



A Capital City Government Working For You...

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City Council Agenda

City Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

September 16, 2008
6:00 PM

City Manager: Norton N. Bonaparte, Jr.

Mayor: William W. Buntten

Councilmembers

Lana Kennedy	District No. 1	Deborah Swank	District No. 6
John Alcala	District No. 2	Brett Blackburn	District No. 7
Sylvia E. Ortiz	District No. 3	Jeff Preisner	District No. 8
Jack Woelfel	District No. 4	Richard Harmon	District No. 9
Bill Haynes	District No. 5		

Addressing the Council: No person shall address the Council during a Council Meeting, unless they have notified the City Clerk by 5:00 P.M. on the day of any Council Meeting of their desire to speak on a specific matter on the published meeting agenda or during the public comment portion of the Council Meeting. This limitation shall not apply to items added during the course of a meeting. The Council does not take action with respect to any subject not on the agenda unless added to the agenda by a two-thirds vote of the Council.

Persons addressing the City Council will be limited to four (4) minutes of public address on a particular agenda item. Debate, question/answer dialogue or discussion between Councilmembers will not be counted towards the four (4) minute time limitation. The Chair may extend time with the unanimous consent of the Council or the Council by affirmative vote of five (5) members may extend the four (4) minute limitation.

Persons will be limited to addressing the City Council one (1) time on a particular matter unless otherwise allowed by an affirmative vote of five (5) members of the City Council.

Citizens wishing to offer Public Comment may sign up by phoning the City Clerk's office at 368-3940.

To make arrangements for special accommodations please call 785-368-3940. A 48-hour advance notice is preferred.

The Federal Communications Commission (FCC) has adopted use of the 711 dialing code for access to Telecommunications Relay Services (TRS). TRS permits persons with a hearing or speech disability to use the telephone system via a text telephone (TTY) or other device to call persons with or without such disabilities. To reach the City Clerk's office using the TRS, please dial 711.

(Agendas are available on Thursday afternoon in the City Clerk's office, 215 SE 7th – Room 166 and on the City's web site at <http://www.topeka.org>)

INVOCATION:

PLEDGE OF ALLEGIANCE:

1. PROCLAMATIONS:

"Balloons Around the World Day"
"Buffalo Soldier Day"
"Hispanic Heritage Month"
"Constitution Week - Daughters of the American Revolution"
(Proclamation for Prairie Flint Hills Chapter)
(Proclamation for John Haupt Chapter)

2. PRESENTATIONS:

"Human Relations Commission Update"

3. ROLL CALL:

4. CONSENT AGENDA:

A. Board Appointment - Civil Service Commission



[ATTACHMENTS](#)

BOARD APPOINTMENT recommending the appointment of Kimberly Scott to the Civil Service Commission for a term that would expire on September 30, 2012. *(Council District No. 7)*

B. Board Appointment - Board of Plumbing Examiners

BOARD APPOINTMENT recommending the re-appointment of Doug Snook to the Board of Plumbing Examiners for a term that would expire on September 30, 2010. *(Council District No. 7)*

C. Resolution - Pioneer Adams Towne Homes II



[ATTACHMENTS](#)

A RESOLUTION introduced by Councilmembers Jeff Preisner, Sylvia Ortiz and Jack Woelfel expressing support for the Pioneer Adams Towne Homes II Housing Development Project.

(An application will be submitted to the Kansas Housing Resources Corporation for Low Income Housing Tax Credits by Pioneer Group, Inc., for the construction of an additional 49 units of family housing located at the southeast corner of the East 21st and Adams Streets Intersection.)

D. Resolution - Rolling Meadows - Noise Exception



[ATTACHMENTS](#)

A RESOLUTION introduced by Councilmember Jack Woelfel granting Rolling Meadows Neighborhood Association an exception to the provisions of City of Topeka Code Section 54-148 concerning noise prohibitions. *(Council District No. 4)*

(The Neighborhood Night Out event will take place during the hours of 4:00 p.m. and 8:30 p.m. on September 20, 2008.)

E. Resolution - Washburn Memorial Union - Noise Exception



[ATTACHMENTS](#)

A RESOLUTION introduced by Councilmember Deborah Swank granting Washburn University an exception to the provisions of City of Topeka Code Section 54-148 concerning noise prohibitions. *(Council District No. 6)*

(The event will take place during the hours of 12:00 noon and 5:00 pm on October 24, 2008).

F. Resolution - Reynolds/Harmon - Noise Exception



[ATTACHMENTS](#)

A RESOLUTION introduced by Councilmember Lana Kennedy granting Ashley Reynolds and Amanda Harmon an exception to the provisions of City of Topeka Code Section 54-148 concerning noise prohibitions. *(Council District No. 1)*

(A Wedding Reception will take place during the hours of 7:30 p.m. and 11:00 p.m. on September 20, 2008.)

G. Resolution - Sacred Heart-St. Joseph Parish - Noise Exception

 [ATTACHMENTS](#)

A RESOLUTION introduced by Councilmember Lana Kennedy granting Sacred Heart-St. Joseph Parish an exception to the provisions of City of Topeka Code Section 54-148 concerning noise prohibitions. *(Council District No. 1)*

(The Autumnfest Celebration will take place during the hours of 12:00 p.m. and 5:00 p.m. on September 21, 2008.)

H. Ordinance - Sacred Heart-St. Joseph Parish Autumnfest 2008

 [ATTACHMENTS](#)

AN ORDINANCE introduced by Councilmember Lana Kennedy authorizing the sale, consumption, and possession of alcoholic liquor as part of the Sacred Heart-St. Joseph Parish Autumnfest 2008 at specified locations and times. Final Reading. *(Council District No. 1)*

(Approval would allow state-licensed vendors to sell alcoholic beverages at specified locations on a portion of the 200 block of SW Van Buren Street, for possession and consumption at these locations.)

I. MINUTES of the regular meeting of September 9, 2008

J. APPLICATIONS:

5. PUBLIC HEARINGS:

A. Public Hearing and Ordinance - Lateral Sanitary Sewer Improvement Project No. 40933-01 - Special Assessment

 [ATTACHMENTS](#)

A PUBLIC HEARING for the purpose of hearing any and all complaints that may be made as to the validity and fairness of the assessments on file in the office of the Clerk, on all lots, parcels and pieces of ground liable for the cost of improvement, same being Sanitary Sewer District No. 40933-01, authorized by Resolution No. 7662, adopted and approved July 12, 2005.

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., amending the original ordinance apportioning and levying a special assessment on certain lots and pieces of ground in the City of Topeka, Shawnee County, Kansas, for the improvement of the area near Highway 24 and Furman Road with piping, manholes, engineering and all other contingencies needed to complete Lateral Sanitary Sewer Improvement Project No. 40933-01, as defined and described in Resolution No. 7662, adopted and approved July 12, 2005, and specifically repealing City of Topeka Ordinance No. 19104. Final Reading. *(Council District No. 2)*

(Approval would correct an error in a parcel identification number and apportion and levy special assessments on properties located along the south side of the south frontage road of U.S. Highway 24 from the Furman Road Interceptor Sewer to approximately 1/2 mile east of NW Furman Road. 100% of the project costs will be paid by the Improvement District.)

6. UNFINISHED BUSINESS:

A. Ordinance - Establishment of Sustainability Advisory Board

 [ATTACHMENTS](#)

AN ORDINANCE introduced by Councilmember Deborah Swank, creating Chapter 66, Article 2, in the Code of the City of Topeka establishing the Sustainability Advisory Board and amending Section 1 of Ordinance No. 19095 relating to nonstatutory boards and commissions and repealing said original section. Final Reading.

(Approval would establish a Sustainability Advisory Board which would advise the City Council on sustainability programs.)

B. Ordinance - Kansas Public Water Supply Loan Fund Agreement Amendment

 [ATTACHMENTS](#)

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., relating to the execution of a loan agreement amendment between the City of Topeka, Kansas, and the State of Kansas, for the purpose of obtaining a loan from the Kansas Public Water

Supply Loan Fund for the purpose of financing a public water supply project, KPWSLF Project No. 2419; establishing a dedicated source of revenue for repayment of such loan; authorizing and approving certain documents in connection therewith; and authorizing certain other actions in connection with the Loan Agreement. Final Reading.

(The Utilities are transferring their borrowing authority from SRF Loan 2417 to Loan 2419. This action will not change the total SRF borrowing authority by the Utilities.)

C. Ordinance - Sanitary Sewer Improvement Project No. 29093-02 - Condemnation Proceedings

 [ATTACHMENTS](#)

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., authorizing the initiation of condemnation proceedings to acquire property interests by eminent domain for Improvement Project No. 29093-02, which provides for the installation of a new force main from the Deer Creek Pump Station to the Oakland Wastewater Treatment Plant. Final Reading. *(Council District No. 2) (Deferred from the meeting of September 9, 2008.)*

(Approval would initiate condemnation proceedings to acquire property interests for the improvement project. If negotiations are successful condemnation proceedings will be terminated.)

7. NEW BUSINESS:

A. Resolution - Setting Public Hearing Date - Southwest Topeka Boulevard TIF District

 [ATTACHMENTS](#)

A RESOLUTION introduced by City Manager Norton N. Bonaparte, Jr., setting the public hearing for Establishment of a Redevelopment District for the Southwest Topeka Boulevard district.

(The proposed district is located in the area of SW 37th Street and Topeka Boulevard. Approval would establish a public hearing date of October 28, 2008 and allow Council to establish the boundaries for future redevelopment. Approval of the boundaries does not commit the City to any particular redevelopment project.)

B. Resolution - Residency Requirement

 [ATTACHMENTS](#)

A RESOLUTION introduced by City Manager Norton N. Bonaparte, Jr., concerning residency requirement exceptions for Department Heads.

(Approval would grant an exception to the residency requirement for Mark Biswell, I.T. Director)

C. Ordinance - Weekly Expenditures - August 25-31, 2008

 [ATTACHMENTS](#)

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., allowing and approving City expenditures for the period of August 25, 2008, through August 31, 2008, and enumerating said expenditures therein. First and Final Reading.

8. MISCELLANEOUS:

-

9. PRESENTATIONS BY THE CITY MANAGER, MAYOR AND MEMBERS OF THE COUNCIL:

-

10. PUBLIC COMMENT:

-

11. ADJOURNMENT:

-



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

July 28, 2008

+ Back Print

DATE: September 16, 2008

CONTACT PERSON:

DOCUMENT #:

SECOND PARTY/SUBJECT:

PROJECT #:

CATEGORY/SUBCATEGORY

CIP PROJECT: No

ACTION OF COUNCIL:

JOURNAL #:

PAGE #:

DOCUMENT DESCRIPTION:

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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CIP PROJECT: No

ACTION OF COUNCIL:

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STAFF RECOMMENDATION:

BACKGROUND:

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SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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CIP PROJECT: No

ACTION OF COUNCIL:

JOURNAL #:

PAGE #:

DOCUMENT DESCRIPTION:

"Balloons Around the World Day"

"Buffalo Soldier Day"

"Hispanic Heritage Month"

"Constitution Week - Daughters of the American Revolution"

(Proclamation for Prairie Flint Hills Chapter)

(Proclamation for John Haupt Chapter)

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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CATEGORY/SUBCATEGORY

CIP PROJECT: No

ACTION OF COUNCIL:

JOURNAL #:

PAGE #:

DOCUMENT DESCRIPTION:

"Human Relations Commission Update"

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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PAGE #:

DOCUMENT DESCRIPTION:

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

August 25, 2008

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DATE: September 16, 2008
CONTACT PERSON: Celeste Benton **DOCUMENT #:**
SECOND PARTY/SUBJECT: Civil Service Commission **PROJECT #:**
CATEGORY/SUBCATEGORY 006 Communication / 003 Requests
CIP PROJECT: No
ACTION OF COUNCIL: **JOURNAL #:**
PAGE #:

DOCUMENT DESCRIPTION:

BOARD APPOINTMENT recommending the appointment of Kimberly Scott to the Civil Service Commission for a term that would expire on September 30, 2012. (Council District No. 7)

POLICY ISSUE:

N/A

STAFF RECOMMENDATION:

The Mayor is recommending the appointment of Kimberly Scott, 3049 SE Wisconsin, to the Civil Service Commission. Ms. Scott was nominated by Councilman Alcalá. A copy of her resume is attached for review.

BACKGROUND:

Ordinance 18382. The Civil Service Commission has control of exams and the nature of the exams for the Police and Fire Departments and certifies the lists of eligible applicants. The Commission makes an annual report to the City Manager and the City Manager may require special reports from the Civil Service Commission at any time.

From and after July 2, 2008, any appointment to any board, commission, advisory group or other body made by the mayor of any city which is subject to approval of the governing body of the city must be acted upon by the governing body within 45 days of the appointment by the mayor or the appointment shall be deemed approved. The governing body of the city shall approve such appointment unless the governing body makes a specific finding by the passage of a resolution that the person is either unqualified to hold the office or is not fit to hold the office or the position.

BUDGETARY IMPACT:

N/A

SOURCE OF FUNDING:

N/A

ATTACHMENTS:

[Scott Bio](#)

Item #6

August 26, 2008

Kimberly Scott

HR RELATED TRAINING:

Targeted Selection Course/Competency Based Interviewing and Hiring Practices:

- Use the STAR concept when interviewing (Situation, Task, Action, and Result).
- Use of interview guides that help to ask behavioral questions that fit specific competencies (Leadership, strategy/vision, relationship building, influence/negotiation, innovation, results oriented, etc.)
- Responsible for understanding and applying laws for pre-employment inquiries and questions that are prohibited during the interview process and legal rights of employees. Also required to adhere to and enforce the Colgate Code of Ethics/Conduct for all employees.

Employee Issues Resolution Process Training:

- Improve communication between employees and management
- Provide training/guidance for managers to effectively resolve issues in a timely manner
- Provide alternative options to resolving conflicts internally
- Proper steps for handling Code of Conduct violations

Supervise/Manage:

Hill's Topeka Plant Analytical/Quality Laboratory:

- 3 Quality Assurance Chemists with an average of 31 years of service to the company
- 2 Quality Assurance technicians – 23 years of service and 1.5 years of service
- All plant production personnel

The Lab operates 24 hours 5-6 days a week depending on the production schedule. I am on call 24 hours 7 days a week.

I hire a temporary position about every 10 months and work through Kelly Scientific. They screen and I am responsible for selecting candidates to interview and hire. Over the last 4 years, I have hired 5 people for this position and am in the process of hiring another chemist for the lab.

Additionally, I participate in plant wide interviews for team leaders and technicians and in the past have participated in interviews for Scientists and Fellows at the Pet Nutrition Center.



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Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

August 8, 2008

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DATE: September 16, 2008
CONTACT PERSON: Celeste Benton **DOCUMENT #:**
SECOND PARTY/SUBJECT: Board of Plumbing **PROJECT #:**
Examiners
CATEGORY/SUBCATEGORY 006 Communication / 003 Requests
CIP PROJECT: No
ACTION OF COUNCIL: **JOURNAL #:**
PAGE #:

DOCUMENT DESCRIPTION:

BOARD APPOINTMENT recommending the re-appointment of Doug Snook to the Board of Plumbing Examiners for a term that would expire on September 30, 2010. (Council District No. 7)

POLICY ISSUE:

N/A

STAFF RECOMMENDATION:

The Mayor is recommending the re-appointment of Doug Snook, 4125 SW Misty Harbor Ave., to the Board of Plumbing Examiners for a two year term. There is no official attendance policy, however, Mr. Snook has attended all the meetings. Mr. Snook was nominated by Ms. Kennedy.

BACKGROUND:

Ordinance 18382. The Board of Plumbing Examiners reviews applications and approves the issuance of licenses in accordance with the Topeka City Code. The board is empowered to hear and determine interpretations of applicable codes and to permit exceptions, variances or waivers therefrom, provided they meet the intent of the adopted code.

From and after July 2, 2008, any appointment to any board, commission, advisory group or other body made by the mayor of any city which is subject to approval of the governing body of the city must be acted upon by the governing body within 45 days of the appointment by the mayor or the appointment shall be deemed approved. The governing body of the city shall approve such appointment unless the governing body makes a specific finding by the passage of a resolution that the person is either unqualified to hold the office or is not fit to hold the office or the position.

BUDGETARY IMPACT:

N/A

SOURCE OF FUNDING:

N/A

Item #7

ATTACHMENTS:

No Attachments Available



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

August 26, 2008

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DATE: September 16, 2008
CONTACT PERSON: Randy L. Speaker **DOCUMENT #:**
SECOND PARTY/SUBJECT: Pioneer Group, Inc. **PROJECT #:**
CATEGORY/SUBCATEGORY 020 Resolutions / 005 Miscellaneous
CIP PROJECT: No
ACTION OF COUNCIL: **JOURNAL #:**
PAGE #:

DOCUMENT DESCRIPTION:

A RESOLUTION introduced by Councilmembers Jeff Preisner, Sylvia Ortiz and Jack Woelfel expressing support for the Pioneer Adams Towne Homes II Housing Development Project.

(An application will be submitted to the Kansas Housing Resources Corporation for Low Income Housing Tax Credits by Pioneer Group, Inc., for the construction of an additional 49 units of family housing located at the southeast corner of the East 21st and Adams Streets Intersection.)

POLICY ISSUE:

Should a resolution of support be adopted by the City Council.

STAFF RECOMMENDATION:

Adopt the Resolution.

BACKGROUND:

This project if approved by the KHRC would assist in the construction of new structures to assist income-qualified families.

BUDGETARY IMPACT:

NONE. No funding to be provided from the City of Topeka.

This undertaking represents an investment in excess of \$6,600,000 funded primarily by the Low Income Housing Tax Credit program issues by the Kansas housing Resources Corporation.

SOURCE OF FUNDING:

Federal Low Income Housing Tax Credits.

ATTACHMENTS:

[Project Description](#)

Item #8

[Aerail Map of Project Area](#)

[Resolution](#)

LOW INCOME HOUSING TAX CREDIT (LIHTC) PROGRAM

Pioneer Adams Towne Homes II

Additional Information:

The project developer provided the following information. The common address is approximately 2132 SE Adams, AKA Tract of land east of the Southeast Corner of SE 21st and Adams, Jefferson Square Subdivision in the City of Topeka Shawnee County, Kansas.

The development will entail construction of forty-nine (49) units in phase II of the Pioneer Adams Towne Homes construction of family housing. The development consists of a \$6,418,524 LIHTC project. Includes 16 one-bedroom apartment units, 12 two-bedroom apartments, 1 three-bedroom apartments and 20 three-bedroom townhomes.

Should this project be approved and funded the anticipated construction would begin in January 2009 and completed by December 2009.

Actions Taken By Applicant To Inform Surrounding Neighborhood:

The Developer reports a meeting was held with the residents of the Central Highland Park Neighborhood Improvement Association on July 14, 2008.

The project entails the construction of an apartment complex however, other than the impact of noise from construction, increased traffic from the new improvements, the impact on the surrounding property owners should be minimal.

Topeka Planning Department Determination:

"The proposed development by Pioneer Group for a 49-unit multiple family development is not currently consistent with the property's existing zoning of "R-1" Single-Family Dwelling and "C-2" Commercial. The zoning would need to be changed to a Planned Unit Development (M-2 use group) to allow for construction of private streets and multiple buildings. Based on the surrounding land uses and zoning, such a zone change could be supported by Planning Department staff with conditions involving the site plan. Approval must ultimately be given by Topeka City Council. The proposed land use would not necessarily conform to the "Low Density Residential" designation in the Comprehensive Metropolitan Plan 2025, but basis planning principles outlined in the plan also would support more intensive development such as this at the intersection of two arterials when they do not negatively impact the road network or a single family neighborhood."

The property will also need to be platted and approved by Topeka City Council upon recommendation of the Topeka Planning Commission.

This letter should not be deemed as the City's approval for future zoning changes which will require a more in-depth analysis and discretionary public approval process.

There is not specific adopted neighborhood plan for this area. According to our Neighborhood Element of the Comprehensive Plan, the project is located in a "Healthy" neighborhood and is considered an average to low priority for re-investment."

Planned Improvements:

Some of the planned improvements include, but are not limited to the following: Kitchen with full appliances, Community Room with a larger tot lot with professionally constructed play equipment and green space. Townhomes have approximately 1,414 square feet of living space, plus an attached garage. The one and two bedroom apartment units correspondingly have 640 and 912 square feet of living space with similar furnishings as the townhomes.



Attachment number 2
Page 1 of 1

SE Massachusetts Ave
SE Massachusetts Ave

SE Pennsylvania Ave
SE Pennsylvania Ave

SE 21st St

SE 21st St

SE Adams St
SE Adams St

SE Adams St

Adams
SE Adams St

RESOLUTION NO. _____

A RESOLUTION introduced by Deputy Mayor Jeff Preisner and Councilmembers Sylvia Ortiz and Jack Woelfel expressing support for the Pioneer Adams Towne Homes II Development Project.

