

Council Minutes – July 15, 2014

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, July 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, Brown, Ortiz, Everhart, De La Isla, Manspeaker, Schwartz, Schmidt and Harmon -9. Mayor Larry E. Wolgast presided -1.

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

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

Councilmember Hiller requested item 4C, Minutes of the regular meeting of July 1, 2014, be removed from the consent agenda for further discussion.

Upon hearing no objections, Mayor Wolgast announced item 4C would be removed from the consent agenda and placed on the Council agenda under Action Items as item 5E.

THE CONSENT AGENDA was presented as follows:

DENIAL of tort claim filed by Kermit Lindgren in the amount of \$10,664.42 for property damage caused by a sewer backup at 3326 SW Arrowhead Road was presented.

DENIAL of tort claim filed by Farm Bureau Insurance on behalf of Donnell Williams seeking compensation for damages paid to the insured under a residential insurance policy was presented.

RESOLUTION NO. 8639 introduced by Councilmember Sylvia Ortiz granting Mt. Carmel MB Church an exception to the provisions of City of Topeka Code Section 9.45.150, et seq., concerning noise prohibitions was presented.

RESOLUTION NO. 8640 introduced by Councilmember Karen Hiller, granting Boys & Girls Clubs of Topeka 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 July 8, 2014, was presented.

Councilmember Ortiz moved to approve the consent agenda as amended. The motion seconded by Councilmember De La Isla carried unanimously. (9-0-0)

RESOLUTION NO. 8641 introduced by Councilmember Karen Hiller approving a special event known as the 2014 Harley Party for the Boys & Girls Clubs of Topeka was presented.

Councilmember Hiller moved to approve the resolution. The motion seconded by Councilmember Schmidt carried unanimously. Mayor Wolgast voted “yes.” (10-0-0)

ESTABLISHING a public hearing date of August 12, 2014, for the purpose of hearing and answering objections of taxpayers relating to the proposed City of Topeka 2015 Operating Budget; determining the maximum tax levy; and authorizing the publication of the public hearing notice in the Topeka Metro Newspaper was presented.

Councilmember De La Isla moved to approve the public hearing date of August 12, 2014, establish the mill levy cap at 39.736 and approve the publication of the public hearing notice. The motion seconded by Councilmember Everhart carried unanimously. Mayor Wolgast voted “yes.” (10-0-0)

A RESOLUTION introduced by City Manager Jim Colson, expressing the City Council’s position to the Board of Commissioners of Shawnee County regarding the proposed submission of a ballot question to the electorate for a countywide retailers’ sales tax was presented.

Jim Colson, City Manager, referenced the sales tax booklet which provides information heard throughout discussions with the Governing Body and public over the past several months,

as well as, outline the Summary of Proposals from May 14, 2014 to July 15, 2014. He stated City staff has presented a specific resolution and interlocal agreement to the Governing Body for discussion; however, staff is prepared to make any necessary amendments for consideration by the Shawnee County Commission.

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

Joseph Ledbetter expressed concern with extending the Countywide Half-Cent Sales Tax, transparency and how future generations would be affected by the tax extension. He suggested specific project budget amounts be attached at the beginning of the process because of concern with the lack of transparency from the Growth Organization of Topeka (GO Topeka). He stated if the Council is truly listening to citizens they should take into consideration the 15 year timeline because citizens do not want to extend the sales tax beyond ten (10) years. He asked the Governing Body to consider extending the sales tax for seven (7) years or no more than ten (10) to allow options for future generations.

Dan Ramlow, Shawnee County resident, commented on the town hall meetings he attended and online comments from Topeka Capitol Journal articles regarding the sales tax extension and stated the vast majority of comments online have been negative towards extending the Countywide Half-Cent Sales Tax and opposing the use of tax revenues. He suggested the \$125 million proposed for economic development instead be allocated to infrastructure projects because a good transportation system supports quality of life.

