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City Council Agenda

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

November 17, 2009
6:00 PM

City Manager: Norton N. Bonaparte, Jr.

Mayor: William W. Buntten

Councilmembers

Karen A. Hiller	District No. 1	Deborah Swank	District No. 6
John Alcala	District No. 2	Robert E. Archer	District No. 7
Sylvia E. Ortiz	District No. 3	Jeff Preisner	District No. 8
Jack Woelfel	District No. 4	Richard Harmon	District No. 9
Larry Wolgast	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:

"None scheduled at this time."

2. PRESENTATIONS:

"None scheduled at this time."

3. ROLL CALL:

4. CONSENT AGENDA:

A. Civil Claim Appeal - Gregory Rickel

DENIAL OF CIVIL CLAIM APPEAL by Gregory Rickel for reimbursement in the amount of \$91.00.

B. MINUTES of the regular meeting of November 10, 2009

C. APPLICATIONS:

5. UNFINISHED BUSINESS:

A. Project Budget and Ordinance - Traffic Signal Installation Project No T-141006.00



[ATTACHMENTS](#)

A PROJECT BUDGET in the amount of \$160,000 and **AN ORDINANCE** introduced by City Manager Norton N. Bonaparte, Jr., authorizing Improvement Project No. T-141006.00 (HTE 141340), which provides for installation of a new traffic signal at SE 4th and Branner, as more specifically described herein, all pursuant to Section A12-1 of the Code of the City of Topeka. **Final Reading.** *(Council District No. 3)*

(Authorizing \$160,000 to allow for the installation of a traffic signal at the intersection of SE 4th Street and SE Branner Street. The Project would be funded with general obligation bonds and the total debt service spread over 20 years is estimated at \$262,247.)

6. NEW BUSINESS:

A. Resolution - 2008-2009 Capital Improvement Budget Amendment



[ATTACHMENTS](#)

A RESOLUTION introduced by City Manager Norton N. Bonaparte, Jr., adopting the 2008-2009 Capital Improvement Budget for the City of Topeka, Kansas and rescinding Resolution No. 8185.

(Approval would amend the 2008-2009 Capital Improvement Budget by adding \$160,000 from General Obligation (GO) Bonds in 2009 for the installation of a traffic signal at the intersection of SE 4th Street and SE Branner Street. It would also shift \$1.2 million for the Neighborhood Infrastructure project from GO Bond financing to City Half-Cent Sales Tax monies for 2009, and add \$700,000 from City Half-Cent Sales Tax monies for project design.)

B. Resolution - 2008-2012 Capital Improvement Program Amendment



[ATTACHMENTS](#)

A RESOLUTION introduced by City Manager Norton N. Bonaparte, Jr., adopting the 2008-2012 Capital Improvement Program for the City of Topeka, Kansas and rescinding Resolution No. 8186.

(Approval would amend the 2008-2012 Capital Improvement Program by adding \$160,000 from General Obligation (GO) Bonds in 2009 for the installation of a traffic signal at the intersection of SE 4th Street and SE Branner Street. It would also shift \$1.2 million for the Neighborhood Infrastructure project from GO Bond financing to City Half-Cent Sales Tax monies for 2009, and add \$700,000 from City Half-Cent Sales Tax monies for project design.)

C. Ordinance - Weekly Expenditures - October 26-November 1, 2009



[ATTACHMENTS](#)

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., allowing and approving City expenditures for the period of October 26, 2009, through November 1, 2009, and enumerating said expenditures therein. First and Final Reading.

7. ZONING:

A. Ordinance - Edward C. and Debra K. Hoffman (Z09/7)

 [ATTACHMENTS](#)

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr. amending the "District Map" referred to and made a part of the Zoning Ordinances by Section 48-1.04 of the Code of the City of Topeka, by providing for certain changes in zoning on property located at 1168 SW Mission Avenue from "R-1" Single Family Dwelling District TO "O&I-1" Office and Institutional District. Final Reading. (Z09/7) (Council District No. 9)

Voting Requirement: Majority vote of the Governing Body, including the Mayor.

(Approval would allow the property to be used for office and/or institutional uses.)

B. Resolution - Kansas Bar Association (CU09/5)

 [ATTACHMENTS](#)

A RESOLUTION introduced by City Manager Norton N. Bonaparte, Jr., in accordance with Section 48-10.02(c)(7) and 48-12.02(c)(10) of the Code of the City of Topeka, approving a Conditional Use Permit to allow for a vehicle surface parking lot in association with a principal use on property currently zoned "M-3" Multiple Family Dwelling District and "O&I-2" Office Institutional District on property located at 1253, 1257 and 1263 SW Harrison Street in the City of Topeka, Kansas. (CU09/5) (Council District No. 1)

Voting Requirement: Majority vote of the Governing Body, including the Mayor.

(Approval would allow use of the site for a vehicle surface parking lot in association with a principal use.)

8. FIRST READINGS:

A. Ordinance - Fencing Requirements (ACZR09/4)

 [ATTACHMENTS](#)

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., concerning fencing requirements, amending City of Topeka Code Section 48-29.03 and specifically repealing said original section. First Reading. (ACZR09/4)

Voting Requirement: Majority vote of the Governing Body, including the Mayor.

(Approval would amend the Zoning Code to clarify that only fences within parks can exceed the four foot height requirement in a front yard.)

B. Ordinance - Cory Higginbotham (Z09/8)

 [ATTACHMENTS](#)

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., amending the "District Map" referred to and made a part of the Zoning Ordinances by Section 48-1.04 of the Code of the City of Topeka, by providing for certain changes in zoning on property located at 1236 SW Garfield Avenue from "R-2" Single Family Dwelling District TO "M-1" Two Family Dwelling District. First Reading. (Z09/8) (Council District No. 6)

Voting Requirement: Majority vote of the Governing Body, including the Mayor.

(Approval would allow the property to be used for two-family residential uses.)

9. MISCELLANEOUS:

-

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

-

11. PUBLIC COMMENT:

-

12. ADJOURNMENT:

-



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

October 6, 2009

+ Back Print

DATE: November 17, 2009

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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PAGE #:

DOCUMENT DESCRIPTION:

"None scheduled at this time."

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

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SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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November 10, 2009

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

DATE: November 17, 2009

CONTACT PERSON: Ken Benjamin, Assistant City Attorney **DOCUMENT #:**

SECOND PARTY/SUBJECT: Gregory Rickel **PROJECT #:**

CATEGORY/SUBCATEGORY 005 Claims / 006 Appeals

CIP PROJECT: No

ACTION OF COUNCIL: **JOURNAL #:**

PAGE #:

DOCUMENT DESCRIPTION:

DENIAL OF CIVIL CLAIM APPEAL by Gregory Rickel for reimbursement in the amount of \$91.00.

POLICY ISSUE:

Whether to pay for damages incurred by a private citizen performing a service for the City despite a lack of negligence or other fault on behalf of the City.

STAFF RECOMMENDATION:

Deny claim appeal.

BACKGROUND:

On August 17, 2009, Mr. Rickel was volunteering as a Shunga Trail graffiti patrol member when the window of his parked car was broken. He filed a claim on August 18. Investigation revealed the cause of the broken window to be unknown, though likely attributable to vandalism. On October 13, the City Attorney's office denied the claim as lacking any showing of the required liability. On October 15, Mr. Rickel provided notice of his desire to appeal that denial.

BUDGETARY IMPACT:

\$91.00.

SOURCE OF FUNDING:

Special Liability Fund.

ATTACHMENTS:

No Attachments Available



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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

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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

November 2, 2009

+ Back Print

DATE: November 17, 2009

CONTACT PERSON: Linda Voss **DOCUMENT #:**

SECOND PARTY/SUBJECT: Traffic Signal Replacement **PROJECT #:** T-141006-00 HTE 141340

CATEGORY/SUBCATEGORY 014 Ordinances – Non-Codified / 004 Public Improvements

CIP PROJECT: Yes

ACTION OF COUNCIL: **JOURNAL #:**

PAGE #:

DOCUMENT DESCRIPTION:

A PROJECT BUDGET in the amount of \$160,000 and **AN ORDINANCE** introduced by City Manager Norton N. Bonaparte, Jr., authorizing Improvement Project No. T-141006.00 (HTE 141340), which provides for installation of a new traffic signal at SE 4th and Branner, as more specifically described herein, all pursuant to Section A12-1 of the Code of the City of Topeka. Final Reading. (Council District No. 3)

(Authorizing \$160,000 to allow for the installation of a traffic signal at the intersection of SE 4th Street and SE Branner Street. The Project would be funded with general obligation bonds and the total debt service spread over 20 years is estimated at \$262,247.)