WHEREAS, the City of Topeka, Kansas, has been informed by Pioneer Group, Inc., the developer of Pioneer Adams Towne Homes II, an affordable housing project, that a housing tax credit application will be filed with the Kansas Housing Resources Corporation for the acquisition of land located at the Southeast corner of the intersection of East 21st Street and Adams and the construction of forty-nine (49) units of family housing in order to provide clean, safe, modern, and affordable family rental housing to be located in East Topeka, Kansas, with a legal description as follows:

TRACT 1

A tract of land in the Northwest Quarter of Section 8, Township 12 South, Range 16, East of the 6th P.M., in the City of Topeka, Shawnee County, Kansas, described as follows: Beginning at a point on the North line of the Northwest Quarter of said Section 8, township 12 South, Range 16, which is 564 feet East of the Northwest corner of said Quarter Section, at the intersection of the intersection of the alley and 21st Street; thence South parallel with the West line of said Northwest Quarter, 433.6 feet; thence West parallel with the North line of said Northwest Quarter, 190.4 feet; thence North parallel with the West line of said Northwest Quarter 178 feet; thence West parallel with the North line of said Northwest Quarter, 118 feet, more or less, to the East line of a 1 ½ acre tract in square form in the Northwest corner of said Northwest Quarter; thence North along the East line of said 1 ½ acre tract, 255.6 feet, more or less, to the North line of said Northwest Quarter; thence East along said North line to the place of beginning, Except that part taken by condemnation as set forth in District Court Case No. 122,881.

TRACT 2

1 ½ acres in a square from the Northwest corner of the Northwest Quarter of Section 8, Township 12 South, range 16, East of the 6th P.M. in the City of Topeka, Shawnee County Kansas, EXCEPT that part of now platted Jefferson Square Subdivision No. 2; AND EXCEPT that part taken by condemnation as set forth in District Court Case No. 122, 881.

TRACT 3

Lots 3 & 4, Block A, Jefferson Square Subdivision # 2, commonly known as 2132 SE Adams Street, to the City of Topeka, Shawnee County, Kansas.

WHEREAS, this development will contain forty-nine (49) units of family housing;

and

WHEREAS, the units will be targeted to low income residents;

WHEREAS, this development will be a new construction housing project in an area that has a scarcity of clean, safe, modern, and affordable family housing, and each unit will be constructed slab on grade; and a safe room will be provided in the office/community room building.

WHEREAS, the property will have the following amenities: a tot lot with play equipment, green space, a community meeting room, a single car garage for each unit and access to public transportation.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Topeka, Kansas, that it supports the development of the aforesaid housing project in our community, subject to city ordinances, and the building permit process.

ADOPTED and APPROVED by City Council _____.

CITY OF TOPEKA, KANSAS

Norton N. Bonaparte Jr., City Manager

ATTEST:

Brenda Younger, City Clerk



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DATE: September 16, 2008
CONTACT PERSON: Jack Woelfel **DOCUMENT #:**
SECOND PARTY/SUBJECT: Fred Martinez **PROJECT #:**
CATEGORY/SUBCATEGORY 020 Resolutions / 005 Miscellaneous
CIP PROJECT: No
ACTION OF COUNCIL: **JOURNAL #:**
PAGE #:

DOCUMENT DESCRIPTION:

A RESOLUTION introduced by Councilmember Jack Woelfel granting Rolling Meadows Neighborhood Association an exception to the provisions of City of Topeka Code Section 54-148 concerning noise prohibitions. *(Council District No. 4)*

(The Neighborhood Night Out event will take place during the hours of 4:00 p.m. and 8:30 p.m. on September 20, 2008.)

POLICY ISSUE:

None

STAFF RECOMMENDATION:

None

BACKGROUND:

Noise exception for amplified music located at 35th and SE Powell Street during specified date and time.

BUDGETARY IMPACT:

None

SOURCE OF FUNDING:

None

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION introduced by Councilmember Jack Woelfel, granting the Rolling Meadows Neighborhood Association an exception to the provisions of City of Topeka Code Section 54-148 concerning noise prohibitions.

WHEREAS, City of Topeka Code Section 54-148 makes it unlawful for any person to make, continue or cause to made or continued any loud, unnecessary or unusual noise or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health or safety or others within the limits of the city; and

WHEREAS, City of Topeka Code Section 54-148 authorizes the City Council to grant exceptions to the prohibitions of this code section upon request and a showing that the proposed activity does not offend the spirit of the findings of City of Topeka Code Section 54-146; and

WHEREAS, the Rolling Meadows Neighborhood Association has requested that it be granted an exception to the provisions of City of Topeka Code Section 54-148 for the purposes, dates and times described herein, and

WHEREAS, upon review of the application of the Rolling Meadows Neighborhood Association, the Council of the City of Topeka does hereby find that the requested activity does not offend the spirit of the findings of City of Topeka Code Section 54-146.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Topeka that the Rolling Meadows Neighborhood Association is hereby granted

an exception from the provisions of City of Topeka Code Section 54-148 for amplified outdoor music at the Neighborhood Night Out event located at 35th & SE Powell Street, during the hours of 4:00 p.m. and 8:30 p.m. on September 20, 2008.

ADOPTED and APPROVED by the City Council _____.

William W. Bunten, Mayor

Brenda Younger, City Clerk



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DATE: September 16, 2008
CONTACT PERSON: Deborah Swank **DOCUMENT #:**
SECOND PARTY/SUBJECT: Sara Stadler **PROJECT #:**
CATEGORY/SUBCATEGORY 020 Resolutions / 005 Miscellaneous
CIP PROJECT: No
ACTION OF COUNCIL: **JOURNAL #:**
PAGE #:

DOCUMENT DESCRIPTION:

A RESOLUTION introduced by Councilmember Deborah Swank granting Washburn University an exception to the provisions of City of Topeka Code Section 54-148 concerning noise prohibitions. *(Council District No. 6)*

(The event will take place during the hours of 12:00 noon and 5:00 pm on October 24, 2008).

POLICY ISSUE:

None

STAFF RECOMMENDATION:

None

BACKGROUND:

Noise exception for live bands located at 1700 SW College Avenue during specified date and time.

BUDGETARY IMPACT:

None

SOURCE OF FUNDING:

None

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION introduced by Councilmember Deborah Swank, granting Washburn University an exception to the provisions of City of Topeka Code Section 54-148 concerning noise prohibitions.

WHEREAS, City of Topeka Code Section 54-148 makes it unlawful for any person to make, continue or cause to made or continued any loud, unnecessary or unusual noise or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health or safety or others within the limits of the city; and

WHEREAS, City of Topeka Code Section 54-148 authorizes the City Council to grant exceptions to the prohibitions of this code section upon request and a showing that the proposed activity does not offend the spirit of the findings of City of Topeka Code Section 54-146; and

WHEREAS, Washburn University has requested that it be granted an exception to the provisions of City of Topeka Code Section 54-148 for the purposes, dates and times described herein, and

WHEREAS, upon review of the application of Washburn University, the Council of the City of Topeka does hereby find that the requested activity does not offend the spirit of the findings of City of Topeka Code Section 54-146.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Topeka that Washburn University is hereby granted an exception from the provisions of City of Topeka Code Section 54-148 for live bands located at 1700

25 SW College Avenue during the hours of 12:00 noon and 5:00 p.m. on October
26 24, 2008. The event will be held on the grounds around the Memorial Union.

27 ADOPTED and APPROVED by the City Council _____.

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William W. Bunten, Mayor

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Brenda Younger, City Clerk

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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

September 10, 2008

[Back](#) [Print](#)

DATE: September 16, 2008
CONTACT PERSON: Lana Kennedy **DOCUMENT #:**
SECOND PARTY/SUBJECT: Ashley Reynolds **PROJECT #:**
CATEGORY/SUBCATEGORY 020 Resolutions / 005 Miscellaneous
CIP PROJECT: No
ACTION OF COUNCIL: **JOURNAL #:**
PAGE #:

DOCUMENT DESCRIPTION:

A RESOLUTION introduced by Councilmember Lana Kennedy granting Ashley Reynolds and Amanda Harmon an exception to the provisions of City of Topeka Code Section 54-148 concerning noise prohibitions. *(Council District No. 1)*

(A Wedding Reception will take place during the hours of 7:30 p.m. and 11:00 p.m. on September 20, 2008.)

POLICY ISSUE:

None

STAFF RECOMMENDATION:

None

BACKGROUND:

Noise exception for amplified music located at 1119 SW Western Avenue during specified date and time.

BUDGETARY IMPACT:

None

SOURCE OF FUNDING:

None

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO.

A RESOLUTION introduced by Councilmember Lana Kennedy, granting Ashley Reynolds and Amanda Harmon an exception to the provisions of City of Topeka Code Section 54-148 concerning noise prohibitions.

WHEREAS, City of Topeka Code Section 54-148 makes it unlawful for any person to make, continue or cause to made or continued any loud, unnecessary or unusual noise or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health or safety or others within the limits of the city; and

WHEREAS, City of Topeka Code Section 54-148 authorizes the City Council to grant exceptions to the prohibitions of this code section upon request and a showing that the proposed activity does not offend the spirit of the findings of City of Topeka Code Section 54-146; and

WHEREAS, Ashley Reynolds and Amanda Harmon have requested that they be granted an exception to the provisions of City of Topeka Code Section 54-148 for the purposes, dates and times described herein, and

WHEREAS, upon review of the application of Ashley Reynolds and Amanda Harmon, the Council of the City of Topeka does hereby find that the requested activity does not offend the spirit of the findings of City of Topeka Code Section 54-146.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Topeka that Ashley Reynolds and Amanda Harmon are hereby granted an

exception from the provisions of City of Topeka Code Section 54-148 for
amplified music for a Wedding Reception located at 1119 SW Western Avenue
from 7:30 p.m. to 11:00 p.m. on September 20, 2008.

ADOPTED and APPROVED by the City Council _____.

William W. Bunten, Mayor

Brenda Younger, City Clerk



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

August 20, 2008

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DATE: September 16, 2008
CONTACT PERSON: Lana Kennedy **DOCUMENT #:**
SECOND PARTY/SUBJECT: Joe Singer **PROJECT #:**
CATEGORY/SUBCATEGORY 020 Resolutions / 005 Miscellaneous
CIP PROJECT: No
ACTION OF COUNCIL: **JOURNAL #:**
PAGE #:

DOCUMENT DESCRIPTION:

A RESOLUTION introduced by Councilmember Lana Kennedy granting Sacred Heart-St. Joseph Parish an exception to the provisions of City of Topeka Code Section 54-148 concerning noise prohibitions. *(Council District No. 1)*

(The Autumnfest Celebration will take place during the hours of 12:00 p.m. and 5:00 p.m. on September 21, 2008.)

POLICY ISSUE:

None

STAFF RECOMMENDATION:

None

BACKGROUND:

Noise exception for amplified music and sound located at 227 SW Van Buren Street during specified date and time.

BUDGETARY IMPACT:

None

SOURCE OF FUNDING:

None

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION introduced by Councilmember Lana Kennedy, granting Sacred Heart-St. Joseph Parish an exception to the provisions of City of Topeka Code Section 54-148 concerning noise prohibitions.

WHEREAS, City of Topeka Code Section 54-148 makes it unlawful for any person to make, continue or cause to made or continued any loud, unnecessary or unusual noise or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health or safety or others within the limits of the city; and

WHEREAS, City of Topeka Code Section 54-148 authorizes the City Council to grant exceptions to the prohibitions of this code section upon request and a showing that the proposed activity does not offend the spirit of the findings of City of Topeka Code Section 54-146; and

WHEREAS, Sacred Heart-St. Joseph Parish has requested that it be granted an exception to the provisions of City of Topeka Code Section 54-148 for the purposes, dates and times described herein, and

WHEREAS, upon review of the application of Sacred Heart-St. Joseph Parish, the Council of the City of Topeka does hereby find that the requested activity does not offend the spirit of the findings of City of Topeka Code Section 54-146.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Topeka that Sacred Heart-St. Joseph Parish is hereby granted an exception from the provisions of City of Topeka Code Section 54-148 for amplified music and

sound during the Autumnfest celebration located at 227 SE Van Buren Street
during the hours of 12:00 noon and 5:00 p.m. on September 21, 2008.

ADOPTED and APPROVED by the City Council _____.

William W. Bunten, Mayor

Brenda Younger, City Clerk



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

September 11, 2008

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DATE: September 16, 2008
CONTACT PERSON: Lana Kennedy **DOCUMENT #:**
SECOND PARTY/SUBJECT: Sacred Heart-St. Joseph **PROJECT #:**
Parrish Aumnfest 2008
CATEGORY/SUBCATEGORY 014 Ordinances – Non-Codified / 005 Miscellaneous
CIP PROJECT: No
ACTION OF COUNCIL: **JOURNAL #:**
PAGE #:

DOCUMENT DESCRIPTION:

AN ORDINANCE introduced by Councilmember Lana Kennedy authorizing the sale, consumption, and possession of alcoholic liquor as part of the Sacred Heart-St. Joseph Parish Autumnfest 2008 at specified locations and times. **Final Reading.** *(Council District No. 1)*

(Approval would allow state-licensed vendors to sell alcoholic beverages at specified locations on a portion of the 200 block of SW Van Buren Street, for possession and consumption at these locations.)

POLICY ISSUE:

Whether or not to authorize the removal of portions of the 200 block of SW Van Buren Street adjacent to the parking lot at the northeast corner of SW 3rd and Van Buren Streets from City right-of-way to the sale, consumption and possession of alcoholic liquor.

STAFF RECOMMENDATION:

BACKGROUND:

This ordinance would remove portions of the 200 block of SW Van Buren Street right-of-way adjacent to the parking lot at the northeast corner of SW 3rd and Van Buren Streets for the sale, possession, and consumption of alcoholic liquor on the barricaded portions of these streets from 12 p.m. to 5 p.m. on September 21, 2008. The sale of alcoholic liquor at this event is regulated by the State of Kansas.

BUDGETARY IMPACT:

None

SOURCE OF FUNDING:

N/A

ATTACHMENTS:

Item #13

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by Councilmember Lana Kennedy authorizing the sale, consumption and possession of alcoholic liquor as part of the Sacred Heart-St. Joseph Parish Autumnfest 2008 at specified locations and times.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

Section 1. a) Authorization is given to barricade a portion of portion of the 200 block of SW Van Buren Street right-of-way adjacent to the parking lot at the northeast corner of SW 3rd and Van Buren Streets on September 21, 2008 between the hours of 12:00 p.m. and 5:00 p.m. Attendance to the celebration is open to the public between these hours. Licensed retailers may sell non-alcoholic commodities or food between the hours of 12:00 p.m. and 5:00 p.m. on September 21, 2008.

b) The barricaded portion of the 200 block of SW Van Buren Street right-of-way adjacent to the parking lot at the northeast corner of SW 3rd and Van Buren Streets shall be temporarily removed from the City's right-of-way and the provisions of K.S.A. 41-719. Vendors holding the appropriate license from the State of Kansas to sell alcoholic liquor may in accordance with all applicable state laws and municipal ordinances sell alcoholic liquor in the specific area designated by the division of Alcohol Beverage Control within the barricaded portion of the 200 block of SW Van Buren Street right-of-way adjacent to the parking lot at the northeast corner of SW 3rd and Van Buren Streets between the hours of 12:00 p.m. and 5:00 p.m. on September 21, 2008.

c) Event attendees may buy, possess and consume alcoholic beverages in the specific area designated by the division of Alcohol Beverage Control within the barricaded portion of the 200 block of SW Van Buren Street right-of-way adjacent to the parking lot at the northeast corner of SW 3rd and Van Buren Streets between the hours of 12:00 p.m. and 5:00 p.m. on September 21, 2008.

Section 2. This Ordinance shall be null and void on September 22, 2008.

Section 3. This Ordinance shall take effect and be in force after its passage, approval and publication in the official city newspaper.

PASSED and APPROVED by the City Council _____.

CITY OF TOPEKA, KANSAS

William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

July 28, 2008

 [Back](#)  [Print](#)

DATE: September 16, 2008

CONTACT PERSON:

DOCUMENT #:

SECOND PARTY/SUBJECT:

PROJECT #:

CATEGORY/SUBCATEGORY

CIP PROJECT: No

ACTION OF COUNCIL:

JOURNAL #:

PAGE #:

DOCUMENT DESCRIPTION:

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

July 28, 2008

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DATE: September 16, 2008

CONTACT PERSON:

DOCUMENT #:

SECOND PARTY/SUBJECT:

PROJECT #:

CATEGORY/SUBCATEGORY

CIP PROJECT: No

ACTION OF COUNCIL:

JOURNAL #:

PAGE #:

DOCUMENT DESCRIPTION:

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

September 3, 2008

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DATE: September 16, 2008
CONTACT PERSON: Robert M. Coffman **DOCUMENT #:**
SECOND PARTY/SUBJECT: Lateral Sanitary Sewer Improvement **PROJECT #:** 40933-01
CATEGORY/SUBCATEGORY 014 Ordinances – Non-Codified / 008 Special Assessments
CIP PROJECT: No
ACTION OF COUNCIL: 09/09/08 First Reading. **JOURNAL #:** 08
PAGE #:

DOCUMENT DESCRIPTION:

A PUBLIC HEARING for the purpose of hearing any and all complaints that may be made as to the validity and fairness of the assessments on file in the office of the Clerk, on all lots, parcels and pieces of ground liable for the cost of improvement, same being Sanitary Sewer District No. 40933-01, authorized by Resolution No. 7662, adopted and approved July 12, 2005.

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., amending the original ordinance apportioning and levying a special assessment on certain lots and pieces of ground in the City of Topeka, Shawnee County, Kansas, for the improvement of the area near Highway 24 and Furman Road with piping, manholes, engineering and all other contingencies needed to complete Lateral Sanitary Sewer Improvement Project No. 40933-01, as defined and described in Resolution No. 7662, adopted and approved July 12, 2005, and specifically repealing City of Topeka Ordinance No. 19104. Final Reading. (Council District No. 2)

(Approval would correct an error in a parcel identification number and apportion and levy special assessments on properties located along the south side of the south frontage road of U.S. Highway 24 from the Furman Road Interceptor Sewer to approximately 1/2 mile east of NW Furman Road. 100% of the project costs will be paid by the Improvement District.)

POLICY ISSUE:

N/A

STAFF RECOMMENDATION:

Approve the Ordinance for Special Assessments as presented.

BACKGROUND:

This project provides sanitary sewer service to the following described area with piping, manholes, engineering and all other contingencies needed for a complete project: part of Kaw Half Breed Reserve No. 2; Lot 1, Block A, Highway Center Subdivision; Lots 1 through 3, Block A, Mulligan Subdivision No. 3; ;Lot 1, Block A, Mosher Subdivision and Lot 1, Block A, Heritage Tractor Subdivision.

Item #16

On June 17, 2008, Council passed Ordinance No. 19104 that apportioned and levied a special assessment on lots within the Improvement District. A clerical error was made in the parcel identification number and description of one lot and needs to be corrected.

BUDGETARY IMPACT:

FINAL PROJECT COST: \$147,106.54

Improvement District will pay 100% of the costs.

Assessments are on a square foot of area basis for all lots or individual dwelling sites which are included in the improvement district.