Councilmember Schmidt distributed his amendments to the resolution which he had drafted from discussions heard from the public and online surveys regarding improvements. He reviewed the list of projects which deleted the Topeka Boulevard Improvement Project from 15th

to 21st Street and the NW 46th Street Improvement Project from Button Road (N) to Rochester Road and added the County Trail System project.

Councilmember Schmidt made a substitute motion to amend the resolution to delete the Topeka Boulevard -15th to 21st Street and NW 46th Street –Button Road (N) to Rochester Road and add the County Trails System. The motion was seconded by Councilmember Hiller.

Councilmember Everhart stated she appreciates Councilmember Schmidt's efforts; however, his amended project list would remove a couple of infrastructure projects and add more funding to the Kansas Expocentre; and her constituents have consistently expressed concern with funding more infrastructure projects and less for Kansas Expocentre.

Councilmember Ortiz asked why the Topeka Boulevard and NW 46th Street projects were removed from the list.

Councilmember Schmidt stated he believes the City could not afford the Topeka Boulevard and NW 46th Street projects at this time; however, he placed priority on the ideas presented during the town hall meetings. He noted the proposed amendments are not everything he wants; however, it would present citizens with the option on how they prefer the money to be spent and closely matches what has been expressed by the community. He emphasized the quality of life issues were the most supported in online polling and public meetings.

Councilmember Hiller distributed her amendments to Attachment A of the interlocal agreement and suggested a seven (7) year timeline for the extension because she believes street projects are critically important and those projects make up more than 50% of the projects listed. She stated street, bikeway, trail and zoo projects could be made a priority within the first eight (8) years of the sales tax extension then at that point, and the City may have more sales tax revenues coming in annually to cover the NW 46th Street project. She asked the Council to

consider adding language to the NW 46th Street project to include other projects in the vicinity such as NW 46th Street from Button to Rochester, NW Tyler from Lyman to U.S. Highway 24 and extension of Reo from Kansas Avenue to Topeka Boulevard. She reported 91% of sales tax revenues are generated from within city limits; therefore, she believes all projects should be joint projects between the City and County. She commented if the County wanted to do the bridge projects or Expocentre repairs earlier, then they could; however, the financing would have to be figured separately.

Councilmember Manspeaker asked why the Citywide Infill Sidewalks project is not listed in the proposed resolution drafted by City staff.

Jim Colson stated the Citywide Infill Sidewalks project was included in the previous recommendation; however, based on discussions there was no consensus support for the Infill Sidewalks project.

Councilmember Manspeaker expressed concern with removing the Infill Sidewalks project from the list because constituents want and support sidewalk repairs.

Councilmember Hiller noted many of the street projects include new sidewalks.

Councilmember Manspeaker stated he is concerned with the need to repair old sidewalks.

Councilmember Schmidt outlined the funding amounts for each project and stated the Citywide Infill Sidewalks project would add \$7.5 million.

Councilmember Ortiz made a substitute motion to amend the resolution to consider the issue of economic development and infrastructure development separately. The motion died due to a lack of a second.

Chad Sublet, City Attorney, stated the separation of issues would require two separate ballot questions.

Councilmember Harmon asked if the percentage of sales tax revenues would have to be divided for each issue because the sales tax revenues could not be divided less than 1/4 of one-cent increments with a cap of 1%.

Chad Sublet stated it would be more appropriate to discuss funding amounts when the interlocal agreement agenda item is presented; however, he agreed the sales tax revenues would not be divided less than 1/4 of one-cent.

Councilmember Hiller noted the minimum of 1/4 of one-cent would be approximately \$7 to \$8 million a year.

Councilmember Brown noted the City's proposal for the Kansas Expocentre was \$40 million and Councilmember Schmidt's proposal is \$45 million; therefore, he proposed to add \$5 million to be allocated towards the Infill Sidewalks project.

Councilmember Schmidt stated he believes \$45 million is the minimum the Kansas Expocentre has estimated for repairs.