POLICY ISSUE:

N/A

STAFF RECOMMENDATION:

The Staff recommends that the Project Budget and Ordinance not be approved.

BACKGROUND:

On October 6, 2009, the City Council passed Resolution No. 8210 directing the City Manager to prepare a Project Budget and an Ordinance to install a traffic signal at the intersection of SE 4th Street and SE Branner Street.

BUDGETARY IMPACT:

Project Budget: \$160,000.00

SOURCE OF FUNDING:

General Obligation Bonds or any other lawfully available funds

The total debt service spread over 20 years will be \$262,247.00 (see attached Project Debt Service Sheet)

Item #9

ATTACHMENTS:

[Debt Service](#)

[Fact Sheet](#)

[Vicinity Map](#)

[Ordinance](#)

[Project Budget](#)

GO Bond Cost of Project

PROJECT: T-141006.00

Interest rate	5.25%
Number of Years	20

Cost of Issuance	2.00%
Temp Note interest	5.000%

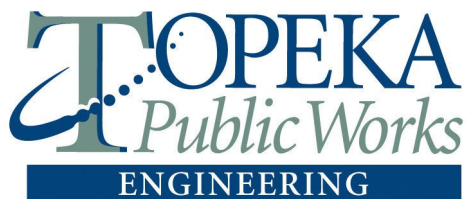
Principal	<u>\$149,532</u>
Plus Temp Note Interest	\$7,477
Plus Cost of Issuance	<u>\$2,991</u>
Total Project Budget	\$160,000

Annual Debt Service	\$13,112
Annual Debt Service as Percent of Total	8.2%

Total Debt Service (principal and interest)	\$262,247
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Difference Project Cost and Total Debt Service	\$112,715
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GO Bonded Indebtedness as of December 2008	\$163,250,000
Heartland Park STAR Bonds	\$10,405,000
College Hill TIF	\$5,840,000
2008 Temporary Notes that Finance Future GO Bond projects	\$16,350,000
Approved, not Included in GO Bond Issue or Temporary Notes--City Projects	\$2,677,776
Approved, not Included in GO Bond Issue or Temporary Notes--Special Assessment Projects	<u>1,325,853</u>
Total Indebtedness	<u><u>\$199,848,629</u></u>
Plus Project	\$200,008,629



FACT SHEET
Project No. T-141006.00
NE 4th Street and NE Branner Street
October 12, 2009

Scope: Install Traffic Signal

Design Engineer: City of Topeka

Construction Inspection: City of Topeka

Construction Staking: City of Topeka

Cost and Financing: \$160,000 General Obligation Bonds – 2009 Neighborhood Infrastructure Funds

Project Schedule: Construction summer/fall 2010

History: Below in italic is data that the city council received on October 2, 2009 concerning this intersection.

Staff's original recommendation was for a roundabout at this intersection. The city council did not support the roundabout. Staff continues to believe that is the best solution for the safety and operation of this intersection. Federal safety funds were available in the past and are likely still available today. Should a roundabout not be supported, staff's recommendation would be to do nothing. The intersection is signed correctly and the crashes that are occurring are due to driver error. There is no guarantee that a traffic signal would reduce the number of crashes currently occurring. In 2002, 2003 and 2004 when traffic signals were in place there were 6, 8, and 9 crashes. Also staff can not support a project that violates the MUTCD.

However, should the city council vote to install a traffic signal and so direct staff to install a traffic signal, they will move forward with the design and installation.

Traffic signals are warranted by the MUTCD (Manual on Uniform Traffic Control Devices). The city, state and federal government have adopted the MUTCD. The MUTCD establishes standards and authority for the placement of traffic control devices including traffic signals. If a traffic signal is not warranted it should not be installed and if it is already in service it should be removed. Over the past few years, we have removed the traffic signal here at 4th and Branner, as well as 7th/VanBuren, 12th/Jackson, Kansas/Gordon, Chandler/Seward, Kansas/Laurent, and Parkview/10th.

When this traffic signal was removed we installed stop signs, "cross traffic does not stop" signs, stop ahead signs, and pedestrian signs. Recently flashers were added to the pedestrian crossing on the north leg.

Traffic Volumes

The most recent 24 hour count was taking on January 22, 2009, the entering traffic was:

<i>Northbound</i>	<i>Southbound</i>	<i>Eastbound</i>	<i>Westbound</i>	<i>Total</i>
<i>4188</i>	<i>4025</i>	<i>1349</i>	<i>856</i>	<i>11,418</i>

Crash History

<i>Year</i>	<i>Control</i>	<i>Total Crashes</i>
2002	Traffic Signal	6
2003	Traffic Signal	8
2004	Traffic Signal	9
2005	Traffic Signal	3
2006	Traffic Signal	7
2007	Traffic Signal	1
2007	Stop Signs	2
2008	Stop Signs	13
2009 (to Sept 25)	Stop Signs	8

Crash rate with Traffic Signal – 14.5, Crash rate with Stop Signs – 26.8

Crash reports for 2009 and 2008 were reviewed to determine if a cause could be determined. In 2009:

- ✓ *Four involved eastbound and northbound, three involved westbound and northbound*
- ✓ *In 2009 all eight crashes were right angle type.*
- ✓ *Reports indicated:*
- ✓ *Did not see stop sign (2)*
- ✓ *Stopped – thought it was a 4-way stop*
- ✓ *Stopped – view blocked by another vehicle*
- ✓ *Hit and run – did not stop*
- ✓ *Stopped and then pulled out*
- ✓ *Says he stopped – other person said he did not*
- ✓ *Did not see*

A summary from 2008 crash reports indicated:

- ✓ *I was preoccupied with the baby, ran stop sign*
- ✓ *Stopped thought it was a 4-way stop*
- ✓ *Heavy rain – high wind – low visibility*
- ✓ *NB left turning semi struck by SB thru vehicle*
- ✓ *Stopped then pulled out – hit and run*
- ✓ *Did not see stop sign*
- ✓ *Did not stop*
- ✓ *Ran stop sign – hit and run*
- ✓ *Fixed object – car pulled out – avoided car – hit curb*
- ✓ *Tried to stop*
- ✓ *Stopped did not see (2)*
- ✓ *Southbound and eastbound – 5, northbound and eastbound – 4, northbound and westbound – 1, southbound and westbound – 1*
- ✓ *One left turn crash, one fixed object and eleven right angle.*

In 2008 it is interesting to note that 8 of the 13 crashes occurred in October, November, or December. In reading the reports there does not seem to be a pattern based on address, age, male, or female. Looking at the at-fault drivers, five were female and twelve were male. Four are unknown (hit and run). The ages were 17, 18, 26, 26, 29, 30, 30, 34, 37, 43, 46, 59, 61, 62, 65, 74, and 93. Twelve were from Topeka and five were from out of town.

Typically when you read the drivers statements you can get a feeling about why the crashes may be occurring and if the crashes are related to a certain aspect of the intersection. In this situation the driver's statements reflect a sense of inattention and driver error as noted below:

"I was traveling west on 4th Street heading toward the highway. I approached the intersection at 4th and Branner. I thought the last time I went this way there was a traffic signal and I didn't see one. I thought the north and south bound of Branner had to stop and 4th Street did not. I did not see the stop sign because I was

hing the white truck heading north on Branner. I was looking for it to stop and it didn't. Next thing I know its on me. The white truck struck the driver side rear of my vehicle and spun me into the pole and curb."

"I was westbound on SE 4th. I did not see the stop sign at the intersection of SE 4th and Branner."

"I was driving east on 4th. Come to the stop sign at 4th and Branner. Saw white Ford going north on Branner and I stopped before intersection. I came to stop looked left and saw Suburban coming south I was accustomed to intersection being a 4-way stop. I expected Suburban to stop. I pulled out into intersection and into path of Suburban."

