

Council Minutes – July 9, 2013

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, July 9, 2013. 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, Schwartz, Schmidt and Harmon -9. Mayor Larry E. Wolgast presided -1.

AFTER THE MEETING was called to order, Councilmember Manspeaker 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:

MINUTES of the regular meeting of June 25, 2013, were presented.

A Dance Hall License application for J & J Gallery located at 917 N Kansas Avenue was presented.

An Open After Midnight License application for J & J Gallery located at 917 N Kansas Avenue was presented.

Councilmember Campos II moved to approve the consent agenda. The motion seconded by Councilmember Schmidt carried unanimously. (9-0-0)

ORDINANCE NO. 19829 introduced by City Manager Jim Colson, concerning the adoption of the 2012 Uniform Plumbing Code and amendments to the code by amending City of Topeka Code Sections 14.35.010, 14.35.050 through 14.35.250, 14.35.280 through 14.35.360, 14.35.380 through 14.35.460 and 14.35.480 and specifically repealing said original sections; repealing in their entireties Sections 14.35.260, 14.35.270, 14.35.370 and 14.35.470; and creating Sections 14.35.065, 14.35.075, 14.35.143 and 14.35.147 placed on first reading June 25, 2013, was again presented.

Doug Whitacre, Public Works Department Director, stated approval would adopt the 2012 Uniform Plumbing Code and ensure the City is consistent with other jurisdictions which have or will adopt the code in the near future. He reported a comparison sheet was included in the Council agenda packet for reference which compared the 2006 Uniform Plumbing Code and the 2012 Uniform Plumbing Code and related City ordinances.

Councilmember Hiller commended staff for adding language relating to grey water systems within the code and questioned if the Board of Plumbing Appeals has reviewed and provided comments on the code changes. She stated the language relating to the Board of Plumbing Appeals has been removed and asked if it would be addressed elsewhere in the code.

Doug Whitacre stated the Board of Plumbing Appeals has reviewed the changes and expressed their approval.

Miriam Berke, Development Services Division Director, stated the language relating to the Board of Plumbing Appeals would be located in the code with similar boards. She noted City staff has provided effective training to the industry on the code changes.

Councilmember Ortiz moved to adopt the ordinance. The motion seconded by Councilmember De La Isla carried unanimously. Mayor Wolgast voted “yes.” (10-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Hiller, Campos II, Ortiz, Everhart, De La Isla, Manspeaker, Schwartz, Schmidt, Harmon and Mayor Wolgast -10.

Retail Cereal Malt Beverage License applications were presented for the following:

<u>Business Name</u>	<u>Address</u>
29 th Quick Stop	3101 SW 29 th Street
Prize Package	1420 SE 6 th Street
U Market	935 SE 21 st Street

Councilmember Ortiz moved to approve the retail cereal malt beverage license applications as presented. The motion seconded by Councilmember Campos II carried unanimously. Mayor Wolgast voted “yes.” (10-0-0)

AN ORDINANCE introduced by City Manager Jim Colson, amending City of Topeka Code Sections 18.10.020, 18.10.050, 18.20.020, 18.25.010, 18.25.070, 18.25.080, 18.25.095, 18.55.190 and specifically repealing said original sections, as well as, creating new Section 18.25.135, all concerning electronic message center sign regulations was presented for first reading. (ACZR12/4)

AN ORDINANCE introduced by City Manager Jim Colson, amending City of Topeka Code Sections 18.10.010, 18.10.020, 18.15.030, 18.15.060, 18.25.060, 18.25.220, 18.25.230 and 18.25.260, specifically repealing said original sections, as well as, creating Section 18.25.215, all concerning the regulation of temporary signs was presented for first reading. (ACZR12/2)

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

Jim Colson, City Manager, reported the 2014 budget allocations for general fund grants, primarily for Youth and Social Services, would remain at the 2013 budget level. He stated in the past, grant money allocation recommendations were made by the Housing and Neighborhood Development Department staff members and the Mayor’s office. He reported the current process only benefits those that have been awarded funding in the past, provides little opportunity for new organizations to apply, and provides no significant measurable review of each organization. He suggested the Council approve a total grant fund amount to be allocated from the general fund during the budget process and utilize the Citizen Advisory Council to engage in discussion with grant applicants, review all grant applications and make recommendations to the Council so they can make an informed decision on detailed grant allocations at a later date. He noted the

grant allocation process would be revised for future budget years. He announced the grant allocation process would be discussed further during the Budget Committee meeting on July 13, 2013, located at the Law Enforcement Center beginning at 9:00 a.m.

Mayor Wolgast stated he agrees that the grant allocation procedure needs to be revised. He reported he is currently reviewing the ADA Advisory Council appointments with the intent to ease the final decision making process for the Council. He also stated there would be many more board appointments presented to the Council in the coming weeks.

Councilmember Manspeaker stated he understands we do not live in a perfect society; however, he would like to make sure all members of the community are treated equal. He requested to add an ordinance to an upcoming agenda concerning the Governing Body's support of affirmative action on equal representation within the Human Relations Commission.

Councilmember Schwartz thanked Public Works staff members and City Administration for handling the situation at Clarion Woods in a professional manner. She stated there are important questions the Council must consider regarding the bond ratings and understanding the level of reserves that must be maintained. She suggested that it may be beneficial for the Council to research how the State has handled tough budget situations to better assist them at the local level. She stated she would send a survey to her email constituent list of approximately 450 people regarding the three solutions suggested by the City Manager to help balance the City's 2014 Operating Budget.

Councilmember Schmidt concurred with Councilmember Manspeaker and expressed his support of equal rights among all people. He thanked the Topeka Police and Fire Departments for their budget presentations and their willingness to work on a difficult budget. He stated he looks forward to other department budget presentations.

Councilmember Campos II invited the community to participate in the 2013 Fiesta Mexicana celebration throughout the remainder of the week. He expressed appreciation to the Topeka Police and Fire Departments for their budget presentations. He stated he believes all constituents expect the Council to be good tax stewards and provide services to the community in the most efficient manner possible. He stated the Governing Body should prioritize what is really needed in the community and what is important to the citizens during the budget process.

Councilmember Ortiz expressed concern with proposed budget cuts and how the absence of mill levy increases over the years has affected the overall financial state of the City. She encouraged all Councilmembers to meet with the City Manager to discuss how certain budget cuts would affect public safety and City-wide operations because constituents continue to request that the City retain the same level of services. She encouraged the community to participate in the Fiesta Mexicana celebration throughout the week.

Councilmember De La Isla thanked the City Manager and staff for hosting the Neighborhood Summit 2.0 on June 2, 2013. She stated she believes the concerns expressed by citizens at the summit will play a crucial role in helping the Council make difficult budget decisions for 2014. She thanked Topeka Fire and Police Department employees for their sense of care and assistance in responding to an incident that recently happened near her work place. She reported her constituents have stated that the most important issues to them are public safety, infrastructure, code compliance and the importance of the City providing the services citizens need and deserve. She encouraged all Councilmembers to work to make the budget situation a change for the betterment of the City's future and thanked all the volunteers in the community for making Topeka a better place to live.

Ted Mize appeared to speak under public comment.

NO FURTHER BUSINESS appearing the meeting was adjourned at 6:31 p.m.

Brenda Younger
City Clerk