Councilmember Schwartz asked what repairs would be affected if the Kansas Expocentre amount was reduced by \$5 million.

Phil Thompson, Marketing Manager for Kansas Expocentre, reported he does not have the specific line items at this time; however, it would cause substantial changes to the overall project.

Councilmember Schmidt gave an example of an estimate to resurface the parking lots at the Kansas Expocentre which would cost approximately \$5 million, a significant portion of the estimates for the Expocentre.

Councilmember Ortiz stated she would prefer to see the City fund street repairs to SW Topeka Boulevard which accesses the Expocentre parking lot.

Councilmember Schmidt stated he concurs with Councilmember Ortiz regarding SW Topeka Boulevard repairs; however, he is not comfortable scheduling street projects over a 15 year span as the streets being proposed would have to be in pretty good shape to last 18 years for revenues to accumulate and fund the projects. He reported he reviewed and considered other funding sources; however, there are none that could provide the amount of capital needed to make the necessary repairs.

Councilmember Ortiz stated she has heard from many of her constituents that feel they are not responsible for funding the Kansas Expo centre repairs.

Councilmember Brown made a substitute motion to add the Infill Sidewalks project to the resolution. The motion was seconded by Councilmember Manspeaker.

Councilmember Schmidt stated he believes either a project would have to be removed from the list or adjust funding to other projects to add the Infill Sidewalks project to the list.

The substitute motion to add Infill Sidewalks project to the resolution carried.
Councilmembers Ortiz and Schwartz voted “no.” (7-2-0)

Councilmember Manspeaker made a substitute motion to remove the County Trails System project and Topeka Boulevard project from the resolution. The motion died due to a lack of a second.

Councilmember De La Isla made a substitute motion to add the Topeka Boulevard project to the resolution. The motion was seconded by Councilmember Harmon.

Councilmember De La Isla suggested reducing the funding for economic development from \$5 million to \$4 million because there has been a surplus in past years and the outdated process is being reviewed.

The substitute motion to add the Topeka Boulevard project to the resolution carried. Councilmembers Hiller, Schwartz and Schmidt voted “no.” (6-3-0)

Councilmember Schmidt moved to approve the resolution as amended. The motion seconded by Councilmember De La Isla carried. Councilmembers Ortiz, Manspeaker, Schwartz and Harmon voted “no.” (5-4-0)

AN INTERLOCAL AGREEMENT relating to financing countywide infrastructure development and economic development to be funded by a one-half of one cent Countywide Retailers’ Sales Tax was presented.

Jim Colson, City Manager, reported more than \$240 million has been projected from the previous motion to approve the resolution; therefore, staff requests time to process the amounts. He asked the Governing Body what projects they would like to include to equal \$240 million.

Councilmember Hiller stated she would like to hear Councilmember De La Isla’s proposal for economic development.

Councilmember De La Isla suggested funding economic development at \$60 million instead of \$75 million; and use the remaining \$15 million for the Infill Sidewalks project (\$7.5 million) and an additional \$5 million to be added to Topeka Boulevard project with the rest added to the Bikeways Master Plan (\$2.5 million).

Councilmember Schmidt moved to adopt the interlocal agreement. The motion was seconded by Councilmember Brown.

Councilmember Schmidt made a substitute motion to amend Attachment A of the interlocal agreement. The motion was seconded by Councilmember Brown.

Councilmember Schwartz stated she would not support extending the sales tax for 15 years because many of her constituents have said several of the projects voted on in 2004 are not relevant towards the end of the current sales tax.

Councilmember Schmidt clarified the 18th year would be the end of the extension because that is when the last revenues would be collected; however, if the timeline is revised to 12 years the funding would have to be scaled back.

Councilmember De La Isla stated her proposal is for a total of \$235.6 million which would eliminate close to \$4 million and if there is a desire to reduce more, she suggested funding the County Trails System at zero; include \$7.5 million for the Infill Sidewalks project and \$4.9 million for the Topeka Boulevard project.