"I was facing westbound on SW 4th. I stopped at the stop sign at 4th and Branner. There was no other traffic so I entered the intersection. A truck driving very fast going northbound then struck the driver side of my car."
(witness and other driver indicated that he did not stop)

"I was traveling eastbound on 4th approaching Branner driving at approximately 30 mph. I did not see the stop sign at 4th/Branner, I saw the other car in the intersection and stepped on the brakes, locked up my tires. Our cars collided."

"I was east on SE 4th and I was preoccupied with the baby who was crying next to me. I was looking down towards and when I looked up, realized I hadn't stopped at the stop sign. I tried to speed up to avoid being hit, but I was hit anyway."

"I was eastbound on 4th at Branner I was trying to stop but I didn't hit the brake fast enough and I slid thru the intersection and was hit by the truck."

"I was traveling west on 4th and came to a stop at Branner. I saw no vehicles on Branner and I proceeded through the intersection". (witness said that he did not stop)

"I was eastbound on 4th at Branner I stopped I seen the other car I thought I could make it but I didn't."



Project Location
SE 4th St. & SE Branner St.

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., authorizing Improvement Project No. T-141006.00 (HTE #141340), which provides for installation of a new traffic signal at SE 4th and Branner, as more specifically described herein, all pursuant to Section A12-1 of the Code of the City of Topeka.

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

Section 1. That it hereby deems advisable and necessary Improvement Project No. T-141006.00 (HTE #141340) and also hereby authorizes, pursuant to Section A12-1 of the Code of the City of Topeka, that the public improvement be made as follows:

A. GENERAL NATURE OF IMPROVEMENT:

This project will provide the installation of a new traffic signal on SE 4th Street at SE Branner Street.

B. TOTAL PROJECT BUDGET COST:

\$160,000.00

C. SOURCE OF FUNDS:

General Obligation Bonds or any other lawfully available funds.

Section 2. 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, KS

ATTEST:

William W. Bunten, Mayor

Brenda Younger, City Clerk

PROJECT BUDGET
Project No. T-141006.00
Traffic Signal Project

LOCATION:

SE 4th Street at SE Branner Street

DESCRIPTION OF PROJECT:

Install new traffic signal.

SOURCE OF FUNDS:

CIP 2009 - General Obligation Bonds - Neighborhood Infrastructure Funds

COST ESTIMATE:

	City of Topeka	Other	Total
Construction:	\$140,000.00	\$0.00	\$140,000.00
Design:	\$4,200.00	\$0.00	\$4,200.00
Construction Service Fees:			
<i>Construction Inspection</i>	\$2,100.00	\$0.00	\$2,100.00
<i>Construction Staking</i>	\$2,032.00	\$0.00	\$2,032.00
Administrative Fees:			
<i>Legal Dept. Admin.</i>	\$100.00	\$0.00	\$100.00
<i>Engineering Admin.</i>	\$100.00	\$0.00	\$100.00
Right-of Way Acquisition:	\$1,000.00	\$0.00	\$1,000.00
Contingency Amount:	\$0.00	\$0.00	\$0.00
Temporary Notes:	\$10,468.00	\$0.00	\$10,468.00
Total:	\$160,000.00	\$0.00	\$160,000.00

PUBLIC HEARING:

PROJECT AUTHORITY:

- a. Statutes: _____
- b. Ord./Res. No.: _____
- c. Improvement District: _____
- d. City at Large: _____
- e. Method of Assessment: _____

Date: _____

PROJECT ENGINEER:



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Topeka, Kansas 66603

November 3, 2009

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DATE: November 17, 2009
CONTACT PERSON: Jim Langford
SECOND PARTY/SUBJECT:
CATEGORY/SUBCATEGORY 020 Resolutions / 005 Miscellaneous
CIP PROJECT: No
ACTION OF COUNCIL:
DOCUMENT #:
PROJECT #:
JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

A RESOLUTION introduced by City Manager Norton N. Bonaparte, Jr., adopting the 2008-2009 Capital Improvement Budget for the City of Topeka, Kansas and rescinding Resolution No. 8185.

(Approval would amend the 2008-2009 Capital Improvement Budget by adding \$160,000 from General Obligation (GO) Bonds in 2009 for the installation of a traffic signal at the intersection of SE 4th Street and SE Branner Street. It would also shift \$1.2 million for the Neighborhood Infrastructure project from GO Bond financing to City Half-Cent Sales Tax monies for 2009, and add \$700,000 from City Half-Cent Sales Tax monies for project design.)

POLICY ISSUE:

Whether to amend the CIB to reflect Council action.

STAFF RECOMMENDATION:

Amend as appropriate based on Council action.

BACKGROUND:

On July 14, 2009 (Ordinance 19281) the City Council approved a project budget of \$700,000 from the City Half-Cent Sales Tax for project design of the street improvement projects.

When the project budget and ordinance for the Neighborhood Infrastructure project was approved on July 28, 2009 (Ordinance 19287), \$1.2 million in financing was moved from GO bonds to the City Half-Cent Sales Tax.

On November 17, 2009, the City Council is scheduled to consider for approval \$160,000 from GO bond financing for the traffic light at 4th and Branner. This project is not currently part of the Capital Budget or Capital Improvement Program.

BUDGETARY IMPACT:

None.

SOURCE OF FUNDING:

Item #10

NA.

ATTACHMENTS:

[Attachment A](#)

[Resolution](#)

CIB Attachment A

2008 - 2009 Capital Improvement Budget	Adopted 2008	Adopted 2009	Other Source	Other Contrib.
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Enterprise Funded Projects**Pub Wrks/Water Pollution Control Fund**

Rehab Oakland Plant Phase 2	7,243,243	-	SRF Loan	-
Deer Creek Force Main	4,581,500	-	SRF Loan	-
N Topeka Distributed Control Sys.	1,000,000	-	Operations	
Northland 1 Pump Station	-	750,000	Rev Bond	
Inflow/Infiltration correction Prg.	700,000	700,000	Operations	
SKRPS Project	500,000	4,500,000	SRF Loan	-
Southwest Interceptor	150,000	1,810,000	Developer/USD437	460,000
Sewer Service Extension	-	-	Operations	
Grant/Jefferson Pump Station Rehab	-	800,000	Rev Bond	
N Topeka Pump Station	1,000,000	-	Rev Bond	
Subtotal Water Pollution Control	15,174,743	8,560,000		

Public Works/Stormwater Fund

Septic Tank Elimination Program	1,000,000	1,000,000	Operations	
Hwy 24 Storm Project	500,000	500,000	Operations	
Source Water Protection "Wanamaker Wetlands"	300,000	300,000	Operations	
Furman Road Wetland	500,000	-	Operations	
Retrofit/New Storm Sewer System	1,000,000	1,000,000	Operations	
Levee Work	200,000	350,000	Operations	
Subtotal Stormwater	3,500,000	3,150,000		

Public Works/Water Fund

Water Treatment Plant Rehabilitation	2,500,000	2,500,000		
Indian Hills Rd-33d to 41st, E to Sherwood Tower	1,325,000	-		
Portage Route - Water Treatment Plant	300,000	-		
Wanamaker	120,000	980,000		
California from 33rd to 41st Street	105,000	860,000		
Reo -Kansas Ave to Topeka Blvd	67,000	483,000		
17th & Belle Pressure Improvement	28,000	222,000		
Burlingame, 49th to 57th, E to Tpk Blvd	-	580,000		
Croco Rd 36th to North of 45th	-	110,000		
Subtotal Water	4,445,000	5,735,000		

Sub-Total Enterprise Fund	23,119,743	17,445,000		
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General Improvement Fund**Housing & Neighborhood Dev.**

Affordable Housing Projects	200,000	200,000	Fed HUD	1,600,000
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Police Department

Fleet Replacement Vehicles	-	650,000		
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CIB Attachment A