Total Square Feet: 1,675,426

Cost Per Square Foot: \$0.0878025

SOURCE OF FUNDING:

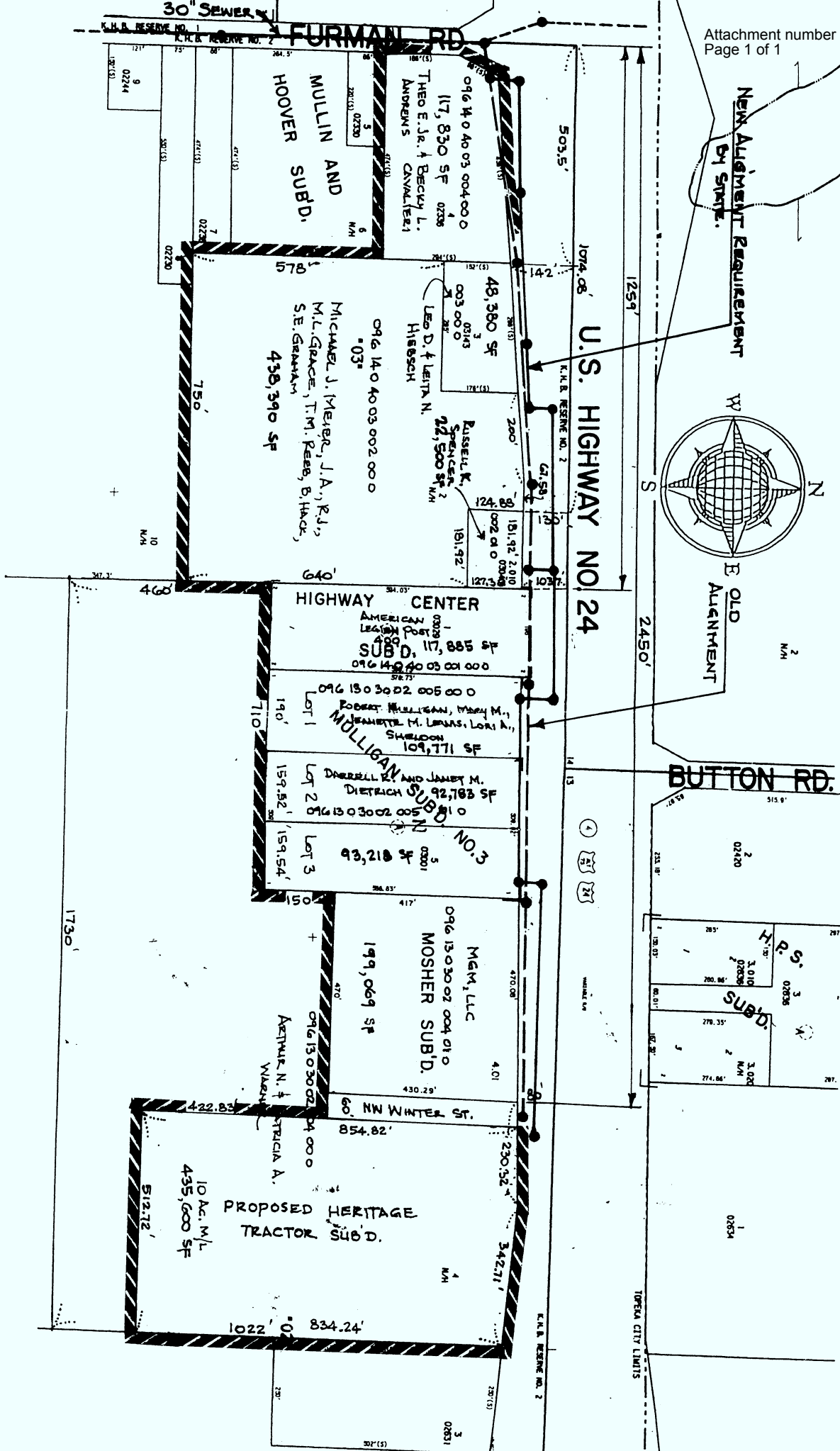
Improvement District will pay 100% of the costs either through direct payment or by assessments to cover debt service on general obligation bond.

ATTACHMENTS:

[Vicinity Map](#)

[Ordinance](#)

[Public Hearing Notice](#)



(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., amending the original ordinance apportioning and levying a special assessment on certain lots and pieces of ground in the City of Topeka, Shawnee County, Kansas, for the improvement of the area near Highway 24 and Furman Road with piping, manholes, engineering and all other contingencies needed to complete Lateral Sanitary Sewer Improvement Project No. 40933-01, as defined and described in Resolution No. 7662, adopted and approved July 12, 2005, and specifically repealing City of Topeka Ordinance No. 19104.

WHEREAS, on June 17, 2008, the City Council passed Ordinance No. 19104 that apportioned and levied a special assessment on certain lots and pieces of ground in the City; and

WHEREAS, due to clerical error a parcel of land not located in the special assessment district was assessed by Ordinance No. 19104; and

WHEREAS, pursuant to K.S.A. 12-6a12 the parcel identification number and description need to be corrected for a Heritage Tractor Subdivision, Block A, Lot 1.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

Section 1. For the purpose of paying the cost of piping, manholes, engineering and all other contingencies needed to complete the project, the same being Lateral Sanitary Sewer Improvement Project No. 40933-01, in the City of Topeka, Shawnee County, Kansas, there is hereby levied and assessed a special assessment on all lots and pieces of ground liable therefore. Said assessments are computed as follows:

A. GENERAL NATURE OF IMPROVEMENT:

To provide sanitary sewer service to the following described area with piping, manholes, engineering and all other contingencies needed for a complete project.

B. IMPROVEMENT DISTRICT:

Begin at a point on the south line of U.S. Highway No. 24 and 2,450 feet east of the west line of Kaw Half Breed Indian Reserve No. 2, said point also being the northeast corner of Mosher Subdivision; thence continuing easterly on said south right of way of Highway No. 24 for a distance of 230.32 feet; thence easterly 342.71 feet to the northeast corner of the proposed Heritage Tractor Subdivision; thence southerly on the east line of the proposed subdivision for a distance of 834.24 feet to the southeast corner of said subdivision; thence westerly 512.72 feet to the southwest corner of proposed subdivision; thence northerly 422.83 feet to a point 60 feet east of the southeast corner of Lot 1, Block "A", Mosher Subdivision; thence westerly 60 feet to southeast corner of Mosher Subdivision; thence continuing westerly on south line of said subdivision for a distance of 470 feet to the southwest corner of said subdivision, also being the east line of Lot 3 in Block "A" of Mulligan Subdivision No. 3; thence southerly to the southeast corner of said Lot 3; thence westerly along the south line of Mulligan Subdivision No. 3 and the south line of Highway Center Subdivision to the southwest corner of Lot 1, Block "A", Highway Center Subdivision; thence southerly on an extension of the west line of Highway Center Subdivision to a point 767.36 feet south of the south right of way line of U.S. Highway No. 24; thence westerly 750 feet to a point 730.00 feet southerly of the south right of way line of U.S. Highway No. 24; thence northerly 578.00 to the northeast corner of Mullin and Hoover Subdivision; thence westerly on the north line of said subdivision and it's extension westerly to the east right of way line of Furman Road; thence northerly on said right of way line to the south right of way line of U.S. Highway No. 24; thence easterly on the south right of way line of U.S. Highway No. 24 to the west line of Highway Center Subdivision; thence north 20 feet; thence easterly 198 feet to a point 20 feet north of the northwest corner of Mulligan Subdivision No. 3; thence southerly to the northwest corner of Mulligan Subdivision No. 3 and the south right of way line of U.S. Highway No. 24; thence easterly on said right of way line to the northeast corner of Mosher Subdivision and the point of beginning.

C. METHOD OF ASSESSMENT:

On a square foot of area for all lots or individual dwelling sites which are included in the improvement district.

D. TOTAL COST & APPORTIONMENT OF COSTS:

FINAL PROJECT COST = \$147,106.54

Improvement district will pay 100% of the costs

Section 2. The several amounts are apportioned, levied and assessed against each of said lots and pieces of ground according to the benefits to be derived by reason of the aforesaid improvements, (except the interest hereinafter mentioned) as follows:

LATERAL SANITARY SEWER PROJECT NO. 40933-01

<u>Parcel Identification Number</u>	<u>Description</u>	<u>Assessment</u>
<i>KAW HALF BREED RESERVE NO. 2</i>		
0961404003004000	Part of Kaw Reserve No. 2; Begin 503.5' East and 142' South of Northwest Corner of said Reserve; thence South 294' (scaled); thence West 253.4'; thence South 86'; thence West 220' (scaled); thence North 252' (scaled); thence Northeasterly 98' (scaled); thence Easterly 436' (scaled) to the Point of Beginning.	\$10,345.77
0961404003002000	Beginning 1074.08' East and 130' (scaled) South of Northwest Corner of Kaw Half Breed Reserve No. 2; thence South 124.88'; East 181.92'; South 640' (scaled); thence West 750' (scaled); thence North 578' (scaled); thence East 295'; thence North 176' (scaled); thence Easterly 200' (scaled); thence East 67.58' to Point of Beginning.	\$38,491.74
0961404003003000	Part of Kaw Reserve No. 2; Point of Beginning 503.25' East and 142' South of Northwest Corner of Kaw Reserve No. 2; thence Easterly 296' (scaled); thence South 176' (scaled); thence West 295'; thence North 152' (scaled) to Point of Beginning.	\$4,247.88
0961404003002010	Beginning 1259' East and 103.70' South of Northwest Corner of Kaw Half Breed Reserve No. 2; thence South 127.36'; thence West 181.92'; thence North 124.88'; thence East 181.92' to Point of Beginning.	\$1,975.56

HIGHWAY CENTER SUBDIVISION
BLOCK A

94			
95			
96	0961404003001000	Lot 1	\$10,350.60

MULLIGAN SUBDIVISION NO. 3
BLOCK A

97			
98			
99	0961303002005000	Lot 1	\$9,638.17
100	0961303002005010	Lot 2	\$8,146.58
101	0961303002005020	Lot 3	\$8,184.77

MOSHER SUBDIVISION
BLOCK A

102			
103			
104	0961303002004010	Lot 1	\$17,478.76

HERITAGE TRACTOR SUBDIVISION
BLOCK A

105			
106			
107	0961303002004020	Lot 1	\$38,246.77

108 Section 3. Such assessments with accrued interest are hereby levied concurrent
109 with general property taxes and shall be payable in twenty (20) equal annual installments;
110 the first installment to be payable at the time of the first payment of the general property
111 taxes, following the publication of this ordinance.

112 Section 4. All assessments shall bear interest in an amount not to exceed the
113 legal rate established by law.

114 Section 5. The owner of any property so assessed may at any time prior to 30
115 days from the date of publication of this ordinance, pay the whole of the assessment
116 against any lot or parcel with interest accrued to the date of payment, to the City Treasurer.

117 Section 6. Assessments not paid prior to the date provided in Section 5 hereof,
118 shall be certified, together with interest accrued, or to accrue, by the City Clerk to the
119 County Clerk, and collected in the same manner as other taxes.

CITY OF TOPEKA, KANSAS

William W. Buntin, Mayor

ATTEST:

Brenda Younger, City Clerk

(Published in The Topeka Metro News August 29, 2008)

NOTICE OF PUBLIC HEARING

SANITARY SEWER DISTRICT NO. 40933-01

Notice is hereby given that there will be a special meeting of the City Council of the City of Topeka, Shawnee County, Kansas, held on September 16, 2008, at 6:00 P.M., in the Council Chamber 214 E. 8th, for the purpose of hearing any and all complaints that may be made as to the validity and fairness of the assessments on file in the office of the Clerk, on all lots, parcels and pieces of ground liable for the cost of improvement, same being Sanitary Sewer District No. 40933-01, authorized by Resolution No. 7662, adopted and approved July 12, 2005.

On June 17, 2008, the City Council passed Ordinance No. 19104 that apportioned and levied a special assessment on certain lots and pieces of ground in the city. Due to clerical error a parcel of land not located in the special assessment district was assessed by Ordinance No. 19104. The parcel identification number and description need to be corrected for Heritage Tractor Subdivision, Block A, Lot 1.

GENERAL NATURE OF IMPROVEMENT:

To provide sanitary sewer service to the following described area with piping, manholes, engineering, and all other contingencies required for a complete project.

IMPROVEMENT DISTRICT:

Begin at a point on the south line of U.S. Highway No. 24 and 2,450 feet east of the west line of Kaw Half Breed Indian Reserve No. 2, said point also being the northeast corner of Mosher Subdivision; thence continuing easterly on said south right of way of Highway No. 24 for a distance of 230.32 feet; thence easterly 342.71 feet to the northeast corner of the proposed Heritage Tractor Subdivision; thence southerly on the east line of the proposed subdivision for a distance of 834.24 feet to the southeast corner of said subdivision; thence westerly 512.72 feet to the southwest corner of proposed subdivision; thence northerly 422.83 feet to a point 60 feet east of the southeast corner of Lot 1, block "A", Mosher Subdivision; thence westerly 60 feet to southeast corner of Mosher Subdivision; thence continuing westerly on south line of said subdivision for a distance of 470 feet to the southwest corner of said subdivision, also being the east line of Lot 3 in Block "A" of Mulligan Subdivision No. 3; thence southerly to the southeast corner of said Lot 3; thence westerly along the south line of Mulligan Subdivision No. 3 and the south line of Highway Center Subdivision to the southwest corner of Lot 1, Block "A", Highway Center Subdivision; thence southerly on an extension of the west

line of Highway Center Subdivision to a point 767.36 feet south of the south right of way line of U.S. Highway No. 24; thence westerly 750 feet to a point 730.00 feet southerly of the south right of way line of U.S. Highway No. 24; thence northerly 578.00 to the northeast corner of Mullin and Hoover Subdivision; thence westerly on the north line of said subdivision and it's extension westerly to the east right of way line of Furman Road; thence northerly on said right of way line to the south right of way line of U.S. Highway No. 24; thence easterly on the south right of way line U.S. Highway No. 24 to the west line of Highway Center Subdivision; thence north 20 feet; thence easterly 198 feet to a point 20 feet north of the northwest corner of Mulligan Subdivision No. 3; thence southerly to the northwest corner of Mulligan Subdivision No. 3 and the south right of way line of U.S. Highway No. 24; thence easterly on said right of way line to the northeast corner of Mosher Subdivision and the point of beginning.

METHOD OF ASSESSMENT:

On a square foot of area basis for all lots or individual dwelling sites which are included in the described improvement district.

TOTAL COST & APPORTIONMENT OF COSTS:

Final Costs = \$147,106.54

1,675,426 Square Feet in the District = \$0.0878025 Per Square Foot.

100% paid by the Improvement District

All of above described territory being situated in the City of Topeka, Shawnee County, Kansas.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City for Topeka to be affixed on August 22, 2008.



Brenda Younger
Brenda Younger
City Clerk



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

September 3, 2008

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DATE: September 16, 2008

CONTACT PERSON: Deborah Swank **DOCUMENT #:**

SECOND PARTY/SUBJECT: Sustainability Advisory Board **PROJECT #:**

CATEGORY/SUBCATEGORY 013 Ordinances - Codified / 066 Environment

CIP PROJECT: No

ACTION OF COUNCIL: 09/09/08 First Reading. **JOURNAL #:** 08

PAGE #:

DOCUMENT DESCRIPTION:

AN ORDINANCE introduced by Councilmember Deborah Swank, creating Chapter 66, Article 2, in the Code of the City of Topeka establishing the Sustainability Advisory Board and amending Section 1 of Ordinance No. 19095 relating to nonstatutory boards and commissions and repealing said original section. Final Reading.

(Approval would establish a Sustainability Advisory Board which would advise the City Council on sustainability programs.)

POLICY ISSUE:

Whether or not to establish a Sustainability Advisory Board.

STAFF RECOMMENDATION:

BACKGROUND:

The Ordinance establishes a nine (9) voting member Board which shall serve as an advisory board to the Council. The Board's mission is to promote environmental awareness and advocate for policies which support sustainability specifically including but not limited to environmental awareness, waste reduction, recycling, energy conservation and natural resource conservation in the City of Topeka and to enhance the quality of life by improving the City's efforts in these areas.

BUDGETARY IMPACT:

N/A

SOURCE OF FUNDING:

None.

ATTACHMENTS:

Item #17

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by Councilmember Deborah Swank. creating Chapter 66, Article II in the Code of the City of Topeka establishing the Sustainability Advisory Board and amending Section 1 of Ordinance No. 19095 relating to nonstatutory boards and commissions and repealing said original section.

WHEREAS, the City of Topeka desires to promote of natural resource conservation and recycling to ensure economic and environmental quality in Topeka; and

WHEREAS, the City of Topeka hereby creates an advisory board to support, strengthen and expand recycling and resource conservation activities and programs.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

Section 1. That the Code of the City of Topeka, Kansas, is hereby amended by adding a section to be numbered 66-25, which said section reads as follows:

Sustainability Advisory Board.

There is hereby established the Sustainability Advisory Board, hereinafter referred to as the "Board." The Board shall serve as an advisory board to the Council, and shall involve volunteers and community members. The Board shall prepare and approve minutes of its meetings, and forward the same to the City Council. The Board shall adopt by-laws as deemed appropriate, provided such by-laws are not inconsistent with this article.

Section 2. That the Code of the City of Topeka, Kansas, is hereby amended by adding a section to be numbered 66-26, which said section reads as follows:

Composition; appointments; terms.

31 a. Membership generally. The Sustainability Advisory Board shall consist of
32 nine (9) members.

33 b. Terms. Of the members of the Board first appointed, four (4) members
34 shall serve one (1) year terms, five (5) members shall serve two (2) year terms. The
35 mayor with the consent of the city council shall determine the terms of each appointed
36 member. Persons appointed to the Board may be reappointed for one (1) additional two
37 (2) year term. No person shall be permitted to serve more than two (2) full consecutive
38 terms as a board member. A period of at least two (2) years shall lapse prior to a
39 former member being eligible for reappointment. After the initial appointment of the
40 Board, all members shall serve two (2) year terms unless appointed to fill out an
41 unexpired term.

42 c. Qualifications of members. At least five (5) of the nine (9) board members
43 shall be currently licensed, have a degree in, be engaged in, or have substantial past
44 experience in the fields of environmental awareness, waste reduction, recycling, energy
45 conservation and/or natural resource conservation or a similar field relating to the
46 environment or conservation.

47 d. Compensation, removal. Members appointed to the Board shall serve
48 without compensation. Members may be removed without cause by a vote of two-thirds
49 (2/3) majority of the council. Members may be removed for cause by a majority vote of
50 the council. Removal for cause shall include but not be limited to the following reasons:
51 failure to attend four (4) Board meetings in one (1) calendar year or failure to attend
52 three (3) consecutive Board meetings in one (1) calendar year. In the case of death,
53 incapacity, resignation or disqualification of any member of the Board, the mayor, with
54 consent of the city council, shall appoint another person to serve for the unexpired term

55 of the deceased, incapacitated, resigned or disqualified member in accordance with City
56 of Topeka Code § 2-181.

57 e. *Ex officio nonvoting members.* In addition to the nine (9) voting board
58 members, there shall be two ex officio nonvoting members which shall be the City
59 Attorney and the Public Works Director or their designees.

60 Section 3. That the Code of the City of Topeka, Kansas, is hereby amended
61 by adding a section to be numbered 66-27, which said section reads as follows:

62 **Purpose of the Sustainability Advisory Board.**

63 The mission of the Board is to promote environmental awareness and advocate
64 for policies which support sustainability specifically including but not limited to
65 environmental awareness, waste reduction, recycling, energy conservation and natural
66 resource conservation in the City of Topeka and to enhance the quality of life by
67 improving the City's efforts in these areas.

68 Section 4. That the Code of the City of Topeka, Kansas, is hereby amended
69 by adding a section to be numbered 66-28, which said section reads as follows:

70 **Duties of the Sustainability Advisory Board.**

71 The Board shall advise the City staff and elected officials in the following ways:

72 a. Monitor and review present environmental awareness, waste reduction,
73 recycling, energy conservation, and natural resource conservation efforts
74 of the City.

75 b. Assist the City staff and elected officials to develop and establish goals
76 and priorities for future environmental awareness, waste reduction,
77 recycling, energy conservation, and natural resource conservation efforts.

78 c. Advise the City staff and elected officials on practical methods and

79 programs to reach their goals for future environmental awareness, waste
80 reduction, recycling, energy conservation, and natural resource
81 conservation efforts.

82 d. Serve as an information resource for the City staff and elected officials.
83 Receive reports on environmental awareness, waste reduction, recycling,
84 energy conservation, and natural resource conservation from staff of all
85 affected City departments.

86 e. Maintain regular communication with the City staff and elected officials
87 regarding Board activities and recommendations.

88 Section 5. That Section 1 of City of Topeka Ordinance No. 19095, is hereby
89 amended to read as follows:

90 **Establishment.**

91 The following nonstatutory boards, commissions and other plural authorities are
92 hereby established and made a part of the administrative code of the city, as authorized
93 by Charter Ordinance No. 94, § 24 [App. A, § A2-72]: Cereal Malt Beverage License
94 Review Board (TCC 10-91); Human Relations Commission (TCC 86-27); Mobile Home
95 Craftsmen Board of Examiners (TCC 98-211); Board of Electrical Appeals (TCC 26-236
96 et seq.); Board of Plumbing Examiners (TCC 26-236 et seq.); Board of Mechanical
97 Examiners (TCC 26-236 et seq.); Board of Building and Fire Appeals (TCC 26-138);
98 Board of Zoning Appeals (TCC 48-34.00 et seq.); Golf Course Advisory Board (TCC
99 102-196 et seq.); Parks and Recreation Advisory Board (TCC 102-51 et seq.);
100 Redistricting Commission (TCC 2-198); Citizen Advisory Council (TCC 42-4); Civil
101 Service Commission (TCC 106-41); Topeka Planning Commission (TCC 110-27);
102 Boards of Trustees of Fire and Police Pension Funds (TCC 106-204); Administrative

Review Board for Tax Exemptions (TCC 138-79); City of Topeka Americans with Disabilities Act Advisory Council (TCC 86-200); Sustainability Advisory Board (TCC 66-25). The council is hereby authorized to promulgate appropriate rules and regulations for such boards, commissions and authorities dealing with their organization and operation. No city employee shall be appointed to any board, commission, or plural authority unless the appointment is specifically authorized by ordinance. Unless otherwise provided, all members appointed to any board, commission, or plural authority shall be residents of the city. The mayor shall notify council members 30 days in advance of vacancies occurring on such bodies, shall solicit nominations from the council for filling such positions, and shall appoint members to such bodies from those nominated by the council. In the event no nominations are forthcoming, the mayor shall make such appointments as is in the best interest of or will best serve the mission of the board, commission, or authority. All appointments must be confirmed by the council. Unless otherwise provided for in this code, members will be appointed for a term of two years and shall not serve beyond the end of their appointed terms. Upon expiration of a term the position shall remain vacant until a successor is appointed.