Mayor Wolgast clarified the interlocal agreement indicates a 15 year extension.

Councilmember Everhart stated she believes there has been a misunderstanding as some Councilmembers did not realize that they approved the sales tax for 15 years when the resolution was approved.

Doug Gerber, Administrative and Financial Services Director, stated the total is \$240.9 million if economic development is reduced from \$75 million to \$60 million, Infill Sidewalks project is added at \$7.5 million and the Topeka Boulevard project is added at \$4.9 million.

Councilmember Hiller stated \$240 million was based on a \$16 million figure of estimated revenues annually. She asked what are the current revenues collected annually.

Doug Gerber stated revenues are estimated at \$16 million annually.

Councilmember Schmidt stated his proposal was based on \$16.06 million annually.

Mayor Wolgast requested to recess the Council meeting until 7:30 p.m. to allow time for staff to figure the numbers.

Mayor Wolgast reconvened the Council meeting at 7:35 p.m.

Doug Gerber stated the current total is \$238.3 million which includes \$60 million for economic development, \$4.9 million for the Topeka Boulevard project, and \$7.5 for Infill Sidewalks project along with the remaining amounts proposed by Councilmember Schmidt.

Councilmember Brown made a substitute motion to include the Topeka Boulevard project at \$4.9 million and Infill Sidewalks project at \$7.5 million. The motion was seconded by Councilmember De La Isla.

Councilmember Schmidt withdrew his substitute motion to amend Attachment A of the interlocal agreement. The second concurred.

Joseph Ledbetter expressed concern with the language in the proposed interlocal agreement and reminded the Governing Body the deferred maintenance on the Kansas Expocentre is because it was not correctly maintained by Shawnee County and has become incredibly expensive over time. He recommended specifying which bridge would be repaired and supports reducing economic development to \$4 million because they have had large carryovers every year and could not justify all the funds. He spoke in opposition of the 15 year timeline and suggested adding to the interlocal agreement an independent auditor, language pertaining to the Cash Basis law and Kansas Open Records Act (KORA) standards.

Councilmember De La Isla made a substitute motion to reduce the economic development amount from \$75 million to \$60 million in the interlocal agreement. The motion was seconded by Councilmember Manspeaker.

Councilmember Schwartz asked if anyone has discussed the proposed funding reduction with the Greater Topeka Chamber of Commerce, Joint Economic Development Organization (JEDO) or Growth Organization of Topeka (GO Topeka).

Councilmember De La Isla stated she has not spoken with each entity; however, based on her experience of being on the JEDO Board she believes JEDO would be given the opportunity to review and change how tax dollars are utilized to move towards the future.

Mayor Wolgast questioned how much of the carryover amount has been committed.

Councilmember Manspeaker asked who serves on the JEDO Finance Committee and could answer questions regarding carryover amounts.

Brandon Kauffman, Chief Fiscal Officer, stated he serves as the City Manager's designee for the JEDO Finance Committee and reported the preliminary audit showed a carryover of \$9.7 million; however, he reviewed it briefly and could not tell what amounts were committed.

Councilmember Schwartz questioned if the amendment would take away \$1 million a year for 15 years.

Councilmember Hiller asked if JEDO was exploring ways to change the economic development program in the future.

Councilmember De La Isla stated the old economic development model of purchasing land is not something that is presently done in several areas and many are considering small enterprise or technology schools. She noted she is only estimating by what she views in the Chamber's reports and the way the nation is changing economic development.

Mayor Wolgast stated many successes have occurred in economic development at \$5 million every year; however, there are ways to improve the process and GO Topeka is researching the matter. He expressed concern with making the 20% reduction at this time which he believes could seriously harm economic development in the community.