2008 - 2009 Capital Improvement Budget	Adopted 2008	Adopted 2009	Other Source	Other Contrib.
Fire Department				
Lease Pmt. on Breathing Apparati	100,000	100,000		
Fleet Replacement Vehicles	353,850	750,000		
Zoo				
Zoo Infrastructure	-	50,000		
City Wide Projects (except utilities)				
ERP Purchase Payment	-	643,000		
Rehabilitation and Repair for City Facilities	-	300,000		
PW-Sidewalk Repair 50-50	25,000	35,000	Assessments	60,000
Washburn Lane Parkway	-	100,000	ISTEA Fed	400,000
All Other Projects and Expenses	446,150	-		
Sub-Total General Improvement Fund	1,125,000	2,828,000		

Other Revenue Funded

Zoo				
Animal Kingdom/Hertpetarium	1,000,000	-	FOTZ	1,000,000
Creatures of the Night	-	675,000	FOTZ	675,000
Mountain Lions & River Otter Exhibit	-	100,000	FOTZ	100,000
City Half-Cent Sales Tax Street Repair				
Neighborhood Infrastructure (2009)	-	1,200,000		
Engineering and Design (2009)	-	700,000		
Public Works				
I-70 Beautification (General Fund)	55,000	-	Fed/GoTopeka /Chamber	575,000
Sub-Total Other Revenue	1,055,000	2,675,000		

GO Bonded Projects

Fire Department		
Refurbish Stations 1, 6 and 7	318,240	-
Build Fire Station #13 (6th & Fairlawn)	-	-
Refurbish Stations 3, 9 and 11	-	265,200
Rehab and Repair Station #5*	-	500,000
Subtotal	318,240	765,200
* \$1,337,776 approved in 2006 CIB; amendment provides total of \$1,837,776		
Neighborhoods/Citywide		
Neighborhood Infrastructure	1,400,000	200,000
City Wide Facilities ADA	519,000	-
Subtotal	1,919,000	200,000

CIB Attachment A

2008 - 2009 Capital Improvement Budget	Adopted 2008	Adopted 2009	Other Source	Other Contrib.
Signals				
STP Safety Projects	78,000	240,000	FHWA Safety	1,890,000
Signals Replacement	-	490,000		
Signal at 4th and Branner	-	160,000		
Traffic Controller Upgrade	102,400	102,400		
Subtotal	180,400	992,400		
Streets				
California: 29th to 33rd-Mill and Overlay	300,000	-		
California: Sidewalk KTA Bridge to 38th and 37th to Long	250,000	-		
Street Repair Projects	2,620,000	-		
ADA Street Curb Repair	500,000	500,000		
Elevation Parkway	-	2,450,000		
SW 29th Street and Fairlawn Rd	800,000	500,000	KDOT	1,548,000
Subtotal	4,470,000	3,450,000		
Bridges				
Bridge E. 10th St.-over Shunga	-	-	FHWA STP	1,504,200
Topeka Blvd. Over Soldier Cutoff	157,040	-	FHWA STP	1,134,360
E 10th St. Bridge over Deer Creek	35,000	186,000	FHWA STP	224,500
Bridge SW 49th W or Topeka Blvd	-	84,000	FHWA STP	660,000
Subtotal	192,040	270,000		
Parks & Recreation				
Trail Development	100,000	100,000		
Playground Equipment	-	100,000		
Golf Course Pump Station	125,000	-		
Gage Park Playland Renovation	315,000	-		
Water Spray Park - Jackson Park	250,000	-		
Ballfield Lighting (Phase 2)	-	444,000		
CC Window and Door Replacement	-	269,200		
Bandshell Replacement	-	125,000		
Subtotal	790,000	1,038,200		
Zoo				
Upgrade HVAC Tropical Rain Forest	150,000	-		
Subtotal	150,000	-		
Subtotal GO Bond Projects	8,019,680	6,715,800		
Contingency	-	-		
TOTAL GO Bond PROJECTS	8,019,680	6,715,800		
Total CIB	33,319,423	29,663,800		

RESOLUTION NO. _____

A RESOLUTION introduced by City Manager Norton N. Bonaparte, Jr., adopting the 2008-2009 Capital Improvement Budget for the City of Topeka, Kansas and rescinding Resolution No. 8185.

WHEREAS, a 2008-2009 Capital Improvement Budget has been prepared and recommended to the City Manager; and

WHEREAS, the City Manager has considered the 2008-2009 Capital Improvement Budget and recommends approval to the City Council.

NOW, THEREFORE, BE IT RESOLVED, the City Council hereby approves and adopts the 2008-2009 Capital Improvement Budget consisting of the following improvement projects and funding source as contained in Attachment "A," attached hereto.

The City Council shall not authorize any other capital improvement projects for the 2008-2009 period without rescinding this Resolution and adopting a new resolution. All proposed changes shall be accompanied by a fiscal analysis demonstrating the financial implications and the ability of the City to fund such projects.

Implementation of the projects contained in the 2008-2009 Capital Improvement Budget shall be approved by applicable ordinance or resolution as required by law. This Resolution shall be rescinded and a new resolution adopted when the project budget exceeds the amount identified.

BE IT FURTHER RESOLVED, that City of Topeka Resolution No. 8185 is hereby rescinded.

THEREFORE, BE IT FURTHER RESOLVED, this Resolution shall become effective upon passage and approval by the City Council.

28 ADOPTED and APPROVED by the City Council _____.

29 CITY OF TOPEKA, KANSAS

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William W. Bunten, Mayor

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35 ATTEST:

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40 _____
Brenda Younger, City Clerk



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

November 3, 2009

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DATE: November 17, 2009
CONTACT PERSON: Jim Langford
SECOND PARTY/SUBJECT:
CATEGORY/SUBCATEGORY 020 Resolutions / 005 Miscellaneous
CIP PROJECT: No
ACTION OF COUNCIL:
DOCUMENT #:
PROJECT #:
JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

A RESOLUTION introduced by City Manager Norton N. Bonaparte, Jr., adopting the 2008-2012 Capital Improvement Program for the City of Topeka, Kansas and rescinding Resolution No. 8186.

(Approval would amend the 2008-2012 Capital Improvement Program by adding \$160,000 from General Obligation (GO) Bonds in 2009 for the installation of a traffic signal at the intersection of SE 4th Street and SE Branner Street. It would also shift \$1.2 million for the Neighborhood Infrastructure project from GO Bond financing to City Half-Cent Sales Tax monies for 2009, and add \$700,000 from City Half-Cent Sales Tax monies for project design.)

POLICY ISSUE:

Whether to amend the CIP to reflect Council action.

STAFF RECOMMENDATION:

Amend as appropriate based on Council action.

BACKGROUND:

On July 14, 2009 (Ordinance 19281) the City Council approved a project budget of \$700,000 from the City Half-Cent Sales Tax for project design of the street improvement projects.

When the project budget and ordinance for the Neighborhood Infrastructure project was approved on July 28, 2009 (Ordinance 19287), \$1.2 million in financing was moved from GO bonds to the City Half-Cent Sales Tax.

On November 17, 2009, the City Council is scheduled to consider for approval \$160,000 from GO bond financing for the traffic light at 4th and Branner. This project is not currently part of the Capital Budget or Capital Improvement Program.

BUDGETARY IMPACT:

None.

SOURCE OF FUNDING:

Item #11

NA.

ATTACHMENTS:

[Resolution](#)

[Attachment A](#)

RESOLUTION NO. _____

A RESOLUTION introduced by City Manager Norton N. Bonaparte, Jr., authorizing and adopting the 2008-2012 Capital Improvement Program for the City of Topeka, Kansas and rescinding Resolution No. 8186.

WHEREAS, the 2008-2012 Capital Improvement Program has been prepared by staff; and

WHEREAS, the City Manager has considered and recommends said Program.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Topeka, Kansas, approves and adopts the 2008-2012 Capital Improvement Program, as contained in Attachment "A," for the purpose of preliminary planning, long-range financial implications and analysis leading to the prioritization of projects to be included in the respective Capital Budget for the succeeding years.

BE IT FURTHER RESOLVED, that prior to the initiation and commencement of preliminary plans, acquisition of land or right-of-way, or other activities requiring the use of resources for any proposed project herein, the City Manager and, if appropriate, City Council shall approve and authorize the same.

BE IT FURTHER RESOLVED, that City of Topeka Resolution No. 8186 is hereby rescinded.