Section 6. This ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper.

PASSED AND APPROVED by the City Council _____.

CITY OF TOPEKA, KANSAS

ATTEST:

William W. Buntten, Mayor

Brenda Younger, City Clerk



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

September 3, 2008

+ Back Print

DATE:	September 16, 2008		
CONTACT PERSON:	Scott Alisoglu	DOCUMENT #:	
SECOND PARTY/SUBJECT:	State of Kansas / KPWSLF Loan Agreement Amendment	PROJECT #:	28579
CATEGORY/SUBCATEGORY	013 Ordinances - Codified / 146 Utilities		
CIP PROJECT:	Yes		
ACTION OF COUNCIL:	09/09/08 First Reading	JOURNAL #:	08
		PAGE #:	

DOCUMENT DESCRIPTION:

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., relating to the execution of a loan agreement amendment between the City of Topeka, Kansas, and the State of Kansas, for the purpose of obtaining a loan from the Kansas Public Water Supply Loan Fund for the purpose of financing a public water supply project, KPWSLF Project No. 2419; establishing a dedicated source of revenue for repayment of such loan; authorizing and approving certain documents in connection therewith; and authorizing certain other actions in connection with the Loan Agreement. Final Reading.

(The Utilities are transferring their borrowing authority from SRF Loan 2417 to Loan 2419. This action will not change the total SRF borrowing authority by the Utilities.)

POLICY ISSUE:

K.S.A. 65-163d established the Kansas Public Water Supply Loan Fund to achieve or maintain compliance with the Safe Drinking Water Act.

STAFF RECOMMENDATION:

Approve and Adopt

BACKGROUND:

The Safe Drinking Water Act Amendments of 1996 (PL 104-182) to the Safe Drinking Water Act (the "Federal Act") established the Drinking Water Loan Fund to assist public water supply systems in financing the costs of infrastructure needed to achieve or maintain compliance with the Federal Act and to protect the public health and authorized the Environmental Protection Agency (the "EPA") to administer a revolving loan program operated by the individual states and to fund the state revolving fund program, the EPA will make annual capitalization grants to the states, on the condition that each state provide a state match for such state's revolving fund.

BUDGETARY IMPACT:

Increase to Loan Agreement:
\$1,872,647.48

Item #18

Current Loan Agreement Amount:
\$1,746,362.00
Proposed Loan Agreement Amount:
\$3,619,009.48

However KPWLSF Proj. No. 2417, for COT Proj. No. 28566 was originally budgeted at \$5,000,000 but the final costs were only \$3,127,352.52 for a decrease of \$1,872,647.48.

SOURCE OF FUNDING:

Drinking Water Loan Fund.

ATTACHMENTS:

[Ordinance](#)

(Published in the Topeka Metro News_____)

ORDINANCE NO._____

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr. relating to the execution of a loan agreement amendment between the City of Topeka, Kansas, and the State of Kansas, for the purpose of obtaining a loan from the Kansas Public Water Supply Loan Fund for the purpose of financing a public water supply project, KPWSLF Project No. 2419; establishing a dedicated source of revenue for repayment of such loan; authorizing and approving certain documents in connection therewith; and authorizing certain other actions in connection with the Loan Agreement.

WHEREAS, the Safe Drinking Water Act Amendments of 1996 [PL 104-182] to the Safe Drinking Water Act (the "Federal Act") established the Drinking Water Loan Fund to assist public water supply systems in financing the costs of infrastructure needed to achieve or maintain compliance with the Federal Act and to protect the public health and authorized the Environmental Protection Agency (the "EPA") to administer a revolving loan program operated by the individual states; and

WHEREAS, to fund the state revolving fund program, the EPA will make annual capitalization grants to the states, on the condition that each state provide a state match for such state's revolving fund; and

WHEREAS, by passage of the Kansas Public Water Supply Loan Act, K.S.A. 65-163d *et seq.*, as amended (the "Loan Act"), the State of Kansas (the "State") has established the Kansas Public Water Supply Loan Fund (the "Revolving Fund") for purposes of the Federal Act; and

WHEREAS, under the Loan Act, the Secretary of the Kansas Department of Health and Environment ("KDHE") is given the responsibility for administration and management of the Revolving Fund; and

WHEREAS, the Kansas Development Finance Authority (the "Authority") and KDHE have entered into a Pledge Agreement (the "Pledge Agreement") pursuant to which KDHE agrees to enter into Loan Agreements with Municipalities for public water supply projects (the "Projects") and to pledge the Loan Repayments (as defined in the Pledge Agreement) received pursuant to such Loan Agreements to the Authority; and

WHEREAS, the Authority is authorized under K.S.A. 74-8905(a) and the Loan Act to issue revenue bonds (the "Bonds") for the purpose of providing funds to implement the State's requirements under the Federal Act and to loan the same, together with available funds from the EPA capitalization grants, to municipalities within the State for the payment of Projects Costs (as said terms are defined in the Loan Act); and

WHEREAS, the City of Topeka, Kansas (the "Municipality") is a municipality as said term is defined in the Loan Act which operates a water system (the "System"); and

WHEREAS, the System is a public water supply system, as said term is defined in the Loan Act; and

WHEREAS, the Municipality has, pursuant to the Loan Act, submitted an Application to KDHE to obtain a loan from the Revolving Fund to finance the costs of improvements to its System consisting of the following:

Installation of approximately 7,200 feet of 18-inch PVC pipe along Indian Hills Road to resolve pressure and capacity problems; and

WHEREAS, the Municipality has taken all steps necessary and has complied with the provisions of the Loan Act and the provisions of K.A.R. 28-15-50 to 28-15-65 (the "Regulations") applicable thereto necessary to qualify for the loan; and

WHEREAS, KDHE and the Municipality previously entered into a loan agreement for

project No. 2419 in the amount of one million seven hundred forty-six thousand three hundred sixty-two dollars (\$1,746,362.00); and

WHEREAS, KDHE has informed the Municipality that it has approved the amendment of the prior loan agreement, approving the municipality for a loan in the amount of not to exceed three million six hundred nineteen thousand nine dollars and forty-eight cents (\$3,619,009.48) (the "Loan") in order to finance the Project; and

WHEREAS, the governing body of the Municipality hereby finds and determines that it is necessary and desirable to accept the First Amendment to the Loan and to enter into the First Amendment to the Loan Agreement and certain other documents relating thereto, and to take certain actions required in order to implement the First Amendment to the Loan Agreement.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

Section 1. AUTHORIZATION OF THE FIRST AMENDMENT TO THE LOAN AGREEMENT. The Municipality is hereby authorized to accept the First Amendment to the Loan and to enter into a certain First Amendment to the Loan Agreement, with an effective date of April 17, 2008, for Kansas Public Water Supply Loan Fund Project No. 2419, with the State of Kansas acting by and through the Kansas Department of Health and Environment (the "First Amendment to the Loan Agreement") to finance the Project Costs (as defined in the First Amendment to the Loan Agreement). The city manager, and clerk are hereby authorized to execute the First Amendment to the Loan Agreement in substantially the form presented to the governing body this date, with such changes or modifications thereto as may be approved by the city manager and the city attorney, the city manager's execution of the First Amendment to the Loan Agreement being conclusive

evidence of such approval.

Section 2. ESTABLISHMENT OF DEDICATED SOURCE OF REVENUE FOR REPAYMENT OF LOAN. Pursuant to the Loan Act, the Municipality hereby establishes a dedicated source of revenue for repayment of the amended Loan. The Municipality shall collect such rates, fees, and charges for the use and services furnished by or through the System, including all improvements and additions thereto hereafter constructed or acquired by the Municipality, as will provide revenues sufficient to (i) pay the costs of operation and maintenance of the System, (ii) pay the principal of and the interest on the amended Loan and such additional amount as may validly become due, and (iii) pay all other amounts due at any time under the First Amendment to the Loan Agreement; provided, however, the lien of KDHE on the System revenues of the Municipality's System shall be superior to the lien on such System revenues to the Municipality's outstanding System Revenue Bonds. The obligation of the Municipality to make Loan Repayments shall be secured by a Financial Guaranty Insurance Policy issued in favor of KDHE but obtained by and at the cost of the Municipality. The Municipality has obtained a commitment from MBIA Insurance Corporation to provide the Policy herein referenced.

In accordance with the Loan Act, the obligations under the amended Loan and the First Amendment to the Loan Agreement shall not be included within any limitation on the bonded indebtedness of the Municipality.

Section 3. FURTHER AUTHORITY. The city manager, clerk and other city officials are hereby further authorized and directed to execute any and all documents and take such actions as they may deem necessary or advisable in order to carry out and perform the purposes of the ordinance, and to make alterations, changes or additions in

the foregoing agreements, statements, instruments and other documents herein approved, authorized and confirmed which they may approve, and the execution or taking of such action shall be conclusive evidence of such necessity or advisability.

Section 4. GOVERNING LAW. The ordinance and the First Amendment to the Loan Agreement shall be governed exclusively by and construed in accordance with the applicable laws of the State of Kansas.

Section 5. EFFECTIVE DATE. This Ordinance shall take effect and be in full force from and after its passage and approval by the governing body of the City and publication in the official city newspaper.

PASSED and APPROVED by the City Council_____.

CITY OF TOPEKA, KANSAS

William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

September 10, 2008

+ Back Print

DATE:	September 16, 2008		
CONTACT PERSON:	Rusty Rakestraw	DOCUMENT #:	
SECOND PARTY/SUBJECT:	Sanitary Sewer Improvement	PROJECT #:	29093-02
CATEGORY/SUBCATEGORY	014 Ordinances – Non-Codified / 002 Condemnations		
CIP PROJECT:	No		
ACTION OF COUNCIL:	07/29/08 First Reading. Deferred 8/12/08 to 8/26/08. Deferred 9/09/08 for one week. Condemnation settled with property owners. 9/23/2008	JOURNAL #:	08
		PAGE #:	

DOCUMENT DESCRIPTION:

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., authorizing the initiation of condemnation proceedings to acquire property interests by eminent domain for Improvement Project No. 29093-02, which provides for the installation of a new force main from the Deer Creek Pump Station to the Oakland Wastewater Treatment Plant. Final Reading. (Council District No. 2) (Deferred from the meeting of September 9, 2008.)

(Approval would initiate condemnation proceedings to acquire property interests for the improvement project. If negotiations are successful condemnation proceedings will be terminated.)

POLICY ISSUE:

N/A

STAFF RECOMMENDATION:

Staff recommends Council approve Condemnation Ordinance.

BACKGROUND:

KSA 26-201 states that the governing body shall by ordinance authorize and provide for the acquisition of the interests to be condemned and for what purpose the same is to be used. The ordinance sets out the individual parcels and specific interests to be acquired. Negotiations are in progress to acquire the property interests for the construction of the project. If negotiations are successful, the condemnation proceedings will be terminated.

BUDGETARY IMPACT:

Item #19

To be determined by Condemnation appraisers.

SOURCE OF FUNDING:

100% of the costs to be paid by Kansas Department of Health and Environment (KDHE) State Revolving Loan Funds.

ATTACHMENTS:

[Vicinity Map](#)

[Ordinance](#)

Phillip Billard Airport - SE Strait AVE Sewer Improvement



(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., authorizing the initiation of condemnation proceedings to acquire property interests by eminent domain for Improvement Project No. 29093-02, which provides for the installation of a new force main from the Deer Creek Pump Station to the Oakland Wastewater Treatment Plant.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

Section 1. That it is hereby declared necessary to condemn and appropriate for the use of the City of Topeka certain lands within the City of Topeka for Improvement Project No. 29093-02, which provides for the installation of a new force main from the Deer Creek Pump Station to the Oakland Wastewater Treatment Plant and for other public purposes including acquisition of permanent public improvement and temporary construction easements, said lands being described as follows:

Parcel No. 1

Owner of Record: Metropolitan Topeka Airport Authority
Forbes Air Base, Building 620
Topeka, KS 66619

And

Metropolitan Topeka Airport Authority
c/o Steve A. Schwarm, Esq.,
Polsinelli, Shalton, Flanigan, Suelthaus PC,
555 Kansas Avenue, Suite 301
Topeka, KS 66603-3443

Contract Purchaser: NONE

Lienholder of Record: NONE

- Party in Possession:
1. Meier Farms
c/o Robert Meier
901 NW Vail
Topeka, KS 66608
 2. Southwestern Bell Telephone Company
n/k/a AT&T
220 SE 6th
Topeka, KS 66603
- And
- Southwestern Bell Telephone Company
n/k/a AT&T
7159 San Pedro, Room 202
San Antonio, TX 78216
3. Gas Service Company n/k/a Oneok, Inc.
Legal Department
501 SW Gage Boulevard
Topeka, KS 66606

PROPERTY TO BE ACQUIRED:

Temporary Construction Easement:

A tract in Lot 1, Block A in Billard Airport Subdivision in the City of Topeka, Shawnee County, Kansas, described as: Commencing at the Southwest corner of the Northwest Quarter of Section 27, Township 11 South, Range 16 east of the 6th P.M.; thence on a plat bearing of North 0°11'21" East on the West line of said Northwest Quarter, 35.90 feet; thence North 88°15'00" East on the South line of the property of the State of Kansas, Kansas Highway Patrol, and a westerly extension of said South line, 105.06 feet to the point of beginning; thence South 0°11'21" West, 39.41 feet; thence South 0°08'42" West, 1085.24 feet; thence South 89°51'18" East, 25.00 feet; thence North 0°08'42" East, 1085.23 feet; thence North 0°11'21" East, 40.25 feet; thence South 88°15'00" West on the South line of the property of the State of Kansas, Kansas Highway Patrol, 25.01 feet to the point of beginning.

The above-described property to be acquired contains 0.646 acres, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

This easement expires one (1) year after legal possession through condemnation or ninety (90) days after completion of the construction for which this easement is acquired or whichever comes first.

Permanent Sanitary Sewer Easement:

A tract in Lot 1, Block A in Billard Airport Subdivision in the City of Topeka, Shawnee County, Kansas, described as: Commencing at the Southwest corner of the Northwest Quarter of Section 27, Township 11 South, Range 16 east of the 6th P.M.; thence on a plat bearing of North 0°11'21" East on the West line of said Northwest Quarter, 35.90 feet; thence North 88°15'00" East on the South line of the property of the State of Kansas, Kansas Highway Patrol, and a westerly extension of said South line, 80.05 feet to a point on the East line of a platted 50 feet wide sanitary sewer easement, being the point of beginning; thence South 0°11'21" West on the East line of said platted sanitary sewer easement, 38.58 feet; thence South 0°08'42" West on the East line of said platted sanitary sewer easement, 1140.25 feet to the Northeast corner of a platted Storm Drainage and Sanitary Sewer Easement; thence South 31°15'26" East on the East line of said Storm Drainage and Sanitary Sewer Easement, 95.96 feet; thence North 0°08'42" East, 136.91 feet; thence North 89°51'18" West, 25.00 feet; thence North 0°08'42" East, 1085.24 feet; thence North 0°11'21" East, 39.41 feet; thence South 88°15'00" West on the South line of the property of the State of Kansas, Highway Patrol, 25.01 feet to the point of beginning.

The above-described property to be acquired contains 0.755 acres, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

Section 2. That the City Attorney of the City of Topeka, Kansas, on behalf of the Council of the City of Topeka, Kansas shall present a written application to the District Court of Shawnee County, Kansas, for the appointment of appraisers to make the appraisal and assessment required by law when land is taken for public purposes, and said City Attorney shall do all things necessary for the condemnation of said land completing the appropriation of the same for public purposes.

Section 3. This Ordinance shall take effect and be in force from and after its passage, approval and publication in the official city newspaper.

115 PASSED and APPROVED by the City Council_____.

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William W. Bunten, Mayor

121 ATTEST:

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125 _____
Brenda Younger, City Clerk



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

September 4, 2008

+ Back Print

DATE:	September 16, 2008	
CONTACT PERSON:	Braxton B. Copley, Deputy City Attorney	DOCUMENT #:
SECOND PARTY/SUBJECT:	Southwest Topeka Boulevard District	PROJECT #:
CATEGORY/SUBCATEGORY	020 Resolutions / 005 Miscellaneous	
CIP PROJECT:	No	
ACTION OF COUNCIL:	JOURNAL #:	PAGE #:

DOCUMENT DESCRIPTION:

A RESOLUTION introduced by City Manager Norton N. Bonaparte, Jr., setting the public hearing for Establishment of a Redevelopment District for the Southwest Topeka Boulevard district.

(The proposed district is located in the area of SW 37th Street and Topeka Boulevard. Approval would establish a public hearing date of October 28, 2008 and allow Council to establish the boundaries for future redevelopment. Approval of the boundaries does not commit the City to any particular redevelopment project.)

POLICY ISSUE:

Whether there should be a public hearing to consider the establishment of the referenced TIF district.

STAFF RECOMMENDATION:

Pass the resolution.

BACKGROUND:

The public hearing would provide the public and opportunity to comment on the establishment of the district, as well as provide City Council with the information it needs to determine whether the proposed district meets the statutory standards for the establishment of a TIF district.

BUDGETARY IMPACT:

None at this time.

SOURCE OF FUNDING:

N/A

ATTACHMENTS:

[Project Area Map](#)

Item #20

[Aerial Map](#)

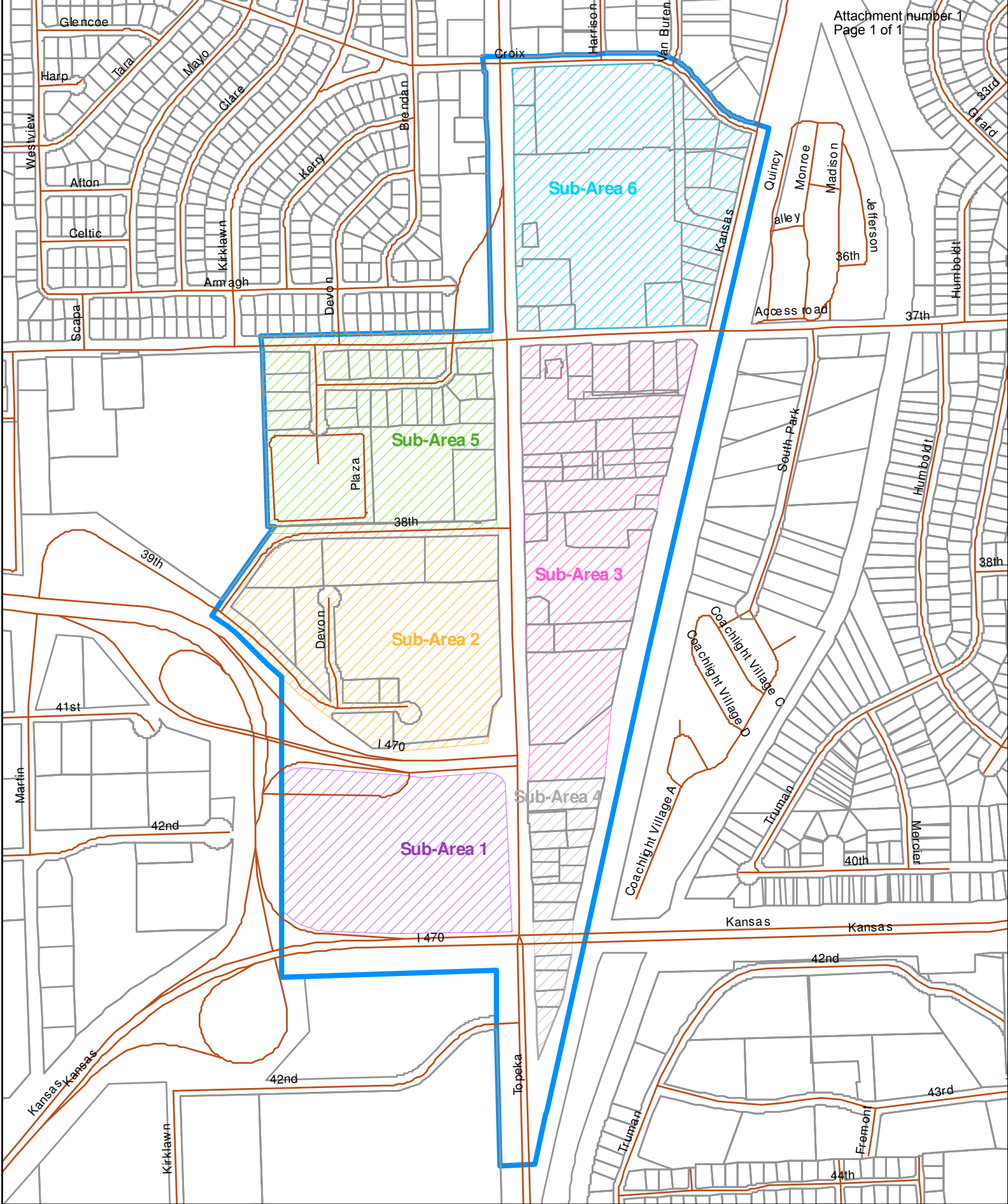
[Relocation Assistance Policy Resolution](#)