Councilmember Schmidt stated he believes there is a need to change the economic development model; however, he would not support the motion as he would like to hear from

GO Topeka and JEDO regarding the 20% reduction. He noted Topeka has had a huge amount of success over the last ten (10) years in economic development; however, he believes \$5 million is not enough to sustain development moving forward.

Councilmember Manspeaker expressed his appreciation to Councilmember De La Isla for her efforts and believes she is correct in her assessment. He stated the City and County are in charge of how much economic development funds are spent and cutting the “middle man” out and doing it more directly would have a larger impact.

Councilmember De La Isla emphasized that the Governing Body should not personalize GO Topeka because she has never questioned their integrity; however, the Governing Body is elected to make the most efficient and effective decisions on how tax dollars are spent. She stated she has heard concerns expressed by her constituents regarding economic development funds and how they are spent; therefore, the Governing Body has to look at the quality and infrastructure offered to attract those businesses and work to improve the community and city viability.

Councilmember Brown spoke in support of the Infill Sidewalks project which directly affects those with the least mobility in the community; however, he stated he wants to see the city grow and believes it could be done with \$60 million instead of \$75 million for economic development.

Councilmember Schmidt stated by reducing economic development by \$15 million it would take ten (10) years off of the existing program; therefore, he believes the question should be put before the voters to decide if they want to continue funding at the current level.

Councilmember Everhart spoke in support of economic development; however, she expressed concern with the large carryover amounts and minority or disadvantage businesses that have not been supported sufficiently through economic funds.

Jim Colson stated the City has made a commitment for informed decision-making regarding economic development.

Councilmember Schmidt stated he is not sure the carryover of \$9 million is unencumbered.

Brandon Kauffman stated \$9.7 million carryover from JEDO shows no commitments; however, GO Topeka may have cash carryover for cash commitments that they are obliged to.

Councilmember Hiller suggested a presentation may be helpful and would answer their questions and concerns.

Councilmember Manspeaker stated he believes JEDO does not need a pending balance to ensure their bond rating is sufficient like the City does; therefore, reducing by \$1 million each year shouldn't make any difference to their success.

Councilmember Hiller reported JEDO is nearing the end of the 12 year plan and should keep pursuing other options for economic development.

Councilmember Schmidt reported discussions during JEDO meetings have informed him that a large portion of funds are reserved for land purchase should a corporation become interested.

The substitute motion to reduce the economic development amount from \$75 million to \$60 million in the interlocal agreement failed. Mayor Wolgast voted "no." Councilmembers Ortiz, Schwartz, Schmidt and Harmon voted "no." (5-5-0)

Councilmember Schmidt made a substitute motion to amend Attachment A of the interlocal agreement to include the two projects at zero funding. The motion was seconded by Councilmember Hiller.

Councilmember Schmidt stated the Topeka Boulevard project and Infill Sidewalks project have to be included in the interlocal agreement.

Chad Sublet stated there are two projects to include and if the sales tax revenues perform well the projects could be completed; however, if the revenues underperform then projects would have to be deleted.

Doug Gerber reported the total is at \$253.3 million including the two projects.

Councilmember Brown made a substitute motion to reduce funding for the Kansas Expocentre to \$40 million and the County Trails System to \$7.5 million. The motion was seconded by Councilmember Everhart.

Mayor Wolgast ruled the motion out of order.

Councilmember Brown made a substitute motion to add the Topeka Boulevard project at \$4.9 million, \$7.5 million for the Infill Sidewalks project and reduce the County Trails System to \$5 million and the Kansas Expocentre to \$40 million. The motion was seconded by Councilmember Manspeaker.

Councilmember Harmon left the meeting.

Doug Gerber reported the motion would set the total at \$240.8 million.

Councilmember Schmidt spoke in opposition of the substitute motion and emphasized quality of life issues that would affect every citizen.

Councilmember Manspeaker reported Shawnee County did not include the County Trails System in their proposal; however, they did include the NW Rochester Road project; therefore, he believes if the County Trails System is removed, Shawnee County will not approve the list.