ADOPTED and APPROVED by City Council _____.

CITY OF TOPEKA, KANSAS

William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk

CIP Attachment A

2008 - 2012 Capital Improvement Program	Adopted CIB 2008	Adopted CIB 2009	Adopted 2010	Adopted 2011	Adopted 2012	Other Source	Other Contrib.
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Enterprise Funded Projects**Pub Wrks/Water Pollution Control Fund**

Rehab Oakland Plant Phase 2	7,243,243	-	-	-	-	SRF Loan	-
Deer Creek Force Main	4,581,500	-	-	-	-	SRF Loan	-
N Topeka Distributed Control Sys.	1,000,000	-	-	-	-	Operations	-
Northland 1 Pump Station	-	750,000	-	-	-	Rev Bond	-
Inflow/Infiltration correction Prg.	700,000	700,000	700,000	700,000	700,000	Operations	-
SKRPS Project	500,000	4,500,000	-	-	-	SRF Loan	-
Southwest Interceptor	150,000	1,810,000	-	-	-	Developer/USD437	460,000
Sewer Service Extension	-	-	1,000,000	1,000,000	1,000,000	Operations	-
Grant/Jefferson Pump Station Rehab	-	800,000	1,800,000	10,000,000	-	Rev Bond	-
Rehab/Replace Adams Interceptor	-	-	300,000	4,000,000	4,000,000	Rev Bond	-
Rehab/Replace Pump Stations	-	-	-	1,000,000	1,000,000	fees	-
N Topeka Pump Station	1,000,000	-	-	-	5,000,000	Rev Bond	-
Heartland Park Service Extension	-	-	-	-	1,800,000	RB--increase fees	-
Subtotal Water Pollution Control	15,174,743	8,560,000	3,800,000	16,700,000	13,500,000		

Public Works/Stormwater Fund

Septic Tank Elimination Program	1,000,000	1,000,000	600,000	-	-	Operations	-
Hwy 24 Storm Project	500,000	500,000	-	-	-	Operations	-
Source Water Protection "Wanamaker Wetlands"	300,000	300,000	400,000	-	-	Operations	-
Furman Road Wetland	500,000	-	-	-	-	Operations	-
Retrofit/New Storm Sewer System	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	Operations	-
Levee Work	200,000	350,000	700,000	1,650,000	3,300,000	Operations	-
Subtotal Stormwater	3,500,000	3,150,000	2,700,000	2,650,000	4,300,000		

Public Works/Water Fund

Water Treatment Plant Rehabilitation	2,500,000	2,500,000	-	-	-		-
Indian Hills Rd-33d to 41st, E to Sherwood Tower	1,325,000	-	-	-	-		-
Portage Route - Water Treatment Plant	300,000	-	-	-	-		-
Skyline Dr-37th & Fairlawn to 41st and Wanamaker	120,000	980,000	-	-	-		-
California from 33rd to 41st Street	105,000	860,000	-	-	-		-

Adopted 11/13/07; amended 11/20/07; amended 3/11/08; amended 8/19/08;
amended 10/28/08; amended 1/6/09; amended 5/5/09; amended 8/11/09; amended 11/17/09

CIP Attacment A

2008 - 2012 Capital Improvement Program	Adopted CIB 2008	Adopted CIB 2009	Adopted 2010	Adopted 2011	Adopted 2012	Other Source	Other Contrib.
Reo -Kansas Ave to Topeka Blvd	67,000	483,000	-	-	-		
17th & Belle Pressure Improvement	28,000	222,000	-	-	-		
Burlingame, 49th to 57th, E to Tpk Blvd	-	580,000	1,500,000	1,913,000	-		-
Croco Rd 36th to North of 45th	-	110,000	1,057,000	-	-		-
Berryton Rd 50th to 53rd	-	-	218,000	-	-		-
34th & California to 29th & Golden	-	-	275,000	-	-		-
29th Street - Golden to Granger	-	-	275,000	-	-		-
Fairlawn, Skyline Dr to 53d, E to Burl.	-	-	80,000	590,000	-		-
45th St from Fairlawn to Gage	-	-	-	590,000	-		-
12th St from Monroe to California	-	-	215,000	2,025,000	-		-
Croco Rd from 29 to 36	-	-	-	1,167,000	-		-
Fairlawn Booster St-New East Pump	-	-	-	407,000	-		-
W. Elevated Tank on Indian Hills Rd	-	-	-	435,000	5,110,000		-
Disinfection Modification at WTP	-	-	-	-	2,988,200		-
California-12th to 6th to Market	-	-	-	140,000	1,049,000		-
41st & Cal E. to W. Edge and so. to 45th	-	-	-	-	1,064,000		-
Kirkclawn Booster St-Modify Pump Units	-	-	-	-	320,000		-
Warehouse - Water Treatment Plt	-	-	-	-	1,180,000		-
Subtotal Water	4,445,000	5,735,000	3,620,000	7,267,000	11,711,200		
Sub-Total Enterprise Fund	23,119,743	17,445,000	10,120,000	26,617,000	29,511,200		

General Improvement Fund

Housing & Neighborhood Dev.

Affordable Housing Projects	200,000	200,000	200,000	200,000	200,000	Fed HUD	4,000,000
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Police Department

Fleet Replacement Vehicles	-	650,000	650,000	650,000	650,000		
Radios: Base, Mobile, and Portable	-	-	2,350,000	-	-		

Fire Department

Lease Pmt. on Breathing Apparati	100,000	100,000	100,000	-	-		
Fleet Replacement Vehicles	353,850	750,000	750,000	790,000	820,000		
Digital Mobile and Portable Radios	-	-	710,000	-	-		

Adopted 11/13/07; amended 11/20/07; amended 3/11/08; amended 8/19/08;
amended 10/28/08; amended 1/6/09; amended 5/5/09; amended 8/11/09; amended 11/17/09

CIP Attacment A

2008 - 2012 Capital Improvement Program	Adopted CIB 2008	Adopted CIB 2009	Adopted 2010	Adopted 2011	Adopted 2012	Other Source	Other Contrib.
Zoo							
Zoo Infrastructure	-	50,000	50,000	50,000	50,000		
City Wide Projects (except utilities)							
ERP Purchase Payment	-	643,000	643,000	643,000	643,000		
Rehab/Repair for City Facilities	-	300,000	350,000	500,000	500,000		-
PW-Sidewalk Repair 50-50	25,000	35,000	35,000	35,000	35,000	Assessments	165,000
Washburn Lane Parkway	-	100,000	-	-	-	ISTEA Fed	400,000
All Other Projects and Expenses	446,150	-	-	-	-		
Sub-Total General Improvement Fund	1,125,000	2,828,000	5,838,000	2,868,000	2,898,000		

Other Revenue Funded

Zoo							
Animal Kingdom/Hertpetarium	1,000,000	-	-	-	-	FOTZ	1,000,000
Creatures of the Night	-	675,000	-	-	-	FOTZ	675,000
Mountain Lions & River Otter Exhibit		100,000				FOTZ	100,000
City Half-Cent Sales Tax Street Repair							
Neighborhood Infrastructure (2009)	-	1,200,000	-	-	-		
Engineering and Design (2009)	-	700,000	-	-	-		
Public Works							
I-70 Beautification (General Fund)	55,000	-	-	-	-	Fed/GoTopeka /Chamber	575,000
Sub-Total Other Revenue	1,055,000	2,675,000	-	-	-		

GO Bonded Projects

Fire Department

Refurbish Stations 1, 6 and 7	318,240	-	-	-	-
Build Fire Station #13 (6th & Fairlawn)	-	-	-	-	-
Refurbish Stations 3, 9 and 11	-	265,200	-	-	-
Build Fire Station --South	-	-	-	-	150,000
Rehab and Repair Station #5*	-	500,000	-	-	-

Adopted 11/13/07; amended 11/20/07; amended 3/11/08; amended 8/19/08;
amended 10/28/08; amended 1/6/09; amended 5/5/09; amended 8/11/09; amended 11/17/09