[Blight Study](#)

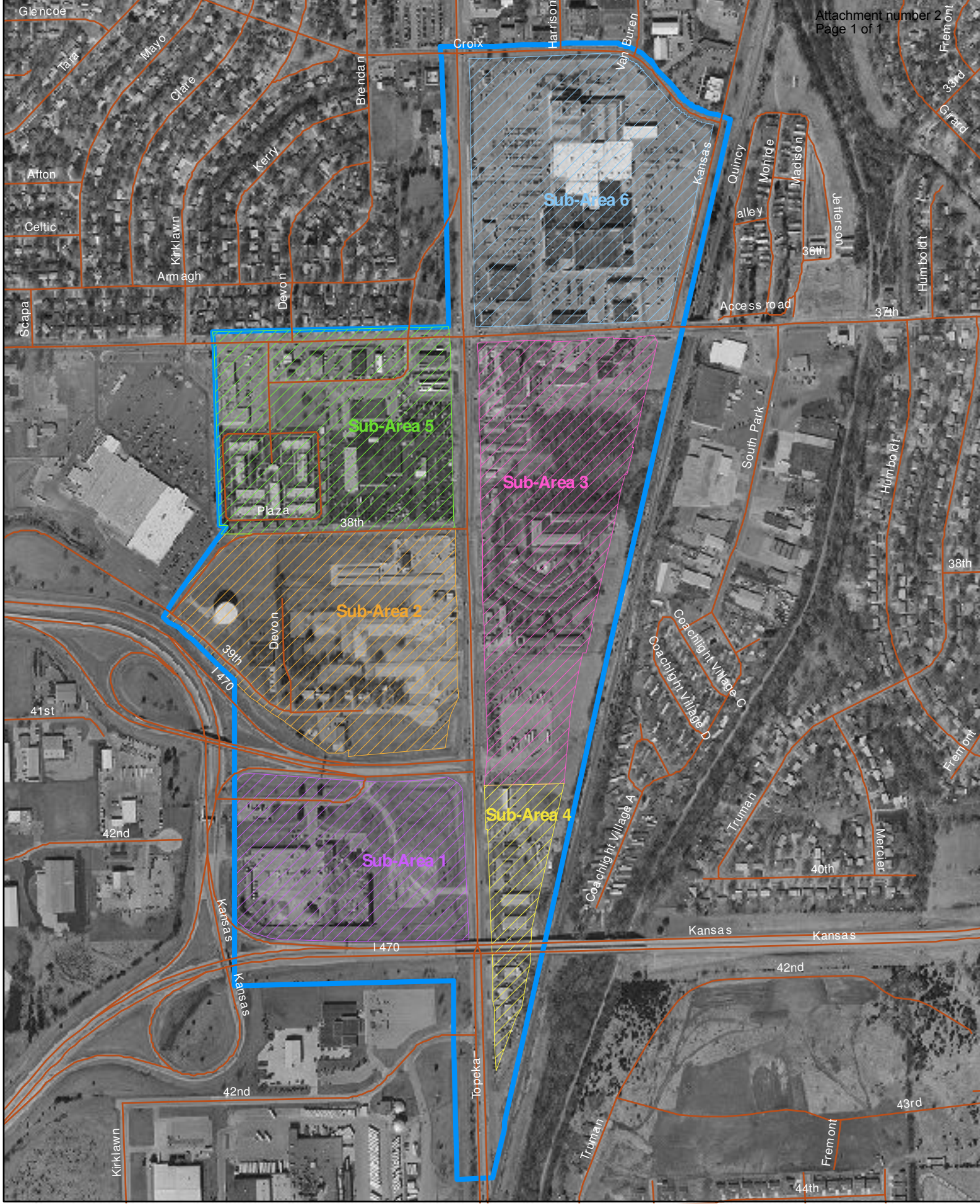
[Plan](#)

[White Lakes Mall area](#)

[Resolution](#)



South Topeka TIF District



South Topeka TIF District

RESOLUTION NO. 7749

A RESOLUTION introduced by City Manager Neil Dobler establishing a Relocation Assistance Policy for certain projects undertaken by the City of Topeka, and specifically rescinding City of Topeka Resolution No. 6222.

WHEREAS, Kansas state and federal law require relocation assistance to be provided in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended 42 U.S.C. § 4601, *et seq.*, as may be amended (Uniform Relocation Act) and the implementing Regulations, 49 C.F.R Part 24 as may be amended (Regulations) to specified persons and businesses displaced by certain projects undertaken by the City; and

WHEREAS, the Council of the City of Topeka is desirous of establishing the Uniform Relocation Act and the Regulations as the Relocation Assistance Policy for the City of Topeka for certain City projects requiring relocation assistance; and

WHEREAS, the Uniform Relocation Act and the Regulations are specifically incorporated as if fully set forth herein.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Topeka, Kansas, that it hereby adopts the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended 42 U.S.C. § 4601, *et seq.*, as may be amended (Uniform Relocation Act) and the implementing Regulations, 49 C.F.R Part 24 as may be amended (Regulations) as the City of Topeka's Relocation Assistance Policy for City projects which require relocation assistance.

24 BE IT FURTHER RESOLVED that relocation benefits and assistance for all projects
25 undertaken by the City of Topeka which require relocation assistance shall be paid in
26 accordance with said Policy.

27 BE IT FURTHER RESOLVED that for redevelopment projects undertaken by the
28 City pursuant to K.S.A. 12-1770, *et seq.*, as may be amended, relocation assistance shall
29 also:

30 a) Provide for relocation payments to be made to persons, families and
31 businesses who move from real property located in the redevelopment district or
32 who move personal property from real property located in the redevelopment district
33 as a result of the acquisition of the real property by the City in carrying out the
34 provisions of this Act. With respect to any redevelopment project other than one
35 which includes an auto race track facility, such payments shall not be less than five
36 hundred dollars (\$500.00);

37 b) Provide that no persons or families residing in the redevelopment
38 district shall be displaced unless and until there is a suitable housing unit available
39 and ready for occupancy by such displaced person or family at rents within their
40 ability to pay. Such housing units shall be suitable to the needs of such displaced
41 persons or families and must be a decent, safe, sanitary and otherwise standard
42 dwelling; and

43 c) Provide for the payment of any damages sustained by a retailer, as
44 defined by K.S.A. 79-3702, and amendments thereto, by reason of the liquidation of
45 inventories necessitated by relocation from the redevelopment district.

BE IT FURTHER RESOLVED that nothing contained in this Resolution or the Relocation Assistance Policy shall conflict with or supersede additional or substitute relocation benefits for projects funded in whole or in part by the Department of Housing and Urban Development which require relocation assistance under the Uniform Relocation Act and certain applicable provisions in the Housing and Community Development Act of 1974, as amended.

BE IT FURTHER RESOLVED that the City Council shall determine the funding source for any relocation assistance benefits, as part of the project budget approval process.

BE IT FURTHER RESOLVED that City of Topeka Resolution No. 6222 is hereby rescinded.

ADOPTED and APPROVED by the City Council January 31, 2006.

CITY OF TOPEKA, KANSAS



ATTEST:

William W. Bunten
William W. Bunten, Mayor

Iris E. Walker
Iris E. Walker, City Clerk

APPROVED AS TO FORM AND LEGALITY	
DATE <u>2/1/06</u>	BY <u>[Signature]</u>

BLIGHT STUDY

**FOR SOUTH TOPEKA
SW TOPEKA BOULEVARD,
TOPEKA, KANSAS**

Prepared by
RICHARD CAPLAN & ASSOCIATES

July 11, 2008

South Topeka Blight Study
SW Topeka Boulevard, Topeka, Kansas

The purpose of this analysis is to determine if the proposed area along South Topeka Boulevard in South Topeka meets the criteria for the City of Topeka Governing Body to designate the area as “blighted,” necessary to create a Tax Increment Financing (TIF) project as a tool to assist with redevelopment in the area. The area involves a total of slightly more than 100 acres along SW Topeka Boulevard extending from SW 37th Street on the north to 41st Street on the south, west to SW Plaza Drive and east to a new extension of South Kansas Avenue. (See “Proposed TIF District Map.”)

K.S.A. Article 12-17 requires a “blighted area” to be defined and proven in order to be eligible to use the redevelopment tools provided in the Act. A majority of the nine (9) elements must be present in a proposed redevelopment district to meet the threshold of eligibility, showing that the proposed redevelopment area “(s)ubstantially impairs or arrests the development and growth of the municipality or constitutes an economic or social liability or is a menace to the public health, safety, morals or welfare in its present *condition and use*.”

Executive Summary

This Blight Study prepared on behalf of the City of Topeka concludes that five (5) of the nine (9) criteria were satisfied and, therefore, meet the threshold of eligibility. (See Table A – “South Topeka Redevelopment District Blight Criteria Comparison.”) The nine statutory criteria to determine if an area is blighted are:

1. A substantial number of deteriorating structures;
2. Predominance of defective or inadequate street layout;
3. Unsanitary or unsafe conditions;
4. Deterioration of site improvements;
5. Tax or special assessment delinquency exceeding the fair market value of the real property;
6. Defective or unusual conditions of title including, but not limited to, cloudy or defective titles, multiple or unknown interests in the property;
7. Improper subdivision or obsolete platting or land use;
8. The existence of conditions which endanger life or property by fire or other causes;
9. Conditions which create economic obsolescence.

Five of these nine elements have been found to exist within the district. Therefore, the area meets the threshold to be found as “blighted.” This independent evaluation of the area and comparison to the criteria describes the characteristics leading to this conclusion. The following Table A summarizes the conclusions found associated with each of the nine criteria.

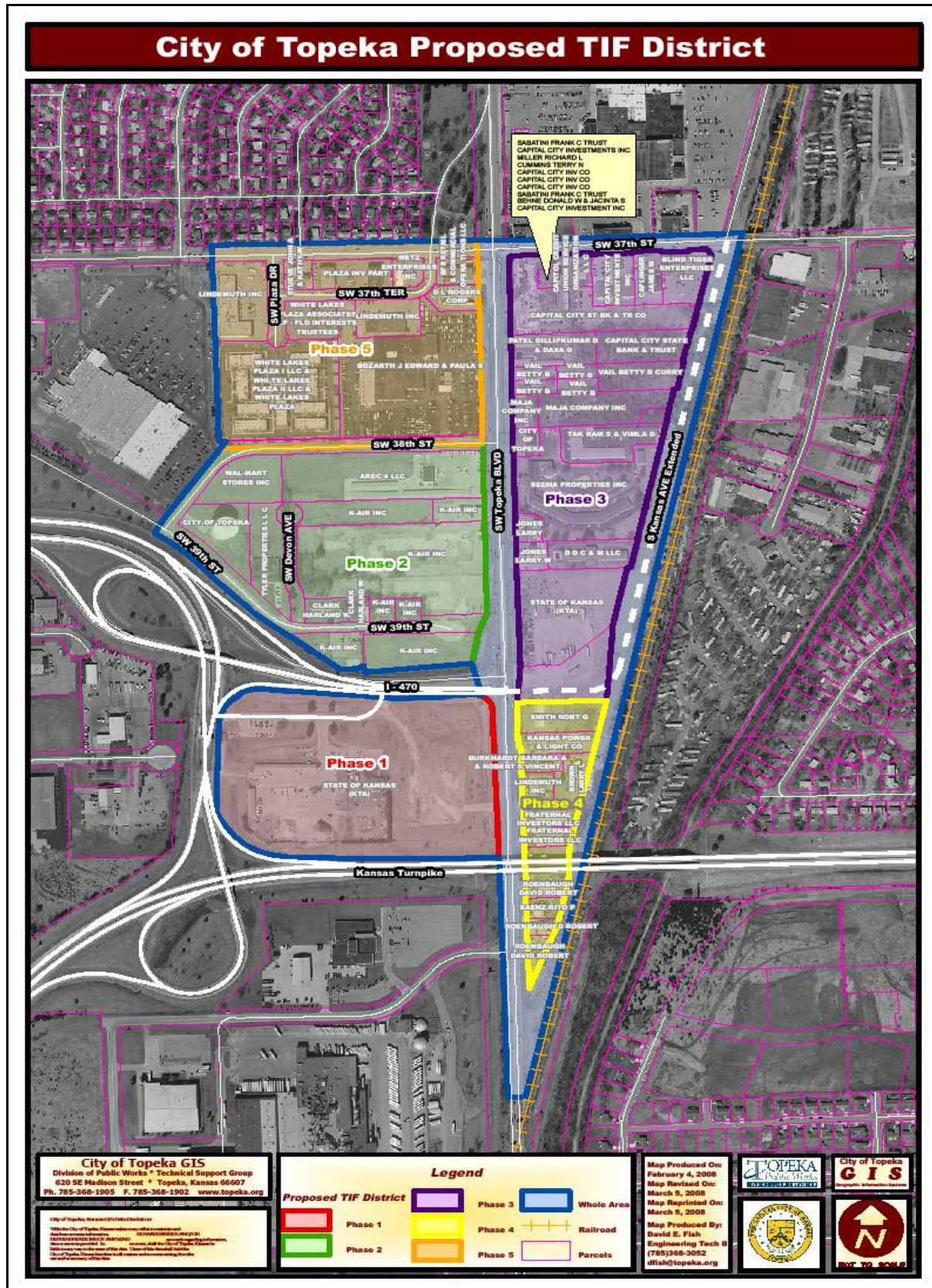
South Topeka Blight Study
SW Topeka Boulevard, Topeka, Kansas

Table A - South Topeka Redevelopment District Blight Criteria Comparison

Statutory Criteria	Key Findings	Conclusions
1. Substantial number of deteriorating structures	* Considerable number of deteriorating buildings on SW Topeka Boulevard	SATISFIED
2. Predominance of defective or inadequate street layout	* Existing cul-de-sacs are not acceptable for commercial areas * Elimination of Topeka Boulevard/39 th Street intersection removed continuity in transportation network * Platted streets have not been constructed and existing connections have been removed	SATISFIED
3. Unsanitary or unsafe conditions	"Intensive Care" designation for public safety covering a majority of the area	SATISFIED
4. Deterioration of site improvements	* Scattered deterioration of curbs, gutters and sidewalks	Criteria NOT satisfied
5. Tax or special assessment delinquencies	* No delinquency exceeding the fair market present	Criteria NOT satisfied
6. Defective titles, multiple or unknown interests	* Multiple owners but no cloudy or defective titles or unknown interests	Criteria NOT satisfied
7. Improper subdivision or obsolete platting or land use	* Absence of smart growth practices * Predominance of weak sign and landscaping codes * Presence of strip commercial * Desire to strengthen the area's marketability	SATISFIED
8. Conditions which endanger life or property by fire or other causes	* Nine code violations among older properties have been cited since 2005	Criteria NOT satisfied
9. Conditions which create economic obsolescence	* Within a City of Topeka Enterprise Zone designated area	SATISFIED
TOTAL:		Satisfied: 5 Not Satisfied: 4 Majority: YES

A map of the proposed TIF District is found on the following page.

South Topeka Blight Study
SW Topeka Boulevard, Topeka, Kansas



South Topeka Blight Study
SW Topeka Boulevard, Topeka, Kansas

1. A Substantial Number of Deteriorating Structures

A majority of the district's buildings were constructed under outdated building codes. There are 39 existing structures among the 55 parcels in the proposed district. The age and condition of the commercial and residential structures vary widely. The median year of all of the buildings constructed is 1968, i.e. more than half of the structures, were 40 years or older. (See Table B – "Area Buildings by Year of Construction.") Multiple buildings located on one parcel (Ed Bozarth Chevrolet) range in age from 1970 construction to less than five years old.

At least two parcels have obsolete buildings that have been demolished or are awaiting demolition. In addition, several of the existing buildings are not occupied, partially vacant or have been converted to different uses than originally constructed.

Table B – Area Buildings by Year of Construction

Period Constructed	Number of Buildings	Percent of Total Buildings
1949 or earlier	3	8%
1950 – 1959	5	13%
1960 – 1969	13	33%
1970 – 1973	7	18%
1974 – 1979	3	8%
1980 – 1989	5	13%
1990 – 1999	2	5%
Since 2000	1	3%
TOTAL	39	100%

Source: Shawnee County Appraiser's Office.



Vacated and fenced 1960 service station on SW Topeka Boulevard.

The address of each building in the area and their current use are presented in Table C.

South Topeka Blight Study
SW Topeka Boulevard, Topeka, Kansas
Table C - Proposed District Properties by Age and Use

<u>Owner</u>	<u>Phase</u>	<u>Property Address</u>	<u>Year Built</u>	<u>Current Use</u>
Kansas Turnpike Authority	1	3939 SW Topeka Blvd.	N / A	Storage materials
Harland W Clark	2	532 SW 39th Street	1953	Single family unit
Harland W Clark	2	540 SW 39th Street	1950	Single family unit
K-Air Inc.	2	580 SW 39th Street	1981	Tavern
Tyler Properties LLC	2	900 SW 39th Street	1969	Office
Arec 4 LLC	2	3825 SW Topeka Blvd.	1979	storage units
K-Air Inc.	2	3827 SW Topeka Blvd.	1960	closed gas station
K-Air Inc.	2	3847 SW Topeka Blvd.	N / A	Vacant
Wal-Mart Stores	2	900 block SW 37th Street	N / A	Vacant
Blind Tiger Enterprises	3	417 SW 37th Street	1900	Restaurant
James M Caplinger	3	501 SW 37th Street	1960	Retail
Capital City Investments	3	519 SW 37th Street	1979	Offices
Capitol Credit Union Service Org.	3	601 SW 37th Street	1982	Bank
Capital City State Bank & Trust	3	3706 SW Topeka Blvd.	1964	Bank
Maja Company Inc	3	3706 SW Topeka Blvd.	1986	office condo
Dillipkumar D Patel	3	3732 SW Topeka Blvd.	1962	Motel
Betty B. Vail	3	3736 SW Topeka Blvd.	1945	Single family unit
Betty B Vail	3	3738 SW Topeka Blvd.	1945	Tavern
Maja Company Inc	3	3740 SW Topeka Blvd.	1957	Auto services
City of Topeka	3	3800 SW Topeka Blvd.	N / A	Vacant
Ram S. & Vilma D Tak	3	3802 SW Topeka Blvd.	1959	Motel
Seema Properties	3	3810 SW Topeka Blvd.	1959	Retail
Larry W Jones	3	3824 SW Topeka Blvd.	1995	Convenience store
Larry W Jones	3	3840 SW Topeka Blvd.	1966	Vacant
DDC & M LLC	3	3846 SW Topeka Blvd.	1974	Motel
Betty B Vail	3	3700 block SW Topeka Blvd.	N / A	Vacant
Betty B Vail	3	3700 block SW Topeka Blvd.	N / A	Vacant
Betty B Vail	3	3700 block SW Topeka Blvd.	N / A	Vacant
Maja Company Inc	3	3700 block SW Topeka Blvd.	N / A	Vacant
Capital City State Bank & Trust	3	3700 block SW Topeka Blvd.	N / A	Vacant
State of Kansas	3	4000 block SW Topeka Blvd.	N / A	Vacant
Robert G Smith	4	4000 SW Topeka Blvd.	1980	car wash
Barb. Burkhardt & Robt. Vincent	4	4008 SW Topeka Blvd.	1966	Retail
Larry L Brown	4	4008 SW Topeka Blvd.	N / A	mobile home
Lindemuth Inc	4	4014 SW Topeka Blvd.	1966	Retail
Fraternal Investors	4	4024 SW Topeka Blvd.	1973	Warehouse
Fraternal Investors	4	4026 SW Topeka Blvd.	1989	Warehouse
David Robert Roenbaugh	4	4100 SW Topeka Blvd.	1968	Retail
Rito B Saenz	4	4110 SW Topeka Blvd.	1963	Warehouse
D. Robert Roenbaugh	4	4150 SW Topeka Blvd.	1961	auto services
D. Robert Roenbaugh	4	4200 SW Topeka Blvd.	N / A	Used car lot
Kansas Power & Light	4	4000 block SW Topeka Blvd.	N / A	Power substation
Metz Enterprises Inc	5	901 SW 37th Street	1969	Retail
Lindemuth Inc	5	905 SW 37th Street	1971	Retail
Plaza Investments Partners	5	921 SW 37th Street	1972	Office
John & Kathy Stueve	5	931 SW 37th Street	1971	auto services
Lindemuth Inc	5	3701 SW Plaza Drive	1973	Retail
BFS Retail & Coml. Operations	5	3701 SW Topeka Blvd.	1968	auto services
D.L.Rogers Corp.	5	3721 SW Topeka Blvd.	1994	Restaurant
Edward & Paula S Bozarth	5	3731 SW Topeka Blvd.	1970;2000+	New auto dealer
White Lakes Plaza Associates	5	3733 SW Plaza Drive	1973	Apartments
Lindemuth Inc	5	3700 block SW Plaza Drive	N / A	Vacant

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SW Topeka Boulevard, Topeka, Kansas

In conclusion, there are an ample number of deteriorating structures in the study area to conclude that this criteria is satisfied.

