (8-1-0)

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 providing for certain changes in zoning on property located at the northeast intersection of SW Westport Road and SW 22nd Terrace, City of Topeka, Shawnee County, Kansas from “M-3” Multiple Family Dwelling District TO “O&I-2” Office and Institutional District was presented for first reading. (Z14/3)

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 providing for certain changes in zoning on property at 3337 NW Lower Silver Lake Road and the west half of property at 3311 NW Lower Silver Lake Road from “R-1” Single Family Dwelling District with a Special Use Permit (SUP) for a Vegetable Market ALL TO “I-1” Light Industrial District was presented for first reading. (Z14/4)

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 providing for certain changes in zoning on property at 800 SW Lane Avenue from “O&I-1” Office and Institutional District TO “MS-1” Medical Services District was presented for first reading. *(Z14/5)*

AN ORDINANCE introduced by City Manager Jim Colson, concerning Historic Preservation, amending City of Topeka Code Sections 2.60.010, 2.60.020, 18.255.020, 18.255.030, 18.255.040, 18.255.060, 18.255.070, 18.255.090, 18.255.110, 18.255.140, 18.255.160 and 18.255.170 and specifically repealing said original sections, as well as, repealing in their entirety Sections 18.255.050, 18.255.080, 18.255.100, 18.255.120; and 18.255.130 was presented for first reading. *(ACZR13/1)*

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

Jim Colson, City Manager, introduced and welcomed Doug Gerber, City Administrative and Financial Services Director. He announced Countywide Half-Cent Sales Tax Town Hall meetings led by Mayor Wolgast and Councilmembers would be held on April 17, 2014, at Avondale East located at 455 SE Golf Park Boulevard from 5:30 p.m. to 6:30 p.m.; and April 21, 2014, at the Topeka-Shawnee County Public Library located at 115 SW 10th Street from 7:00 p.m. to 8:00 p.m., and encouraged the community to attend and provide input. He stated the objective is that staff would gather input given at the town hall meetings, present it before the Council then discuss the matter at the May 6, 2014, Council meeting and provide direction on the City’s behalf to present to Shawnee County Commissioners.

Mayor Wolgast stated approval by the Council of the new Topeka City Council Rules and Procedures is a turning point and includes a new Council agenda format beginning in May, the City Clerk will provide an overview of the next scheduled Council meeting and there will be no Council Work Sessions or first readings. He noted these are just some of the ways they could make Council meetings more productive and efficient. He explained Work Sessions would become a part of Council meetings listed as Discussions on the Council agenda and executive sessions would likely happen at the end of Council meetings.

Councilmember Manspeaker complimented City staff for their work in cleaning up along S.W. 15th Street before the stormy weather. He reported he has received many compliments from his constituents regarding the City's e311 customer service program.

Councilmember Schmidt expressed sympathy to the victims of the hate crime tragedy in Overland Park, Kansas, on April 13, 2014. He reported he attended the Heartland Healthy Neighborhoods and Intergovernmental Cooperation Council meetings and pointed out that these two organizations, along with many others, are combatting negativity which has halted progress in the past for the City and hopes that it does not continue. He encouraged Councilmembers to attend the Countywide Half-Cent Sales Tax Town Hall meetings on April 17th and April 21st. He invited citizens to the Topeka-Shawnee County Public Library on April 21, 2014, at 5:30 p.m. for a community-wide reading of "Courageous Conversations on Race" a book by Glen Singleton in recognition of Brown v Board of Education's 60th Anniversary.

Councilmember Harmon stated he would not be able to attend the April 17th Countywide Half-Cent Sales Tax meeting because he has a prior engagement. He asked if City staff would be at the meeting to take notes. He expressed sympathy in the loss of Robert Harder, former Secretary of the Kansas Department of Health and Environment and Jim Olson, former

Executive Director of the Community Resources Council, who were both true and dedicated public servants, advocates for children and the less fortunate and made Kansas a better state to live in.

Councilmember Hiller announced the National Park Service in partnership with the Ward Meade neighborhood would provide the Legacy Walk from Brown v. Board of Education National Historic Site to Sumner Elementary School in honor of Brown v Board of Education's 60th anniversary celebration on May 17, 2014. She also announced a Block Party and Picnic is scheduled for May 2, 2014, from 3:00 p.m. to 8:00 p.m. sponsored by the Youth Leadership Advisory Council at the Brown v. Board of Education National Historic Site. She noted the National Park Service has volunteered to train docents on April 19th from 9:00 a.m. to 12:00 noon for the walking tours and are looking for people to provide oral histories regarding the Brown v Board of Education. She stated people who are interested may contact Councilmember Schmidt or herself at 785-368-3710 for more information.

Councilmember Campos II announced an Easter Egg Hunt is scheduled for April 19th at Garfield Park starting at 11:00 a.m. He welcomed Senator Bob Dole back to the state of Kansas and stated Senator Dole would be speaking at the Dole Institute in Lawrence, Kansas, on April 22nd and a free Public Open House honoring the Senator would be held at the Institute at 11:00 a.m. He thanked the Kansas University Libraries and Debra Dandridge, University Librarian for the invitation to the Brown v. Board of Education symposium which was very interesting. He invited citizens to the Countywide Half-Cent Sales Tax Town Hall meetings on April 17th and April 21st. He spoke in support of Police Chief Ron Miller's nomination as U.S. Marshal. He expressed concern with the City's e311 customer service program because he could not review

the answers to issues entered into the system. He announced the Fiesta Mexicana celebration would begin food sales on April 21st and distributed a Royalty Food Sales schedule.

Councilmember Ortiz offered her condolences to the Josephine Quarles Minter family. She stated she hopes the new Council agenda format would allow ample time to discuss agenda items. She announced the NOTO Arts District would be hosting the First Friday Art Walk on May 2, 2014, and a grand opening celebration event of the NOTO Arts Center located at 935 N. Kansas Avenue.

Councilmember De La Isla announced the month of May is "Sexual Aggression Awareness Month" and spoke in support of the YWCA's efforts and their good work in the community. She gave statistics on sexual assault crimes and stated the Topeka YWCA is the only YWCA in the nation that provides a safe house to people in need.

NO FURTHER BUSINESS appearing the meeting was adjourned at 9:15 p.m.

Brenda Younger
City Clerk