CIP Attachment A

2008 - 2012 Capital Improvement Program	Adopted CIB 2008	Adopted CIB 2009	Adopted 2010	Adopted 2011	Adopted 2012	Other Source	Other Contrib.
Subtotal	318,240	765,200	-	-	150,000		
* \$1,337,776 approved in 2006 CIB; amendment provides total of \$1,837,776							
Neighborhoods/Citywide							
Neighborhood Infrastructure	1,400,000	200,000	1,400,000	1,400,000	1,400,000		-
City Wide Facilities ADA	519,000	-	-	-	-		
Citywide Neighborhood Infrastructure	-	-	598,000	590,000	595,000		
Subtotal	1,919,000	200,000	1,998,000	1,990,000	1,995,000		
Signals							
STP Safety Projects	78,000	240,000	-	185,000	185,000	FHWA Safety	1,890,000
Signals Replacement	-	490,000	640,000	640,000	640,000		-
Signal at 4th and Branner	-	160,000	-	-	-		
Traffic Controller Upgrade	102,400	102,400	102,400	-	-		-
Subtotal	180,400	992,400	742,400	825,000	825,000		
Streets							
California: 29th to 33rd-Mill and Overlay	300,000	-	-	-	-		-
California: Sidewalk KTA Bridge to 38th and 37th to Long	250,000	-	-	-	-		
Street Repair Projects	2,620,000	-	-	-	-		
ADA Street Curb Repair	500,000	500,000	500,000	500,000	360,000		-
SW 10th Sidewalk-Meadow to Civitan	-	-	-	250,000	-		
Elevation Parkway	-	2,450,000	3,000,000	2,840,000	-		
SW 29th Street and Fairlawn Rd	800,000	500,000	-	-	-	KDOT	1,548,000
US HWY 24 and Topeka Blvd	-	-	1,500,000	-	-	Fed/KDOT	6,000,000
Wanamaker Rd: 29th to 33rd	-	-	250,000	100,000	3,050,000		
Wanamaker Rd: 33rd to 37th	-	-	-	250,000	100,000		
SW 6th Street - Gage to Westchester	-	-	-	-	300,000		
Subtotal	4,470,000	3,450,000	5,250,000	3,940,000	3,810,000		

Adopted 11/13/07; amended 11/20/07; amended 3/11/08; amended 8/19/08;
amended 10/28/08; amended 1/6/09; amended 5/5/09; amended 8/11/09; amended 11/17/09

CIP Attacment A

2008 - 2012 Capital Improvement Program	Adopted CIB 2008	Adopted CIB 2009	Adopted 2010	Adopted 2011	Adopted 2012	Other Source	Other Contrib.
Bridges							
Topeka Blvd. Over Soldier Cutoff	157,040	-	-	-	-	FHWA STP	1,134,360
E 10th St. Bridge over Deer Creek	35,000	186,000	-	-	-	FHWA STP	224,500
Bridge SW 49th W or Topeka Blvd	-	84,000	70,000	286,000	-	FHWA STP	660,000
Bridge Overlay on SE 21st Street	-	-	-	-	300,000		
Subtotal	192,040	270,000	70,000	286,000	300,000		
Parks & Recreation							
Trail Development	100,000	100,000	100,000	100,000	100,000		-
Playground Equipment	-	100,000	100,000	100,000	100,000		-
Golf Course Pump Station	125,000	-	-	-	-		
Gage Park Playland Renovation	315,000	-	-	-	-		
Water Spray Park - Jackson Park	250,000	-	-	-	-		
Ballfield Lighting (Phase 2)	-	444,000	-	-	-		
CC Window and Door Replacement	-	269,200	237,500	95,000	-		-
Bandshell Replacement	-	125,000	-	-	-		
Helen Hocker Office & Classroom	-	-	400,000	-	-		
Gage Park ADA Walkways	-	-	150,000	-	150,000		
Oakland Center Gym Floor Replace.	-	-	110,000	-	-		
Parks System Security Lightning	-	-	210,000	-	-		
Gage Park Victorian Lighting (Phase 1)	-	-	-	255,000	-		
Park Restrooms - B Shunga, M Palm	-	-	-	308,100	-		
Gage Park Snyders' Cabin Shelter	-	-	-	614,800	-		
Gage Park Accessible Ball Field (NEW)	-	-	-	291,900	-		
Garfield Center Gym Floor Replace	-	-	-	112,900	-		
Park Maintenance Building	-	-	-	250,000	-		
Westlake Shelterhouse Renovation	-	-	-	456,300	-		
Water Spray Park – Crestview Park	-	-	-	-	843,700		
Subtotal	790,000	1,038,200	1,307,500	2,584,000	1,193,700		

Adopted 11/13/07; amended 11/20/07; amended 3/11/08; amended 8/19/08;
amended 10/28/08; amended 1/6/09; amended 5/5/09; amended 8/11/09; amended 11/17/09

CIP Attachment A

2008 - 2012 Capital Improvement Program	Adopted CIB 2008	Adopted CIB 2009	Adopted 2010	Adopted 2011	Adopted 2012	Other Source	Other Contrib.
Zoo							
Upgrade HVAC Tropical Rain Forest	150,000	-	-	-	-		
Tropical Rain Forest Roof	-	-	-	-	1,500,000		
Animals and Man Roof Replacement	-	-	-	150,000	-		
Subtotal	150,000	-	-	150,000	1,500,000		
Subtotal GO Bond Projects	8,019,680	6,715,800	9,367,900	9,775,000	9,773,700		
Contingency	-	-	-	500,000	500,000		
TOTAL GO Bond PROJECTS	8,019,680	6,715,800	9,367,900	10,275,000	10,273,700		
Total Annual Target	10,275,000	10,275,000	10,275,000	10,275,000	10,275,000		
Difference Target to Subtotal	2,255,320	3,559,200	907,100	-	1,300		
Running Total	(3,342,429)	216,771	1,123,871	NA	NA		
Total CIP	33,319,423	29,663,800	25,325,900	39,760,000	42,682,900		

Adopted 11/13/07; amended 11/20/07; amended 3/11/08; amended 8/19/08;
amended 10/28/08; amended 1/6/09; amended 5/5/09; amended 8/11/09; amended 11/17/09



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

November 3, 2009

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DATE: November 17, 2009
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: **JOURNAL #:**
PAGE #:

DOCUMENT DESCRIPTION:

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., allowing and approving City expenditures for the period of October 26, 2009, through November 1, 2009, 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 October 26, 2009 through November 1, 2009, in the amount of \$3,034,366.88.

SOURCE OF FUNDING:

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

ATTACHMENTS:

[Ordinance](#)

[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 October 26, 2009, through November 1, 2009, 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 155 vendor checks written in this period	\$496,356.55
	Total vendor checks voided in this period (net)	(35.00)
	Total electronic transfers to vendors in this period	2,538,045.33
	Total net payroll to employees this period	000.00
	Total payroll related electronic transfers this period	<u>000.00</u>
	Total for expenditures in this period	<u>\$3,034,366.88</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