2. Defective or Inadequate Street Layout

The transportation network in the area has been affected by the historic combination of residential and commercial development and the man-made interstate and railroad barriers. The transportation corridor centered on SW Topeka Boulevard from SW 37th Street south to the Kansas Turnpike overpass has long been recognized by local planners and engineers as having an inadequate street network. The area west of SW Topeka Boulevard – identified as Phases 2 and 5 on the map – currently contains three platted or existing cul-de-sacs which are generally not acceptable for commercial areas. The SW 39th Street cul-de-sac was installed with a KDOT improvement project that eliminated a direct connection from 39th Street to SW Topeka Boulevard. Although the elimination of the SW Topeka Boulevard / 39th Street intersection was a positive step for safety reasons, it removed all semblance of continuity in the local transportation network.

Similarly, the platted SW Devon Avenue, which runs north from 39th Street to a cul-de-sac, is not conducive to a fully functioning street network and should, at minimum, connect directly to 38th Street and ideally on north to SW Plaza Drive. SW 38th Street, with a signalized intersection at SW Topeka Boulevard, should be evaluated for potential access east to intersect with the new S. Kansas Avenue extension, according to the City of Topeka's consulting engineer firm, Bartlett & West.



SW 39th Street cul-du-sac lacks access.

In conclusion, the transportation network in the district has been negatively affected by the historic combination of residential and commercial development and the interstate and railroad barriers. Platted streets have not been constructed, and existing connections have been removed. The area clearly suffers from an inadequate street network. Therefore, this criteria is satisfied.

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3. Unsanitary or Unsafe Conditions

The area under evaluation has been assessed for public safety by the City of Topeka Police and Planning Departments as a part of the city's Neighborhood Health 2007 Assessment. Public safety for each neighborhood in Topeka is ranked by one of four categories:

- Intensive Care = 1.1 - 3.4 persons per Type I crime
- At Risk = 3.5 - 5.2 persons per Type I crime
- Out Patient = 5.3 - 8.4 persons per Type I crime
- Healthy = 8.5 or more persons per Type I crime.

The area under review is a part of two neighborhoods divided by SW Topeka Boulevard. The entire portion west of SW Topeka Boulevard is categorized as "intensive care" – the designation reflecting the highest Type I crime rate within the city. The area west of SW Topeka Boulevard contains 60 of the 100.3 acres of the study area, or 60 percent of the total area.



Unsecured and unsafe outdoor storage on SW Topeka Boulevard.

As a result of the study area's higher crime rate, the area is concluded to be in an "unsafe condition" thereby satisfying this criteria.

4. Deterioration of Site Improvements

Several curbs and gutters along SW 37th Street are deteriorating. Furthermore, SW Topeka Boulevard lacks standard site improvements routinely required in new developments – most notably sidewalks. However, there is not a sufficient amount of deterioration to conclude that this criteria is satisfied.

5. Tax or Special Assessment Delinquency

There is no evidence of this criteria existing in this area.

6. Defective or Unusual Conditions of Title

There is no evidence of this criteria existing in this area.

7. Improper Subdivision and Land Use

The area under evaluation has been reviewed in the context of the City of Topeka Land Use & Growth Management Plan 2025. This planning document serves as the city's comprehensive plan ("The Plan"), approved by the City Council on February 24, 2004.

There are several subdivision and land use issues in the comprehensive plan which speak directly to proposed redevelopment and the South Topeka Boulevard commercial corridor. More specifically, The Plan's assessment applicable to the area includes several elements.

1. Emphasis on Smart Growth – More Efficient Land Use

One of The Plan's objectives is "to encourage the redevelopment and to direct new developments to areas where existing urban services can be efficiently extended or provided. This infrastructure guided "Smart Growth" theme is designed to encourage more efficient use of land, to maximize the use of existing resources, reduce the tax burden, and to foster greater utilization of existing public facilities." The purpose of establishing a TIF District is to intensify land uses along the southern SW Topeka Boulevard corridor consistent with this objective.

2. Weak Sign Codes and No Landscaping

The Plan states that "both the Wanamaker Road and South Topeka Boulevard commercial corridors demonstrate weak sign codes and no landscaping standards. The City adopted a landscape code in 2002, but the age of the development along these commercial corridors predates this code. There are many commercial sites in the region that are possible redevelopment locations, including vacant commercially zoned land along some of the major thoroughfares. Not every commercial development can successfully use existing commercial properties." Therefore, new commercial development within the proposed District will adhere to commercial development code requirements with current sign and landscaping code standards.

3. Recommended Policies and Actions

There are three specific policies and actions recommended in The Plan that directly apply to the proposed TIF District:

- a. Encourage the redevelopment of older commercial and office sites and develop programs to encourage commercial/office redevelopment and a reduction in the vacancy rates for these properties.
- b. Adopt new sign regulations that allow reasonable signage while reducing sign clutter.

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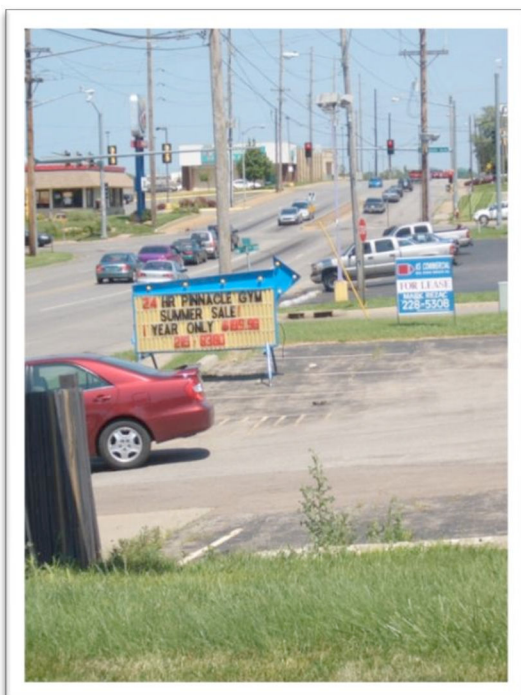
- c. Develop corridor plans and access management programs designed to improve the efficiency and safety of major roadways
- Redevelopment of the area will be required to conform to these adopted policies.

4. Reduce South Topeka Boulevard Strip Character

The Plan advocates that commercial development should not be 'stripped' along the arterial streets. It states that this pattern of development causes several undesirable results, including:

- a. A degradation of the primary purpose of the arterial's ability to move traffic;
- b. An increase in automobile related accidents as the number of driveways intersecting the arterial street increases;
- c. Excessive public costs due to the need for traffic control devices;
- d. A reduction of residential property values adjacent to the strip of commercial development, which can 'bleed' into the neighborhood and result in a destabilizing effect on a large portion of the neighborhood;
- e. The difficulty providing for the expansion of businesses that have developed in a strip pattern adjacent to residential development.

Strip commercial redevelopment within the District is not anticipated to be approved and redevelopment will ensure that the number and location of driveways, and inadequate landscaping and sidewalks will be remedied.



Strip commercial with outdated sign and landscaping codes on SW Topeka Boulevard.

5. Desire to Strengthen the Area's Marketability

South Topeka Blight Study
SW Topeka Boulevard, Topeka, Kansas

The Plan states that “(b)efore the Wanamaker Corridor was developed commercially, South Topeka Boulevard was the premier regional shopping area. This area serves as a sub-regional shopping area for residents living within a few miles. Parts of this area also serve as a regional center for new car sales. It is anticipated that . . . this area will continue to act as a large sub-regional shopping center serving East and South Topeka and also continue to host a wide variety of auto dealerships serving a multi-county region in Northeast Kansas. It is also possible that some large commercial parcels in this corridor could undergo major redevelopment improvements . . . strengthening this area's marketability as well as attracting new customers.” Redevelopment will enhance the area's marketability.

Altogether, the combined presence of obsolete platting, improper subdivision and land use as evidenced by the absence of smart growth practices, a prevailing adherence to weak or outdated codes, the presence of strip commercial and the Comprehensive Plan's goal to strengthen the study area's marketability lead to the conclusion that the area meets this criteria and is, therefore, satisfied.

8. Conditions Which Endanger Life or Property

There is an insufficient evidence of this criteria existing in this area.

9. Conditions which Create Economic Obsolescence.

A majority of the proposed district is located within a City of Topeka designated Enterprise Zone. (A map of the City of Topeka Enterprise Zones is attached to this study.) The Enterprise Zones Act was enacted by the State of Kansas in 1990 to provide tax incentives to new and expanding businesses in areas needing redevelopment and revitalization. Areas within Topeka, and other jurisdictions, needed to meet specific conditions and criteria to secure such a designation, including being “economically distressed” by the city's governing body.



Closed service station on SW Topeka Boulevard reflecting economic obsolescence.

South Topeka Blight Study
SW Topeka Boulevard, Topeka, Kansas

As a result of this existing and long-standing Enterprise Zone designation by the City of Topeka and annually validated by the State Department of Commerce, this criteria is satisfied.

Conclusion

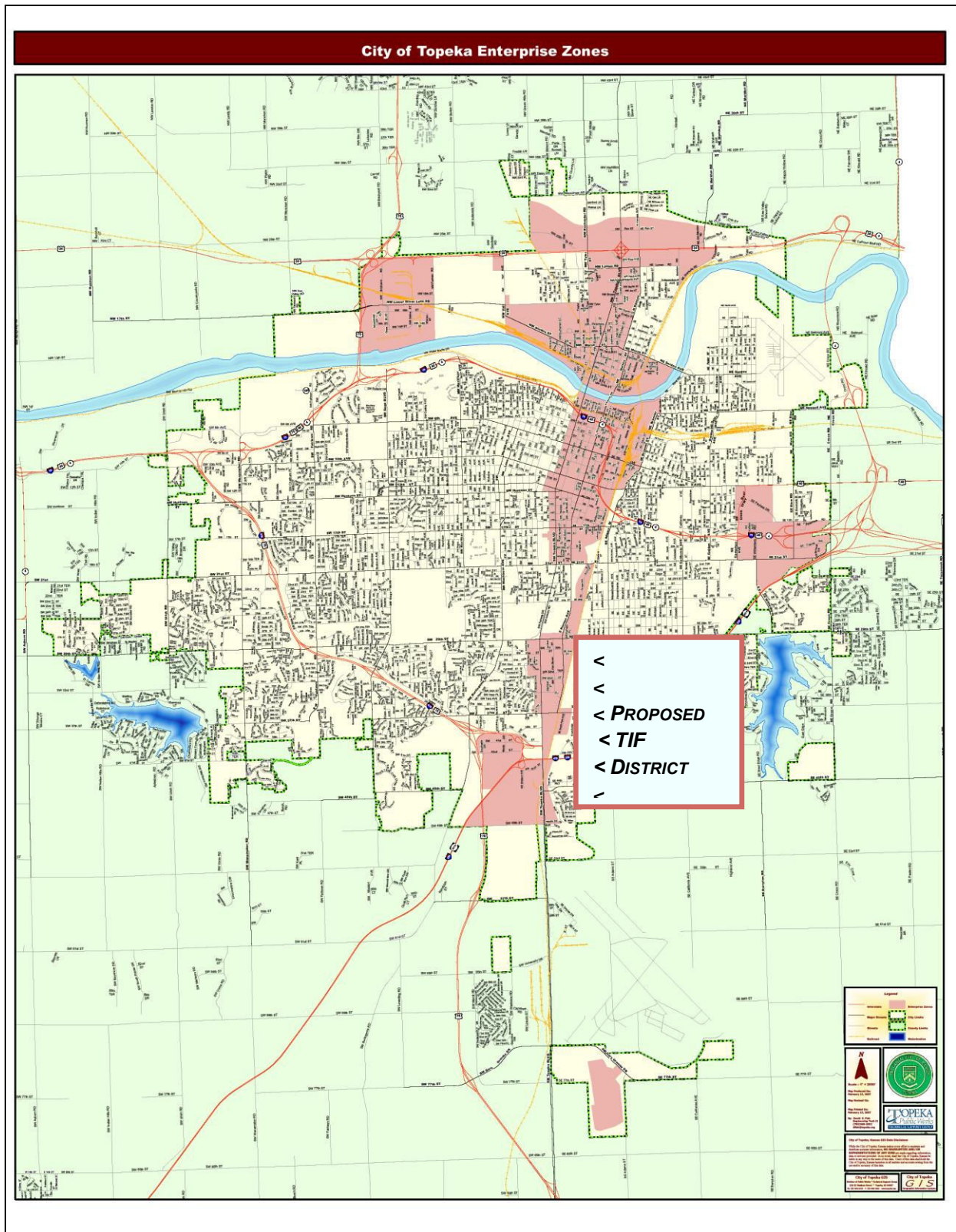
This analysis indicates that the area is blighted according to the statute criteria, having met five of the nine criteria conditions to qualify for the definition of blight.

The photographs on the following pages provided additional samples reflecting some of these findings.

Attachments:

- Map of City of Topeka Enterprise Zones
- Additional photos of Proposed TIF District reflecting evidence of blight
- Firm Description and Resume

South Topeka Blight Study
SW Topeka Boulevard, Topeka, Kansas



South Topeka Blight Study
SW Topeka Boulevard, Topeka, Kansas



Site of demolished motel waiting for redevelopment.



Deteriorating curb and gutter along SW 37th Street west of SW Topeka Boulevard.

South Topeka Blight Study
SW Topeka Boulevard, Topeka, Kansas



Obsolete uses along SW Topeka Boulevard.



RICHARD CAPLAN & ASSOCIATES

7301 MISSION ROAD, SUITE 100 PRAIRIE VILLAGE, KS 66208 (913) 831-7166
RICHCAPLAN@AOL.COM

SINCE ITS FOUNDING IN 1987, RCA HAS SUCCESSFULLY COMPLETED OVER 250 ASSIGNMENTS YIELDING UNMATCHED EXPERIENCE IN LAND USE ECONOMICS. RCA ASSISTS PRIVATE DEVELOPERS, NON-PROFITS AND PUBLIC AGENCIES IN ASSESSING THE FUTURE ECONOMICS AND OUTCOMES OF REAL ESTATE PROJECTS AND ECONOMIC DEVELOPMENT PLANS.

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OUR ADVISORY SERVICES INCLUDE:

Project Concept Planning and Programming

- SITE SELECTION SERVICES
- CREATING PUBLIC/PRIVATE PARTNERSHIPS
- HIGHEST AND BEST USE DETERMINATION

RETAIL MARKET AND FINANCIAL FEASIBILITY ANALYSIS

- DEFINITION, IDENTIFICATION AND EVALUATION OF POTENTIAL MARKET SUPPORT
- SUPPLY AND DEMAND ANALYSIS
- COMMUNITY EVALUATIONS/ASSESSMENTS OF AREA'S MARKET OPPORTUNITIES
- IDENTIFYING TARGET MARKET FOR RETAIL, INDUSTRIAL, COMMERCIAL AND RESIDENTIAL PROJECTS

Economic Development Plans and Services

- TAX INCREMENT FINANCING ASSISTANCE INCLUDING BLIGHT STUDIES
- ECONOMIC AND FISCAL IMPACT ANALYSIS
- ECONOMIC DEVELOPMENT STRATEGIES
- ALTERNATIVE FINANCING STRATEGIES
- IMPLEMENTATION STRATEGIES
- FINANCIAL ANALYSIS AND REVENUE PROJECTIONS

RESUME

RICHARD CAPLAN & ASSOCIATES

1986 – present

Owner, Principal

Since 1986, own consulting firm specializing in market studies, financial and development analysis, strategic planning, interim and contract management services to cities and public non-profit associations. Provide management consulting services and projects to more than 50 counties and cities including management assessments and conduct strategic planning sessions for cities and counties. Predominant clients include small to medium sized municipalities and multi-jurisdictional entities.

A sample of Community and economic developments projects include:

- America's Smart Corridor - The firm has provided comprehensive services in preparing a unique economic development strategy for a 29 mile highway corridor linking seven rapidly growing cities focusing on high technology. Tasks included developing a multi-jurisdictional endorsement of goals and objectives; planning for all major interchanges using "smart growth" techniques; and preparation of a technology plan to guide public and private infrastructure investment to position the region of 350,000 persons as the leader in the Midwest region for technological investment.
- San Bernardino, California - The older downtown decided that a cultural and entertainment center was vital to the revitalization of the area. The firm prepared feasibility studies and financing strategies for several major components of the center leading to significant reinvestment in the area.
- Redlands, California - Richard Caplan & Associates advised the city's redevelopment agency on revitalization, public financing and marketing strategies for the major transformation of the city center into a successful mix of office, hotel and retail uses. The historic downtown has experienced a major turnaround since completion of the plan.
- Lawrence, Kansas - The firm successfully led the effort to redevelop the abandoned riverfront area into an outlet and office center including the city's first parking garage. Caplan & Associates also assisted the historic downtown with preparation of the plan for a major mixed use redevelopment which includes establishment of the city's first tax increment financing district
- Independence, Missouri - The historic downtown area and surrounding neighborhood had been experiencing years of decline. Caplan & Associates was part of a planning team engaged to prepare a comprehensive revitalization plan which included residential rehabilitation, construction of new housing, commercial and office market assessment and redevelopment strategies.
- Concordia, Kansas - The City of Concordia engaged Richard Caplan & Associates to execute a study to undertake a comprehensive evaluation of the central business district including a market analysis and strategies for recommending a revitalization process. Public participation played a key role in reaching a unified approach from the merchants, property owners and city officials.
- Chillicothe, Missouri - Caplan & Associates developed a detailed market analysis and financing plan for implementing major recommendations for the community as part of a planning team that included a parking, traffic study and urban design plan.

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Laventhol & Horwath, San Francisco

1984 - 1986

Manager

Managed firm's public sector consulting practice including management and financial consulting for firm's Northern California office. The national consulting firm offered diverse public financial management and development related consulting services to the public and private sectors; also conducted financial feasibility studies, and prepared alternative financing scenarios and market studies planning for alternative land uses.

Vail, Colorado

1979 - 1984

City Manager

Served as city manager of mountain resort municipality routinely demanding balanced environmental protection with servicing visitor-based industry. Vail is ranked as the national winter and summer recreation destination in the nation. The full service municipality of 4,500 permanent residents was incorporated in 1972 and operates with 135 employees and approximately 150 seasonal employees. Vail received ICMA Management Innovation award in 1978. Key efforts:

- Developed and implemented tourist, recreation and community diversification strategies.
- Initiated and successfully implemented public plaza renovation project; acquired and developed major parks.
- Successfully recruited first national hotel chains to city including setting up joint venture conference center between large hotel with area community college.
- Initiated and implemented major open space acquisition program after adoption of a real estate transfer tax.
- Balanced staffing and resources between summer and winter tourism.
- Founding president for resort communities association to improve understanding and support of state legislature for expanding public recreation facilities, affordable housing, transportation and tourism enhancement.

Simi Valley, California

1972 - 1979

Assistant City Manager

Simi Valley's population of 110,000 persons has a municipal budget of \$80 million and approximately 300 employees serve the city. City incorporated in 1969 without a municipal property tax creating need for innovative financing approaches by staff and elected officials. Simi Valley received ICMA Management Innovation Award in 1976. Successfully led effort to secure California state park designation. Other key efforts included:

- Successfully helped organize and manage city's first downtown improvement program and redevelopment project.
- Managed city's first CDBG program and city/county joint powers authority leading to development of the community's civic center complex.
- Performed key role in diversifying bedroom community to a well balanced municipality.

EDUCATION

M.A. Public Policy; University of California, Berkeley

B.A. University of California, Berkeley; Major: Political Science; honor student

South Topeka Proposed TIF District – District Plan

The *Topeka Land Use and Growth Management Plan – 2025* identifies this area as a sub-regional commercial corridor intended to provide goods and services to East and South Topeka for residents within a few miles proximity. Part of the area continues to serve as regional center for new auto sales in Northeast Kansas. The 2025 Plan indicates there are opportunities for redevelopment within the area, which would improve the area's marketability and attractiveness as a commercial corridor. Appropriate land uses in this corridor include a wide range of retail, highway commercial, office, multi-family residential, and some light industrial located in areas allowed by the various zoning districts contained in the City's zoning code. The area is predominantly zoned for high intensity commercial uses.