Councilmember Brown made a substitute motion to remove the County Trails System from Attachment A at \$12.5 million and add \$7.5 million for Infill Sidewalks project and \$4.9 million for the Topeka Boulevard project. The motion was seconded by Councilmember De La Isla.

Councilmember Everhart called the question.

The vote to call the question and cease all discussion carried unanimously. (8-0-0)

The substitute motion to remove the County Trails System from Attachment A at \$12.5 million and add \$7.5 million for Infill Sidewalks project and \$4.9 million for the Topeka Boulevard project failed. Councilmembers Brown, Ortiz, Everhart, De La Isla, Manspeaker, Schwartz and Mayor Wolgast voted “no.” (2-7-0)

Councilmember Manspeaker made a substitute motion to add the Infill Sidewalks project in the amount of \$5 million to the “original” Attachment A. The motion was seconded by Councilmember De La Isla.

Jim Colson clarified Attachment A includes the Topeka Boulevard project and the Bikeways Master Plan at \$3.2 million; however, if the Governing Body chooses they may reduce the Bikeways Master Plan to \$3 million because KDOT awarded the City \$200,000 which was received on July 15, 2014.

Doug Gerber reported the total is \$240 million not including the Infill Sidewalks project.

Jim Colson reminded the Governing Body staff was working off current projections at this point.

Mayor Wolgast stated the interlocal agreement specifies how to handle the situation if there are not enough revenues or an overage is collected at the end.

Mayor Wolgast requested a recess until 8:55 p.m. to allow time for staff to figure projected amounts.

Mayor Wolgast reconvened the Council meeting at 9:03 p.m.

Chad Sublet stated the Governing Body must defer the interlocal agreement; or make a motion to reconsider the motion made to approve the resolution as amended, then revisit the interlocal agreement. He noted agreement details do not have to be worked out at this time as the previous agreement was not completed until after the public's vote on the ballot in 2004.

The substitute motion to add \$5 million for the Infill Sidewalks project carried. Mayor Wolgast voted "yes." Councilmember Schwartz voted "no." (8-1-0)

Councilmember Schmidt made a substitute motion to remove the NW 46th Street project, add the County Trails System and Bikeways Master Plan at \$2.5 million to Attachment A of the interlocal agreement. The motion was seconded by Councilmember Hiller.

Doug Gerber reported the total would be \$247.4 million.

The substitute motion to remove the NW 46th Street project, add the County Trail System and Bikeways Master Plan at \$2.5 million to Attachment A of the interlocal agreement failed. Mayor Wolgast voted "yes." Councilmembers Ortiz, Everhart, De La Isla, Manspeaker and Schwartz voted "no." (4-5-0)

Councilmember Schmidt moved to reconsider the motion to approve the resolution as amended. The motion seconded by Councilmember Everhart carried. Mayor Wolgast voted "yes." Councilmembers Hiller and Schmidt voted "no." (7-2-0)

The motion to approve the resolution as amended failed. Councilmembers Ortiz, Everhart, De La Isla, Manspeaker, Schwartz and Mayor Wolgast voted “no.” (3-6-0)

Councilmember Manspeaker moved to amend the resolution to add the Infill Sidewalks project. The motion seconded by Councilmember De La Isla carried. Mayor Wolgast voted “yes.” Councilmembers Ortiz and Schwartz voted “no.” (7-2-0)

Councilmember Schmidt moved to amend the resolution to add the County Trail System. The motion seconded by Councilmember Hiller failed. Councilmembers Brown, Everhart, De La Isla, Manspeaker, Schwartz and Mayor Wolgast voted “no.” (3-6-0)

Chad Sublet, City Attorney, raised a point of order and stated the Mayor is not allowed to vote on the resolution.

Councilmember Everhart moved to approve the resolution as amended. The motion was seconded by Councilmember Manspeaker.

Councilmember Hiller spoke in opposition to the interlocal agreement without the County Trails System.