PREPARED 11/02/2009, 9:19:06
PROGRAM: GM350LSPCL
City of Topeka

A/P CHECKS BY PERIOD AND YEAR

FROM 10/26/2009 TO 11/01/2009

PAGE 1

ACCOUNT #	CHECK DATE	CHECK NUMBER	VENDOR NAME	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	BANK CODE	*ALL*	CHECK AMOUNT	TRN AMOUNT
10/30/2009 667348	10/30/2009	667348	A 1 LOCK & KEY LLC	10/30/2009	1014500	59328	F36473	10/2009		9.56		
101-2030-520.41-10	08/31/2009				1 DUP KEY	59365	F36474	10/2009		7.47		
101-2030-520.41-10	09/08/2009									2.09		
10/30/2009 667353	10/30/2009	667353	AAA ALLIED GROUP INC	10/30/2009	1115210	150 1009	555082	10/2009		1,896.50		
101-1820-520.29-00	10/15/2009				OCTOBER 2009		555086	10/2009		650.00		
614-0435-510.99-99	10/16/2009				AUTO & TRUCK MAINT. ITEMS	258265	555086	10/2009		38.50		
614-0435-510.99-99	10/17/2009				AUTO & TRUCK MAINT. ITEMS	258313	555086	10/2009		38.50		
101-1820-520.29-00	10/12/2009				MISCELLANEOUS SERVICES	256680	555081	10/2009		38.50		
101-1820-520.29-00	10/12/2009				MISCELLANEOUS SERVICES	257735	555081	10/2009		38.50		
101-1820-520.29-00	10/13/2009				MISCELLANEOUS SERVICES	257492	555081	10/2009		38.50		
101-1820-520.29-00	10/13/2009				MISCELLANEOUS SERVICES	257493	555081	10/2009		38.50		
101-1820-520.29-00	10/13/2009				MISCELLANEOUS SERVICES	258013	555081	10/2009		168.50		
101-1820-520.29-00	10/13/2009				MISCELLANEOUS SERVICES	258056	555081	10/2009		38.50		
101-1820-520.29-00	10/14/2009				MISCELLANEOUS SERVICES	258127	555081	10/2009		38.50		
101-1820-520.29-00	10/14/2009				MISCELLANEOUS SERVICES	256424	555081	10/2009		38.50		
101-1820-520.29-00	10/14/2009				MISCELLANEOUS SERVICES	258261	555081	10/2009		38.50		
101-1820-520.29-00	10/14/2009				MISCELLANEOUS SERVICES	258262	555081	10/2009		38.50		
101-1820-520.29-00	10/15/2009				MISCELLANEOUS SERVICES	257736	555081	10/2009		38.50		
101-1820-520.29-00	10/15/2009				MISCELLANEOUS SERVICES	258263	555081	10/2009		38.50		
101-1820-520.29-00	10/15/2009				MISCELLANEOUS SERVICES	258312	555081	10/2009		38.50		
101-1820-520.29-00	10/16/2009				MISCELLANEOUS SERVICES	256425	555081	10/2009		38.50		
101-1820-520.29-00	10/16/2009				MISCELLANEOUS SERVICES	256428	555081	10/2009		38.50		
101-1820-520.29-00	10/16/2009				MISCELLANEOUS SERVICES	257740	555081	10/2009		38.50		
101-1820-520.29-00	10/19/2009				MISCELLANEOUS SERVICES	256682	555081	10/2009		38.50		
101-1820-520.29-00	10/19/2009				MISCELLANEOUS SERVICES	257497	555081	10/2009		38.50		
101-1820-520.29-00	10/19/2009				MISCELLANEOUS SERVICES	258163	555081	10/2009		38.50		
614-0435-510.99-99	10/18/2009				AUTO & TRUCK MAINT. ITEMS	257738	555086	10/2009		38.50		
614-0435-510.99-99	10/20/2009				AUTO & TRUCK MAINT. ITEMS	256683	555086	10/2009		38.50		
614-0435-510.99-99	10/20/2009				AUTO & TRUCK MAINT. ITEMS	257983	555086	10/2009		38.50		
614-0435-510.99-99	10/21/2009				AUTO & TRUCK MAINT. ITEMS	258134	555086	10/2009		38.50		
614-0435-510.99-99	10/15/2009				AUTO & TRUCK MAINT. ITEMS	258200	555086	10/2009		38.50		
614-0435-510.99-99	10/17/2009				AUTO & TRUCK MAINT. ITEMS	256427	555086	10/2009		38.50		
614-0435-510.99-99	10/21/2009				AUTO & TRUCK MAINT. ITEMS	257499	555086	10/2009		38.50		
10/30/2009 667352	10/30/2009	667352	AAA ALLIED GROUP INC	10/30/2009	1115210	257499	555086	10/2009		.00		
614-0435-510.99-99	10/21/2009				AUTO & TRUCK MAINT. ITEMS					.00		
10/30/2009 667351	10/30/2009	667351	AAA ALLIED GROUP INC	10/30/2009	1115210	257499	555086	10/2009		.00		
614-0435-510.99-99	10/21/2009				AUTO & TRUCK MAINT. ITEMS					.00		
10/30/2009 667350	10/30/2009	667350	AAA ALLIED GROUP INC	10/30/2009	1115210	257499	555086	10/2009		.00		
614-0435-510.99-99	10/21/2009				AUTO & TRUCK MAINT. ITEMS					.00		
10/30/2009 667349	10/30/2009	667349	AAA ALLIED GROUP INC	10/30/2009	1115210	257499	555086	10/2009		.00		
614-0435-510.99-99	10/21/2009				AUTO & TRUCK MAINT. ITEMS					.00		
10/30/2009 667355	10/30/2009	667355	ABOUDS AT WESTERN HILLS	10/30/2009	1310353	2154	F36520	10/2009		2,783.25		
561-1081-520.44-01	10/08/2009				GRADUATION DINNER					2,480.00		

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2009 NOV -3 P 2:47

TOPEKA, KANSAS

PREPARED 11/02/2009, 9:19:06				A/P CHECKS BY PERIOD AND YEAR				PAGE 2	
PROGRAM: GM350LSPL				FROM 10/26/2009 TO 11/01/2009				*ALL*	
City of Topeka									
CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	DESCRIPTION	INVOICE	PO #	PER/YEAR	BANK CODE	CHECK AMOUNT
ACCOUNT #	TRN DATE	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	BANK CODE	TRN AMOUNT	
101-1820-520.44-00	10/08/2009	GRADUATION DINNER	2154			F36520	10/2009		303.25
10/30/2009 667356	ACTION SIGNS TO GO	1303998							1,000.00
230-0930-510.70-10	06/19/2009	REFLECTIVE GRAPH-2 VEHICL	38979			F36512	10/2009		1,000.00
10/30/2009 667357	ALLIANCEONE RECEIVABLES MANAGE	1004046							78.71
101-0510-510.29-47	10/14/2009	SEPT 2009 SERVICE-PULLEN	F36469			F36469	10/2009		78.71
10/30/2009 667521	SIMS-SHONKA, AMY J	2006645							120.00
265-4133-540.22-02	10/02/2009	MISCELLANEOUS SERVICES	557537			557537	10/2009		120.00
10/30/2009 667358	ANGELA LEWIS	44							50.00
265-0000-227.40-00	10/19/2009	SHELTER HOUSE DEPOSIT	LEWIS ANGELA				10/2009		50.00
10/30/2009 667508	ROGERS, ANISSA E	7702733							48.77
101-0930-510.22-54	10/20/2009	2008 REFUND	ROGERS ANISSA E				10/2009		48.77
10/30/2009 667359	ANN M FEAKE-MARTIN	88							299.39
621-0000-221.10-10	10/26/2009	OVERPAYMENT REFUND	FEAKER-MARTIN A				11/2009		299.39
10/30/2009 667360	APPINO & BIGGS REPORTING SERVI	1112898							439.25
640-0320-510.22-42	10/13/2009	MISCELLANEOUS SERVICES	58516			555418	10/2009		439.25
10/30/2009 667361	CONFIDENTIAL-HIPAA REG	13							268.00
530-0000-227.00-00	10/20/2009	MUNI COURT OVERPMT (BOND)	HIPPA REG				10/2009		268.00
10/30/2009 667362	ARTS INC	44							50.00
265-0000-227.40-00	10/19/2009	SHELTER HOUSE DEPOSIT	ARTS INC				10/2009		50.00
10/30/2009 667363	ATHLETIC AND REHABILITATION CE	1007931							486.34
640-0320-510.22-26	09/22/2009	MISCELLANEOUS SERVICES	ARC94350X98826			555411	10/2009		103.86
640-0320-510.22-26	09/22/2009	MISCELLANEOUS SERVICES	ARC94358X98634			555411	10/2009		84.96
640-0320-510.22-26	09/24/2009	MISCELLANEOUS SERVICES	ARC94807X99766			555411	10/2009		90.17
640-0320-510.22-26	09/25/2009	MISCELLANEOUS SERVICES	ARC95047X100101			555411	10/2009		83.70
640-0320-510.22-26	09/28/2009	MISCELLANEOUS SERVICES	ARC95181X100424			555411	10/2009		123.85
640-0320-510.22-26	09/28/2009	MISCELLANEOUS SERVICES	ARC95181X100424			555411	10/2009		.20-
10/30/2009 667365	BEN E KEITH COMPANY	1004829							599.65
268-4250-570.54-10	10/08/2009	FOODS EDIBLE	00985039			557465	10/2009		522.69
268-4250-570.54-10	10/12/2009	FOODS EDIBLE	00988346			557465	10/2009		52.97
268-4250-570.54-10	10/15/2009	FOODS EDIBLE	00991176			557465	10/2009		23.99
10/30/2009 667366	BERRYS ARCTIC ICE	1310670							81.00
101-2010-520.44-01	09/23/2009	FOODS EDIBLE	97514			555687	10/2009		58.50
101-2010-520.44-01	09/23/2009	FOODS EDIBLE	97516			555687	10/2009		22.50
10/30/2009 667367	BETH KELLY	44							40.00
265-0000-444.13-02	10/14/2009	CAROUSEL ROOM	KELLY BETH				10/2009		40.00
10/30/2009 667369	BOETTCHER SUPPLY INC	1307320							129.70
614-0435-510.99-98	10/06/2009	AUTO & TRUCK MAINT. ITEMS	558306			555191	10/2009		120.00