This report identifies the sub-area boundaries within the proposed TIF District and outlines some opportunities and issues for redevelopment of the area that continue along existing trends.

I. General Description of Project Area

The project area is generally bordered by SW 37th Street on the north side and then extends south along SW Topeka Blvd. The east side is bordered by the Burlington Northern Santa Fe Railroad. The west side is bordered by SW 38th Street, SW 39th Street, and the Interstate-470/Kansas Turnpike interchange. The southernmost boundary is approximately 1,200 feet south of the Kansas Turnpike overpass between SW Topeka Blvd and the BNSF railroad.

a. Sub-Area 1

This area includes property lying on the west side of SW Topeka Blvd between Interstate-470 and the Kansas Turnpike interchanges on the south, north, and east sides and including right-of-way south of I-470.

b. Sub-Area 2

This area includes property lying on the west side of SW Topeka Blvd bordered by SW 38th Street on the north side. SW 39th Street and Interstate-470 border the property on the south side.

c. Sub-Area 3

This area includes property lying south of SW 37th Street, bordered on the south and east sides by the S. Kansas Avenue extension and bordered on the west side by SW Topeka Blvd.

d. Sub-Area 4

This area includes property lying immediately south of the S. Kansas Avenue extension, bordered on the east side by the Burlington Northern Santa Fe Railroad and on the west side by SW Topeka Blvd. The southernmost boundary is approximately 650 feet south of the Kansas Turnpike overpass lying between SW Topeka Blvd and the BNSF railroad.

e. Sub-Area 5

This area includes property at the southwest corner of SW 37th Street and SW Topeka Blvd, all north of and including SW 38th Street. The west boundary line generally lays 1,300' west of SW Topeka Blvd.

f. Sub-Area 6 (White Lakes Mall)

This area is bordered on the north by SW Croix, on the east by SW Kansas, on the west by SW Topeka, and on the south by SW 37th Street.

II. Sub-Area 1

- a. Existing Conditions-** This area was former right-of-way for the Kansas Turnpike and it is still owned by the Turnpike Authority. There are several buildings located on the property, currently used by the Kansas State Troopers. Sewer and water infrastructure already serve the buildings. The property has excellent access and visibility from Interstate-470 and the Kansas Turnpike.
- b. Uses and Zoning-** This area is a good location for retail, including but not limited to, quick service restaurants, truck stop, gas stations, automobile and vehicle dealerships, or other commercial businesses in need of high visibility and access to highways. As former right-of-way, the area is zoned "R-1" Single-Family Dwelling District and would require rezoning to allow for highway commercial uses, as well as any other commercial uses.
- c. Issues related to redevelopment of the area-**
 - Zoning and platting
 - Utility adjustments
 - Right-of-way dedications and vacation
 - Combined access on to Topeka and cross access between lots should be addressed.
 - Sidewalk and landscape public improvements along Topeka should be addressed as this is at a significant entryway.
 - Demolish existing buildings and prepare site for new development (i.e. platting, zoning, vacation)
 - KDOT and KTA review of any zoning, platting, or site development.

III. Sub-Area 2

- a. Existing Conditions-** This area was originally comprised of several lots and developed for motel establishments, which have since been demolished. Recently the sub-area was re-platted for a proposed automobile plaza. The plat involved lot consolidation, vacating a segment of SW 39th Street, dedicating a new cul-de-sac for SW 39th, and relocating utility easements. The remainder of the sub-area is still comprised of four single-family residences, the City water tower, offices, bar, mini-storage units, and a gas station. Two of the residential properties have been rezoned to commercial and will be included in the auto plaza development. Devon Avenue, west of the proposed auto plaza is platted, but never constructed.
- b. Uses and Zoning-** The auto plaza will cover much of the remaining vacant land within this sub-area, with some opportunity for additional development within this area. Two remaining single-family zoned

properties would require rezoning to high intensity commercial. It seems probable that the auto plaza or related commercial will eventually expand into these remaining two residential-zoned properties.

c. Issues related to redevelopment of the area-

- Landscaping and sidewalk public improvements are needed along Topeka.
- The two residential-zoned properties would involve rezoning to commercial, possibly re-platting, demolition, and utility adjustments if developed for commercial.
- Devon Avenue may require vacation.

IV. Sub-Area 3

a. Existing Conditions- This sub-area contains several older motels fronting Topeka Blvd, which are falling into disrepair. Other uses that have developed along Topeka and 37th include a gas station, banks, retail, office, and truck trailer parking. One residence still exists along Topeka, which was constructed in 1945. There are several landlocked parcels because Kansas Avenue was never constructed. The area consists of small lots stripped along Topeka Blvd., which may function better as commercial properties if combined with adjoining lots to allow for better access and site layout. Topeka Blvd. is void of landscaping. The businesses along 37th Street have developed with a grass landscape buffer area between the parking lot and street.

b. Uses and Zoning- The area is zoned primarily for high intensity commercial, which will accommodate retail and highway commercial uses. An existing PUD encompasses an older motel site and will need to be rezoned for further commercial uses. New uses and buildings within this area will include, but not be limited to, retail, restaurants, offices or other generally conforming uses acceptable to zoning ordinances available at the time of development. The older motels stripped along SW Topeka should be demolished. New motels, hotels and other highway commercial uses would be desirable at this location since it is within proximity to both the Kansas Turnpike and South U.S. 75 highway.

c. Issues related to redevelopment of the area-

- Re-platting to combine landlocked or undersized parcels and create more functional commercial lots.
- Extension of S. Kansas
- Rezoning of older Planned Unit Development originally developed for motel sites.
- Access controls on to Topeka should be re-considered with any lot consolidation or reconfiguration.
- Cross access should be addressed between properties with re-platting.
- Right-of-way dedication and vacation may be needed.
- Access points on to Kansas should be addressed.
- Landscaping and sidewalk public improvements should be addressed along Topeka and Kansas.

- Provide incentives to current business owners to put investments into their buildings and landscape amenities on their properties.
- Possible utility relocation/adjustments
- Incentives to renovate existing motels or demolish existing structures.
- Demolition of older buildings that are past renovating.

V. Sub-Area 4

- a. Existing Conditions-** This area contains a mix of used automobile dealers, other automobile related uses, and an electric utility that may have developed without site or landscape plan review. The turnpike crosses over the area, which may be a challenge to development. The area consists of narrow and shallow lots that constrict development. The lots may function better for commercial if combined with adjoining lots to allow for better access and site layout. Just outside of this boundary, the landscaping and sidewalk at the 45th and Topeka Blvd Kwik Shop are examples of improvements that could be done by existing businesses within the entire project area.
- b. Uses and Zoning-** The area is most suited for light industrial or highway commercial uses due to its location across from Frito Lay and at the I-470/Kansas Turnpike interchange. Planned uses include, but are not limited to, automobile related services, mini-storage, equipment or construction storage, contractor yards, and similar uses. Based upon surrounding land uses and zoning, a light industrial zoning district would also be appropriate for this sub-area. The sub-area is currently split between light industrial and high intensity commercial zonings.
- c. Issues related to redevelopment of the area-**
 - Re-platting to combine undersized parcels and create more functional commercial lots.
 - Possible rezoning of the south half of the sub-area from C-4 to I-1, or its equivalent light industrial zoning classification.
 - Current access on to Topeka should be re-considered with lot consolidation or reconfiguration.
 - Cross access should be addressed between properties with re-platting.
 - Right-of-way dedication may be needed
 - Landscaping and sidewalk public improvements should be addressed along Topeka.
 - Provide incentives to current property owners to put investments into their property/buildings.
 - Possible utility relocation/adjustments
 - Possible building demolition

VI. Sub-Area 5

- a. Existing Conditions-** This sub-area is nearly built out with an auto plaza, multi-family dwelling complex, retail centers, auto repair, and Sonic Drive-In. Only one parcel remains vacant. However, the

existing retail centers appear to contain sub-prime commercial and other “filler” uses (i.e. liquor store, express tax service, and quick cash place). The area is almost void of any landscaping, with the exceptions of Sonic and the apartment complex. The Sonic has constructed a new sidewalk along Topeka Blvd along with a landscaped area fronting the street, which could be an example of public improvements. The apartment complex appears in sound condition and has nicely landscaped grounds.

- b. Uses and Zoning-** Prospects for this area are new retail and office uses, as well as to providing incentives to existing businesses to make improvements to their property/buildings or demolish these older strip malls and prepare the site for new development. Other retail and commercial developments are also appropriate.
- c. Issues related to redevelopment of the area-**
 - Provide incentives to current property owners to put investments into their property/buildings.
 - Landscape and sidewalk public improvements along Topeka and 37th
 - Provide incentives to encourage new businesses to locate in existing vacant buildings/retail centers and renovate those buildings.
 - Possible building demolition, re-platting, and utility adjustments
 - Possible right-of-way dedication, vacation, and lot reconfiguration

VII. Sub-Area 6

- a. Existing Conditions-** The sub-area includes White Lakes Mall. The property is currently split between C-4 and I-1 zoning. Current uses inside the mall include employment agencies, Department of Motor Vehicles annex, hair styling school, Dispatch church, various offices, extremely limited retail (jewelry store, walk-up snack bar, book store), and many vacant store fronts. The property has five outbuildings, which include Walgreen’s, Taco John’s, Burger King, retail strip center, bank. A restaurant, Las Fuentes, is attached to the south side of the mall structure. The mall has decent transit access, being on two bus routes, which run from approximately 6:00 am to 7:00 pm. The mall is nearly void of any restaurants within the enclosed structure. Landscaping amenities on the mall grounds are non-existent. A few trees are scattered sporadically throughout the parking lot. The mall has tried to re-invent itself as an office environment, but few physical changes have occurred on the grounds itself. The area still contains a typical enclosed shopping mall surrounded by a massive parking lot. Another feature of the mall is that it has become a gathering and walking destination for senior citizens.
- b. Uses and Zoning-** Redevelopment of the mall site as an office park, such as, continued promotion of the mall for office uses, call centers, educational institutions, community college annexes, etc. Encourage limited commercial uses geared specifically toward the mall’s primary function as an office park, such as, lunch restaurants, coffee shops,

doctor's offices, accountant's offices, walk-up medical clinic, wellness center or gym geared toward senior citizens, dollar or variety store, small pharmacy, news stand, or other generally conforming uses. The City would work with a developer on structuring a PUD to accommodate the mix of office and limited commercial uses, as well as, to provide clear guidelines for developers for redevelopment opportunities for the mall.

c. Issues related to redevelopment of the area-

- Create more of an "office campus" environment rather than "offices within a vacant shopping mall" environment by reconfiguring the parking areas and structures.
- Break up the massive expanse of parking and provide more landscaped amenities and public space. (Ex: Provide trees and landscaped areas, benches, tables, pedestrian walkways, outdoor eating area for office employees.) This should occur particularly on the front side along Topeka.
- Provide well-lit and attractive lighting in parking areas.
- Reconfigure parking areas, so as to break up the massive parking expanse.
- Landscape and sidewalk public improvements along Topeka, Croix, and Kansas.
- Renovate the inside of the mall for office spaces rather than retail. Combine smaller vacant store fronts with adjoining ones so future office tenants will have more space. Prepare spaces so tenants can move right in rather than having to make renovations themselves. Some of the current vacant store fronts may be too small for office uses and would better for office if combined with adjoining store fronts.
- Facelift to outside and inside of mall (i.e. painting, remodeling, updating, taking out walls, etc.)
- Possible rezoning, platting, and vacation of utility easements and relocation of utilities
- Demolish some of the building to create outdoor space and to break up the main structure.

VIII. Phasing of Development- Timing of development will be developer driven. Public infrastructure improvements within each sub-area will depend upon specific project proposals submitted by individual developers. Anticipated public improvements include, but are not limited to, street construction; intersection adjustments; access controls, such as traffic signaling and construction of medians; public parking; utility (sewer and water) adjustments and extensions; land acquisition; and drainage improvements.

A district in the Southeast Quarter of Section 13 and in the Northeast and Southeast Quarters of Section 24, all in Township 12 South, Range 15 east of the 6th PM, and in the Southwest Quarter of Section 18 and in the Northwest and Southwest Quarters of Section 19, said Sections 18 and 19 being in Township 12 South, Range 16 east of the 6th PM, all in the City of Topeka, Shawnee County, Kansas, the boundary of which is described as: Beginning at the intersection of the West line of the Southwest Quarter of said Section 18 with a westerly extension of the North line of Croix Street; thence easterly on the North line of Croix Street and its extensions to an intersection with a line which is 70 feet normally and westerly distant from the Centerline of the right of way of the Burlington Northern and Santa Fe Railway; thence south-southwesterly parallel with the Centerline of said right of way to an intersection with the South line of said Southwest Quarter; thence westerly on the last said South line to an intersection with a line which is 75 feet normally and westerly distant from the Centerline of said right of way; thence south-southwesterly on the West line of the right of way of the Burlington Northern and Santa Fe Railway to an intersection with the East line of South Topeka Boulevard; thence westerly, normally to and from the East line of the Southeast Quarter of said Section 24 to an intersection with the West line of Topeka Boulevard; thence northerly on the West line of Topeka Boulevard and its extension to the Northeast corner of Block A of Seymour Subdivision; thence westerly on the North line of said Block A and its extension to an intersection with the West line of the East Half of the Southeast Quarter of said Section 24; thence northerly on the West line of said East Half to an intersection with the South line of the Northeast Quarter of said Section 24; thence northerly on the West line of the East Half of said Northeast Quarter to an intersection with the Southwest line of Lot 1, Block "B" in Dickinson Subdivision "C"; thence northwesterly on the Southwest line of Dickinson Subdivision "C" to the South corner of Lot 1, Block "A" in the last said subdivision; thence northeasterly on the Northwest tangent line of S.W. 38th Street and its extension to an intersection with the South line of Lot 12, Block 'A' in White Lakes Plaza Subdivision; thence westerly to the Southwest corner of said Lot 12; thence northerly on the West line of White Lakes Plaza Subdivision to the Northwest corner of Lot 16 in Block 'A' of the last said subdivision; thence northerly normally to and from the South line of the Southeast Quarter of said Section 13, to an intersection with a line which is 50 feet north of the South line of said Southeast Quarter; thence easterly on the North line of 37th Street to the Southeast corner of Tract "D" in Likins Foster Addition thence northerly on the West line of Topeka Boulevard and its extension to an intersection with an easterly prolongation of the North tangent line of Croix Street, also being an extension of the South line of Lot 1 in Bellaire Subdivision No. 2; thence easterly normal to the East line of the Southeast Quarter of said Section 13; thence southerly to the point of beginning.

RICHARD CAPLAN & ASSOCIATES

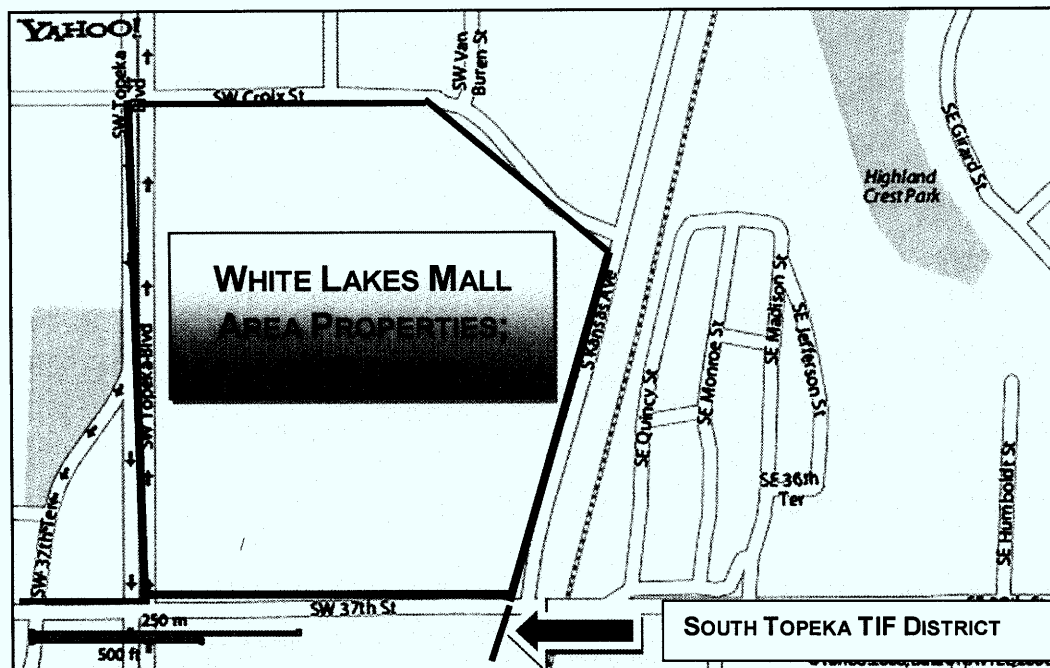
July 22, 2008

City of Topeka
Attn: Randy Speaker, Deputy City Manager
620 SE Madison
Topeka, KS 66603

Re: Inclusion of White Lakes Mall Area in
Proposed South Topeka TIF District

It is recommended that the area immediately north of the planned South Topeka TIF District, the White Lakes Mall area, that includes seven parcels south of SW Croix Street east of SW Topeka Avenue west of S. Kansas Avenue extending south to SW 37th Street also be included in the TIF District.

This area is attached to the proposed TIF District and includes the White Lakes Mall and several surrounding commercial uses. The entire area has been designated as a part of the City of Topeka Enterprise Zone and is, therefore, eligible to be included within the South Topeka TIF District.



More specifically, the area contains 502,812 square feet of buildings scattered among seven parcels with a combined total of 35.88 acres. The addresses, building and parcel sizes and current uses are presented in the following table. ("White Lakes Mall Area Properties")

RICHARD CAPLAN & ASSOCIATES

Page 2

White Lakes Mall Area Properties

Street Address	Building (sq. feet)	Parcel Size (sq. feet)	Use
3500 SW Topeka Boulevard	127,628	435,045	Commercial
3506 SW Topeka Boulevard	1,888	25,004	Restaurant
3600 SW Topeka Boulevard	345,323	920,526	Retail center
3600 SW Topeka Boulevard	2,673	10,000	Bank
3690 SW Topeka Boulevard	3,140	41,709	Restaurant
3696 SW Topeka Boulevard	13,620	74,620	Retail
420 SW 27 th Street	8,596	47,000	Utility service building
TOTAL	502,812 square feet	1,562,834 square feet; = 35.88 acres	

In conclusion, inclusion of these 35.88 acres for redevelopment is warranted to stimulate additional redevelopment to occur.

Respectfully submitted,

Richard Caplan

RICHARD CAPLAN & ASSOCIATES

(Published in the Topeka Metro News _____)

RESOLUTION NO. _____

A RESOLUTION introduced by City Manager Norton N. Bonaparte, Jr., setting the public hearing for Establishment of a Redevelopment District for the Southwest Topeka Boulevard district.

BE IT RESOLVED by the Council of the City of Topeka, Kansas, that a public hearing shall be held by the Governing Body of the City of Topeka, Kansas, on the advisability of the establishment of a redevelopment district for the Southwest Topeka Boulevard District; said hearing to be held on October 28, 2008, in the City Council Chambers of City Hall, 214 E. 8th Street, at 6:00 p.m., as provided by K.S.A. § 12-1770, *et seq.*, as amended.

BE IT FURTHER RESOLVED that the City Clerk shall publish the following notice of such public hearing in the official City newspaper and give notice to all affected persons and entities in the manner provided by K.S.A. § 12-1772, as amended.