The motion to approve the resolution as amended failed. Councilmembers Hiller, Ortiz, Schwartz and Schmidt voted “no.” (4-4-0)

Councilmember Schwartz left the room.

A Retail Cereal Malt Beverage License application for Wheat State Pizza located at 1801 SW Wanamaker Road was presented.

Councilmember Manspeaker moved to approve the retail cereal malt beverage license application as presented. The motion seconded by Councilmember De La Isla carried unanimously. Mayor Wolgast voted “yes.” (7-0-0)

MINUTES of the regular meeting of July 1, 2014, was presented.

Councilmember Hiller distributed her amendments to the July 1, 2014, Council meeting.

The amendments are as follows:

- Page 293, “Councilmember Hiller stated that she ~~had made the request to include~~ *was the person to suggest considering* Infill Sidewalks; however, ~~it was her understanding they would allocate~~ *her suggestion was that they not be considered for this tax but instead for a separate city-only tax at some future time, where half of a cent could generate \$1 million per year for two years.*
- Page 297, “Councilmember Harmon reported 75% to 80% of the current Countywide Half-Cent Sales Tax revenues are generated in City limits and Shawnee County is proposing that the City receive only 26% or \$63 million of the sales tax revenue funds for street improvements and the Topeka Zoo. He suggested the City impose a Citywide Half-Cent Sales Tax for a period of 12 years. He suggested the proceeds be distributed in the following manner:
 - \$5 million for economic development
 - \$66 million for city infrastructure (street and road projects)
 - \$10 million for the Topeka Zoo
 - ~~\$150~~ \$15 million for sidewalks (specifically in the center and east Topeka including Oakland) and trails/bikeways
 - Include the three street projects removed from the County’s proposal (1) SW 29th Street from Fairlawn to Wanamaker (2) SW 37th Street from Scapa Place to Burlingame and (3) SW 27th Street from Adams to Kansas”

Councilmember Hiller moved to approve the Minutes of the regular meeting of July 1, 2014, as amended. The motion seconded by Councilmember De La Isla carried.

Councilmember Ortiz voted “no.” (6-1-0)

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

Jim Colson, City Manager, announced the City has been awarded \$223,075 from the Kansas Department of Transportation (KDOT) Transportation Alternative Award for Phase 2 of the Topeka Bikeways Master Plan.

Councilmember Hiller commended the people involved in achieving the KDOT award for the Bikeways Master Plan. She stated she is excited about discussions heard at the Amtrak and Burlington Northern-Santa Fe (BNSF) Railroad visit to address train service in Topeka.

Councilmember Brown encouraged the community to participate in the Fiesta Mexicana festivities on July 15th through July 19th sponsored by Our Lady of Guadalupe Church located at 201 NE Chandler.

Mayor Wolgast acknowledged Shawnee County Commissioner Shelley Buhler's attendance at the meeting and stated he hopes the City and County could work together to draft a fair ballot question for the citizens of Topeka. He recognized the visit between Amtrak and BNSF representatives and reported they are currently looking at funding future train service through federal programs. He encouraged the Governing Body to be aware of the issue as it moves forward.

Chance Lammer appeared to speak under public comment.

Councilmember Ortiz moved to recess into an executive session for a time period not to exceed ten minutes to discuss non-elected personnel and to include the Governing Body, City Manager, Administrative and Financial Services Director and City Attorney. The motion seconded by Councilmember Hiller carried unanimously. (7-0-0)

Councilmember Ortiz moved to extend the executive session for a time period not to exceed ten minutes to discuss potential litigation and to include the Governing Body, City Manager and City Attorney. The motion seconded by Councilmember Hiller carried unanimously. (7-0-0)

At 10:00 p.m., the Council meeting was reconvened into open session and Mayor Wolgast announced that no action had been taken.

NO FURTHER BUSINESS appearing the meeting was adjourned at 10:00 p.m.

Brenda Younger
City Clerk