NOTICE OF PUBLIC HEARING:

Notice is hereby given that the Council of the City of Topeka, Kansas, will meet for the purpose of holding a public hearing as provided by K.S.A. § 12-1770, *et seq.*, as amended, in the City Council Chambers of City Hall 214 E. 8th Street, at 6:00 p.m. on October 28, 2008, to consider the advisability of the establishment of a redevelopment district for the Southwest Topeka Boulevard area described as follows:

A. PROPOSED BOUNDARIES OF THE DISTRICT:

A district in the Southeast Quarter of Section 13 and in the Northeast and Southeast Quarters of Section 24, all in Township 12 South, Range 15 east of the 6th PM, and in the Southwest Quarter of Section 18 and in the Northwest and Southwest Quarters of Section 19, said Sections 18 and 19 being in Township 12 South, Range 16 east of the 6th PM, all in the City of Topeka,

Shawnee County, Kansas, the boundary of which is described as: Beginning at the intersection of the West line of the Southwest Quarter of said Section 18 with a westerly extension of the North line of Croix Street; thence easterly on the North line of Croix Street and its extensions to an intersection with a line which is 70 feet normally and westerly distant from the Centerline of the right of way of the Burlington Northern and Santa Fe Railway; thence south-southwesterly parallel with the Centerline of said right of way to an intersection with the South line of said Southwest Quarter; thence westerly on the last said South line to an intersection with a line which is 75 feet normally and westerly distant from the Centerline of said right of way; thence south-southwesterly on the West line of the right of way of the Burlington Northern and Santa Fe Railway to an intersection with the East line of South Topeka Boulevard; thence westerly, normally to and from the East line of the Southeast Quarter of said Section 24 to an intersection with the West line of Topeka Boulevard; thence northerly on the West line of Topeka Boulevard and its extension to the Northeast corner of Block A of Seymour Subdivision; thence westerly on the North line of said Block A and its extension to an intersection with the West line of the East Half of the Southeast Quarter of said Section 24; thence northerly on the West line of said East Half to an intersection with the South line of the Northeast Quarter of said Section 24; thence northerly on the West line of the East Half of said Northeast Quarter to an intersection with the Southwest line of Lot 1, Block "B" in Dickinson Subdivision "C"; thence northwesterly on the Southwest line of Dickinson Subdivision "C" to the South corner of Lot 1, Block "A" in the last said subdivision; thence northeasterly on the Northwest tangent line of S.W. 38th Street and its extension to an intersection with the South line of Lot 12, Block 'A' in White Lakes Plaza Subdivision; thence westerly to the Southwest corner of said Lot 12; thence northerly on the West line of White Lakes Plaza Subdivision to the Northwest corner of Lot 16 in Block 'A' of the last said subdivision; thence northerly normally to and from the South line of the Southeast Quarter of said Section 13, to an intersection with a line which is 50 feet north of the South line of said Southeast Quarter; thence easterly on the North line of 37th Street to the Southeast corner of Tract "D" in Likins Foster Addition thence northerly on the West line of Topeka Boulevard and its extension to an intersection with an easterly prolongation of the North tangent line of Croix Street, also being an extension of the South line of Lot 1 in Bellaire Subdivision No. 2; thence easterly normal to the East line of the Southeast Quarter of said Section 13; thence southerly to the point of beginning.

B. PROPOSED DISTRICT PLAN:

South Topeka Proposed TIF District – District Plan

The *Topeka Land Use and Growth Management Plan – 2025* identifies this area as a sub-regional commercial corridor intended to provide goods and services to East and

South Topeka for residents within a few miles proximity. Part of the area continues to serve as regional center for new auto sales in Northeast Kansas. The 2025 Plan indicates there are opportunities for redevelopment within the area, which would improve the area's marketability and attractiveness as a commercial corridor. Appropriate land uses in this corridor include a wide range of retail, highway commercial, office, multi-family residential, and some light industrial located in areas allowed by the various zoning districts contained in the City's zoning code. The area is predominantly zoned for high intensity commercial uses.

This report identifies the sub-area boundaries within the proposed TIF District and outlines some opportunities and issues for redevelopment of the area that continue along existing trends.

I. General Description of Project Area

The project area is generally bordered by SW 37th Street on the north side and then extends south along SW Topeka Blvd. The east side is bordered by the Burlington Northern Santa Fe Railroad. The west side is bordered by SW 38th Street, SW 39th Street, and the Interstate-470/Kansas Turnpike interchange. The southernmost boundary is approximately 1,200 feet south of the Kansas Turnpike overpass between SW Topeka Blvd and the BNSF railroad.

a. Sub-Area 1

This area includes property lying on the west side of SW Topeka Blvd between Interstate-470 and the Kansas Turnpike interchanges on the south, north, and east sides and including right-of-way south of I-470.

b. Sub-Area 2

This area includes property lying on the west side of SW Topeka Blvd bordered by SW 38th Street on the north side. SW 39th Street and Interstate-470 border the property on the south side.

c. Sub-Area 3

This area includes property lying south of SW 37th Street, bordered on the south and east sides by the S. Kansas Avenue extension and bordered on the west side by SW Topeka Blvd.

d. Sub-Area 4

This area includes property lying immediately south of the S. Kansas Avenue extension, bordered on the east side by the Burlington Northern Santa Fe Railroad and on the west side by SW Topeka Blvd. The southernmost boundary is approximately 650 feet south of the Kansas Turnpike overpass lying between SW Topeka Blvd and the BNSF railroad.

e. Sub-Area 5

This area includes property at the southwest corner of SW 37th Street and SW Topeka Blvd, all north of and including SW 38th Street. The west

boundary line generally lays 1,300' west of SW Topeka Blvd.

f. Sub-Area 6 (White Lakes Mall)

This area is bordered on the north by SW Croix, on the east by SW Kansas, on the west by SW Topeka, and on the south by SW 37th Street.

II. Sub-Area 1

a. Existing Conditions- This area was former right-of-way for the Kansas Turnpike and it is still owned by the Turnpike Authority. There are several buildings located on the property, currently used by the Kansas State Troopers. Sewer and water infrastructure already serve the buildings. The property has excellent access and visibility from Interstate-470 and the Kansas Turnpike.

b. Uses and Zoning- This area is a good location for retail, including but not limited to, quick service restaurants, truck stop, gas stations, automobile and vehicle dealerships, or other commercial businesses in need of high visibility and access to highways. As former right-of-way, the area is zoned "R-1" Single-Family Dwelling District and would require rezoning to allow for highway commercial uses, as well as any other commercial uses.

c. Issues related to redevelopment of the area-

- Zoning and platting
- Utility adjustments
- Right-of-way dedications and vacation
- Combined access on to Topeka and cross access between lots should be addressed.
- Sidewalk and landscape public improvements along Topeka should be addressed as this is at a significant entryway.
- Demolish existing buildings and prepare site for new development (i.e. platting, zoning, vacation)
- KDOT and KTA review of any zoning, platting, or site development.

III. Sub-Area 2

a. Existing Conditions- This area was originally comprised of several lots and developed for motel establishments, which have since been demolished. Recently the sub-area was re-platted for a proposed automobile plaza. The plat involved lot consolidation, vacating a segment of SW 39th Street, dedicating a new cul-de-sac for SW 39th, and relocating utility easements. The remainder of the sub-area is still comprised of four single-family residences, the City water tower, offices, bar, mini-storage units, and a gas station. Two of the residential properties have been rezoned to commercial and will be included in the auto plaza development. Devon Avenue, west of the proposed auto plaza is platted, but never constructed.

b. Uses and Zoning- The auto plaza will cover much of the remaining vacant land within this sub-area, with some opportunity for additional development within this area. Two remaining single-family zoned properties would require rezoning to high intensity commercial. It seems probable that the auto plaza or related commercial will eventually expand into these remaining two residential-zoned properties.

c. Issues related to redevelopment of the area-

- Landscaping and sidewalk public improvements are needed along Topeka.
- The two residential-zoned properties would involve rezoning to commercial, possibly re-platting, demolition, and utility adjustments if developed for commercial.
- Devon Avenue may require vacation.

IV. Sub-Area 3

a. Existing Conditions- This sub-area contains several older motels fronting Topeka Blvd, which are falling into disrepair. Other uses that have developed along Topeka and 37th include a gas station, banks, retail, office, and truck trailer parking. One residence still exists along Topeka, which was constructed in 1945. There are several landlocked parcels because Kansas Avenue was never constructed. The area consists of small lots stripped along Topeka Blvd., which may function better as commercial properties if combined with adjoining lots to allow for better access and site layout. Topeka Blvd. is void of landscaping. The businesses along 37th Street have developed with a grass landscape buffer area between the parking lot and street.

b. Uses and Zoning- The area is zoned primarily for high intensity commercial, which will accommodate retail and highway commercial uses. An existing PUD encompasses an older motel site and will need to be rezoned for further commercial uses. New uses and buildings within this area will include, but not be limited to, retail, restaurants, offices or other generally conforming uses acceptable to zoning ordinances available at the time of development. The older motels stripped along SW Topeka should be demolished. New motels, hotels and other highway commercial uses would be desirable at this location since it is within proximity to both the Kansas Turnpike and South U.S. 75 highway.

c. Issues related to redevelopment of the area-

- Re-platting to combine landlocked or undersized parcels and create more functional commercial lots.
- Extension of S. Kansas
- Rezoning of older Planned Unit Development originally developed for motel sites.

- Access controls on to Topeka should be re-considered with any lot consolidation or reconfiguration.
- Cross access should be addressed between properties with re-platting.
- Right-of-way dedication and vacation may be needed.
- Access points on to Kansas should be addressed.
- Landscaping and sidewalk public improvements should be addressed along Topeka and Kansas.
- Provide incentives to current business owners to put investments into their buildings and landscape amenities on their properties.
- Possible utility relocation/adjustments
- Incentives to renovate existing motels or demolish existing structures.
- Demolition of older buildings that are past renovating.

V. Sub-Area 4

a. Existing Conditions- This area contains a mix of used automobile dealers, other automobile related uses, and an electric utility that may have developed without site or landscape plan review. The turnpike crosses over the area, which may be a challenge to development. The area consists of narrow and shallow lots that constrict development. The lots may function better for commercial if combined with adjoining lots to allow for better access and site layout. Just outside of this boundary, the landscaping and sidewalk at the 45th and Topeka Blvd Kwik Shop are examples of improvements that could be done by existing businesses within the entire project area.

b. Uses and Zoning-The area is most suited for light industrial or highway commercial uses due to its location across from Frito Lay and at the I-470/Kansas Turnpike interchange. Planned uses include, but are not limited to, automobile related services, mini-storage, equipment or construction storage, contractor yards, and similar uses. Based upon surrounding land uses and zoning, a light industrial zoning district would also be appropriate for this sub-area. The sub-area is currently split between light industrial and high intensity commercial zonings.

c. Issues related to redevelopment of the area-

- Re-platting to combine undersized parcels and create more functional commercial lots.
- Possible rezoning of the south half of the sub-area from C-4 to I-1, or its equivalent light industrial zoning classification.
- Current access on to Topeka should be re-considered with lot consolidation or reconfiguration.
- Cross access should be addressed between properties with re-platting.

- Right-of-way dedication may be needed
- Landscaping and sidewalk public improvements should be addressed along Topeka.
- Provide incentives to current property owners to put investments into their property/buildings.
- Possible utility relocation/adjustments
- Possible building demolition

VI. Sub-Area 5

- **Existing Conditions-** This sub-area is nearly built out with an auto plaza, multi-family dwelling complex, retail centers, auto repair, and Sonic Drive-In. Only one parcel remains vacant. However, the existing retail centers appear to contain sub-prime commercial and other “filler” uses (i.e. liquor store, express tax service, and quick cash place). The area is almost void of any landscaping, with the exceptions of Sonic and the apartment complex. The Sonic has constructed a new sidewalk along Topeka Blvd along with a landscaped area fronting the street, which could be an example of public improvements. The apartment complex appears in sound condition and has nicely landscaped grounds.
- **Uses and Zoning-** Prospects for this area are new retail and office uses, as well as to providing incentives to existing businesses to make improvements to their property/buildings or demolish these older strip malls and prepare the site for new development. Other retail and commercial developments are also appropriate.
- **Issues related to redevelopment of the area-**
 - Provide incentives to current property owners to put investments into their property/buildings.
 - Landscape and sidewalk public improvements along Topeka and 37th
 - Provide incentives to encourage new businesses to locate in existing vacant buildings/retail centers and renovate those buildings.
 - Possible building demolition, re-platting, and utility adjustments
 - Possible right-of-way dedication, vacation, and lot reconfiguration

VII. Sub-Area 6

- a. **Existing Conditions-** The sub-area includes White Lakes Mall. The property is currently split between C-4 and I-1 zoning. Current uses inside the mall include employment agencies, Department of Motor Vehicles annex, hair styling school, Dispatch church, various offices, extremely limited retail (jewelry store, walk-up snack bar, book store), and many vacant store fronts. The property has five outbuildings, which include Walgreen’s, Taco John’s, Burger King, retail strip center, bank. A restaurant, Las Fuentes, is attached to the south side of the mall structure. The mall has decent transit access,

being on two bus routes, which run from approximately 6:00 am to 7:00 pm. The mall is nearly void of any restaurants within the enclosed structure. Landscaping amenities on the mall grounds are non-existent. A few trees are scattered sporadically throughout the parking lot. The mall has tried to re-invent itself as an office environment, but few physical changes have occurred on the grounds itself. The area still contains a typical enclosed shopping mall surrounded by a massive parking lot. Another feature of the mall is that it has become a gathering and walking destination for senior citizens.

b. Uses and Zoning- Redevelopment of the mall site as an office park, such as, continued promotion of the mall for office uses, call centers, educational institutions, community college annexes, etc. Encourage limited commercial uses geared specifically toward the mall's primary function as an office park, such as, lunch restaurants, coffee shops, doctor's offices, accountant's offices, walk-up medical clinic, wellness center or gym geared toward senior citizens, dollar or variety store, small pharmacy, news stand, or other generally conforming uses. The City would work with a developer on structuring a PUD to accommodate the mix of office and limited commercial uses, as well as, to provide clear guidelines for developers for redevelopment opportunities for the mall.

c. Issues related to redevelopment of the area-

- Create more of an "office campus" environment rather than "offices within a vacant shopping mall" environment by reconfiguring the parking areas and structures.
- Break up the massive expanse of parking and provide more landscaped amenities and public space. (Ex: Provide trees and landscaped areas, benches, tables, pedestrian walkways, outdoor eating area for office employees.) This should occur particularly on the front side along Topeka.
- Provide well-lit and attractive lighting in parking areas.
- Reconfigure parking areas, so as to break up the massive parking expanse.
- Landscape and sidewalk public improvements along Topeka, Croix, and Kansas.
- Renovate the inside of the mall for office spaces rather than retail. Combine smaller vacant store fronts with adjoining ones so future office tenants will have more space. Prepare spaces so tenants can move right in rather than having to make renovations themselves. Some of the current vacant store fronts may be too small for office uses and would better for office if combined with adjoining store fronts.
- Facelift to outside and inside of mall (i.e. painting, remodeling, updating, taking out walls, etc.)

- Possible rezoning, platting, and vacation of utility easements and relocation of utilities
- Demolish some of the building to create outdoor space and to break up the main structure.

VIII. Phasing of Development- Timing of development will be developer driven. Public infrastructure improvements within each sub-area will depend upon specific project proposals submitted by individual developers. Anticipated public improvements include, but are not limited to, street construction; intersection adjustments; access controls, such as traffic signaling and construction of medians; public parking; utility (sewer and water) adjustments and extensions; land acquisition; and drainage improvements.

C. DESCRIPTION AND MAP AVAILABLE FOR INSPECTION:

A description and map of the proposed Southwest Topeka Boulevard Redevelopment District are available for inspection at the office of the Topeka City Clerk on Monday through Friday, except holidays during regular business hours from 8:00 a.m. to 5:00 p.m.

D. PUBLIC HEARING/FINDINGS TO BE CONSIDERED/RECESS:

During said hearing, that the City Council will consider findings necessary for the establishment of the Redevelopment District. The hearing may be recessed from time to time by the City Council to allow for the presentation and consideration of relevant information to make its findings.

E. POSTHEARING PROCEDURE:

The City Council may upon conclusion of the public hearing pass an ordinance establishing the Redevelopment District pursuant to the requirements contained in K.S.A. §12-1771, as amended.

379 ADOPTED and APPROVED by the City Council _____.

380 CITY OF TOPEKA, KANSAS

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William W. Bunten, Mayor

386 ATTEST:

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391 _____
Brenda Younger, City Clerk



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

September 2, 2008

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DATE: September 16, 2008
CONTACT PERSON: Norton N. Bonaparte, Jr. **DOCUMENT #:**
SECOND PARTY/SUBJECT: Mark Biswell **PROJECT #:**
CATEGORY/SUBCATEGORY 020 Resolutions / 005 Miscellaneous
CIP PROJECT: No
ACTION OF COUNCIL: **JOURNAL #:**
PAGE #:

DOCUMENT DESCRIPTION:

A RESOLUTION introduced by City Manager Norton N. Bonaparte, Jr., concerning residency requirement exceptions for Department Heads.

(Approval would grant an exception to the residency requirement for Mark Biswell, I.T. Director)

POLICY ISSUE:

Article II, Section 5B of the City's personnel code requires that all department heads reside within the boundaries of the City of Topeka, "unless specifically approved by the City Council". City employees who are not department heads need only reside within the boundaries of Shawnee County

STAFF RECOMMENDATION:

Adopt resolution.

BACKGROUND:

Mark Biswell was promoted to the I.T. Director position on February 22, 2008. Prior to that promotion Mr. Biswell had been a City of Topeka employee for twenty-two (22) years and was in compliance with the City's residency requirements for non department head positions.

BUDGETARY IMPACT:

N/A

SOURCE OF FUNDING:

N/A

ATTACHMENTS:

[Resolution](#)

Item #21

RESOLUTION NO. _____

A RESOLUTION introduced by City Manager Norton N. Bonaparte, Jr., concerning
residency requirement exceptions for Department Heads.

WHEREAS, Article II, Section 5B of the City's personnel code requires that all
department heads reside within the boundaries of the City of Topeka, "unless specifically
approved by the City Council"; and

WHEREAS, City employees who are not department heads need only reside within
the boundaries of Shawnee County; and

WHEREAS, Mark Biswell was promoted to a department head position on February
22, 2008; and

WHEREAS, prior to that promotion Mr. Biswell had been a City of Topeka employee
for twenty-two (22) years and was in compliance with the City's residency requirements for
non department head positions.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
TOPEKA, KANSAS, that Mark Biswell is specifically granted an exception to the
requirement that he reside within the corporate limits of the City of Topeka and that he be
permitted to reside within the boundaries of Shawnee County, Kansas.

ADOPTED and APPROVED by the City Council _____.

CITY OF TOPEKA, KANSAS

William W. Buntten, Mayor

ATTEST:

Brenda Younger, City Clerk



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

September 3, 2008

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DATE: September 16, 2008
CONTACT PERSON: JIM LANGFORD/KEJ **DOCUMENT #:**
SECOND PARTY/SUBJECT: WEEKLY EXPENDITURES **PROJECT #:**
CATEGORY/SUBCATEGORY 014 Ordinances – Non-Codified / 005 Miscellaneous
CIP PROJECT: No
ACTION OF COUNCIL: 09/16/08 First and Final **JOURNAL #:** 08
Reading
PAGE #:

DOCUMENT DESCRIPTION:

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., allowing and approving City expenditures for the period of August 25, 2008, through August 31, 2008, and enumerating said expenditures therein. First and Final Reading.

POLICY ISSUE:

Approve and allow weekly payments of valid operating expenditures, pursuant to Resolution No. 7607.

STAFF RECOMMENDATION:

Adopt as presented.

BACKGROUND:

Pursuant to Resolution No. 7607, adopted on April 12, 2005, which provides authorization to pay for certain expenditures prior to approval by the Council in an expenditure ordinance, the expenditures being authorized by this ordinance have been previously paid, in accordance with established procedures and policies for such payments.

BUDGETARY IMPACT:

Approves expenditures for the period August 25, 2008, through August 31, 2008, in the amount of \$4,883,918.62.

SOURCE OF FUNDING:

Appropriated funds and fees-for-service revenues of various City departments.

ATTACHMENTS:

[Weekly Expenditures](#)

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by City Manager Norton N. Bonaparte Jr., allowing and approving City expenditures for the period of August 25, 2008, through August 31, 2008, and enumerating said expenditures herein.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF TOPEKA, KANSAS:

Section 1. All expenditures made or authorized to be made by issuance of checks or electronic transfers as enumerated herein, are in accordance with City of Topeka Resolution No. 7607.

Section 2. The claims and expenditures listed in Exhibit A, which is on file in the City Council Office and the City Clerk's Office and incorporated herein by said reference, are hereby allowed and approved for payment.

<u>Section 3.</u>	Total for 1994 vendor checks written in this period	\$1,307,302.23
	Total vendor checks voided in this period (net)	(185.05)
	Total electronic transfers to vendors in this period	959,110.86
	Total net payroll to employees this period	1,639,633.84
	Total payroll related electronic transfers this period	<u>978,056.74</u>
	Total for expenditures in this period	<u>\$4,883,918.62</u>

Section 4. This ordinance shall take effect and be in force after its passage, approval and publication in the official city newspaper.

PASSED and APPROVED by the City Council _____.

ATTEST:

William W. Bunten, Mayor

Brenda Younger, City Clerk



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

July 28, 2008

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DATE: September 16, 2008

CONTACT PERSON:

DOCUMENT #:

SECOND PARTY/SUBJECT:

PROJECT #:

CATEGORY/SUBCATEGORY

CIP PROJECT: No

ACTION OF COUNCIL:

JOURNAL #:

PAGE #:

DOCUMENT DESCRIPTION:

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

July 28, 2008

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DATE: September 16, 2008

CONTACT PERSON:

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PROJECT #:

CATEGORY/SUBCATEGORY

CIP PROJECT: No

ACTION OF COUNCIL:

JOURNAL #:

PAGE #:

DOCUMENT DESCRIPTION:

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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214 SE 8th Street
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POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available