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PROGRAM: GM350LSPLC				FROM 10/26/2009 TO 11/01/2009				*ALL*	
City of Topeka									
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614-0435-510.99-99	10/16/2009	AUTO & TRUCK MAINT. ITEMS		55904		10/2009		8.41	
614-0435-510.99-99	10/16/2009	AUTO & TRUCK MAINT. ITEMS		55904		10/2009		1.29	
10/30/2009 667370	BOZARTH CHEVROLET	1108984							
614-0435-510.99-99	10/12/2009	AUTO & TRUCK MAINT. ITEMS		557629		10/2009		32,647.55	
621-3802-571.70-10	09/29/2009	2008 CHEVROLET 4X4 TRUCK		283753		10/2009		105.55	
621-3802-571.70-10	09/29/2009	2008 CHEVROLET 4X4 TRUCK		283753		10/2009		4,421.00	
10/30/2009 667371	BREATHING AIR SERVICES INC	1003633							
101-2030-520.48-10	10/15/2009	AUTO & TRUCK MAINT. ITEMS		303		10/2009		220.00	
10/30/2009 667373	BRIDGESTONE FIRESTONE NORTH	1006114							
614-0435-510.99-99	10/06/2009	AUTO & TRUCK MAINT. ITEMS		6463		10/2009		593.56	
614-0435-510.99-99	10/15/2009	AUTO & TRUCK MAINT. ITEMS		6678		10/2009		564.56	
10/30/2009 667374	BRIGGS DODGE	1301041							
614-0435-510.99-99	10/01/2009	AUTO & TRUCK MAINT. ITEMS		85461		10/2009		233.55	
614-0435-510.99-99	10/02/2009	AUTO & TRUCK MAINT. ITEMS		65128		10/2009		30.00	
614-0435-510.99-99	10/08/2009	AUTO & TRUCK MAINT. ITEMS		85781		10/2009		143.55	
614-0435-510.99-99	10/15/2009	AUTO & TRUCK MAINT. ITEMS		86091		10/2009		30.00	
10/30/2009 667375	BROWNS SUPER SERVICE INC	1111449							
614-0435-510.99-99	10/12/2009	AUTO & TRUCK MAINT. ITEMS		70547 (2009)		10/2009		249.00	
614-0435-510.99-99	10/15/2009	AUTO & TRUCK MAINT. ITEMS		70526		10/2009		175.00	
10/30/2009 667377	BUILDERS RISK PLAN	1009317							
750-6565-560.34-78	10/16/2009	1726 SW CENTRAL PARK		SEPT 2009		10/2009		44.54	
10/30/2009 667378	CABINETS BY COUNTERTOPS UNLIMI	1006304							
265-4012-540.26-00	10/09/2009	COUNTER TOP-GREENHOUSE		8247		10/2009		72.50	
10/30/2009 667379	CALGON CARBON CORPORATION	1115536							
686-2185-572.48-00	10/02/2009	WATER SEWAGE TREATMENT EQ		21261822		10/2009		490.00	
10/30/2009 667380	CALVARY BAPTIST CHURCH	44							
265-0000-227.40-00	10/19/2009	SHELTER HOUSE DEPOSIT		CALVARY BAPTIST		10/2009		50.00	
10/30/2009 667381	CAPITAL MAIL SERVICE	1313168							
621-3802-571.29-50	10/15/2009	COMMUNICATIONS/MEDIA SERV		1017		10/2009		225.00	
10/30/2009 667382	CAROL A CRAMER	90							
101-0510-510.29-01	10/06/2009	WITNESS FEE/WADLEY		CRAMER CAROL		10/2009		10.00	
10/30/2009 667383	CARVER'S SERVICE ETC	1002740							
614-0435-510.27-05	10/23/2009	EQUIPMENT MAINT & REPAIR		14664		10/2009		362.50	
614-0435-510.56-15	10/23/2009	JANITORIAL SUPPLIES		14664		10/2009		75.00	
10/30/2009 667384	CBMC OF TOPEKA	1006321							
101-1810-520.44-00	10/16/2009	MAYOR'S LUNCHEON		F36510		10/2009		120.00	
10/30/2009 667385	CHAMPION BRANDS LLC	1000976							
614-0435-510.99-98	10/12/2009	AUTO & TRUCK MAINT. ITEMS		375176		10/2009		1,703.54	
								394.39	

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PROGRAM: GM350LSFCL				FROM 10/26/2009 TO 11/01/2009				*ALL*	
City of Topeka									
CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	DESCRIPTION	INVOICE	PO #	PER/YEAR	BANK CODE	CHECK AMOUNT
ACCOUNT #		TEN DATE							TRN AMOUNT
614-0435-510.99-98		10/12/2009		AUTO & TRUCK MAINT. ITEMS	375175	555195	10/2009		1,309.15
10/30/2009 667354		AAA LAWN SERVICE	1310593	1310593					326.90
623-2713-570.26-18		10/01/2009		GROUNDS & PARK SERVICES	5188	555627	10/2009		326.90
10/30/2009 667386		CONFIDENTIAL-HIPAA REG	13	MUNI COURT OVERPMT (BOND)	HIPPA REG		10/2009		125.00
530-0000-227.00-00		10/15/2009							125.00
10/30/2009 667387		CINDY HUTTER	44	EASY DOES IT YOGA	HUTTER CINDY		10/2009		33.50
265-0000-444.20-03		10/20/2009							33.50
10/30/2009 667388		CLINICAL CONSULTING ASSOCIATES	1006189	1006189					604.86
640-0320-510.22-26		09/28/2009		WC MED WCCOT2003008391	PHILBI0000	F36508	10/2009		604.86
10/30/2009 667389		COLLEGE BODY SHOP	1101625	EQUIPMENT MAINT & REPAIR	17129 2	557490	10/2009		9,669.81
614-0435-510.99-99		10/14/2009							9,669.81
10/30/2009 667390		CONRAD FIRE EQUIPMENT INC	1032742	AUTO & TRUCK MAINT. ITEMS	461878	555196	10/2009		593.14
614-0435-510.99-98		10/13/2009							593.14
10/30/2009 667392		COREFIRST BANK & TRUST	1310466	HOTEL-GISH/OBREGON	F36506	F36506	10/2009		2,379.80
101-1810-520.23-12		10/14/2009		HOTEL-GISH/OBREGON	F36506	F36506	10/2009		124.63
561-1081-520.23-12		10/14/2009		HOTEL-FINNEY	F36506	F36506	10/2009		626.12
101-1820-520.23-00		10/14/2009		FUEL-FUNERAL DETAIL	F36506	F36506	10/2009		422.05
101-1820-520.23-00		10/14/2009		HOTEL-FUNERAL DETAIL	F36506	F36506	10/2009		67.88
101-1820-520.23-00		10/14/2009		HOTEL-FUNERAL DETAIL	F36506	F36506	10/2009		863.68
101-1820-520.23-00		10/14/2009		HOTEL-FUNERAL DETAIL	F36506	F36506	10/2009		171.20
101-1820-520.23-00		10/14/2009		FUEL-STURGEON (NO RECPT)	F36506	F36506	10/2009		22.76
101-1820-520.23-00		10/14/2009		FUEL-STURGEON (NO RECPT)	F36506	F36506	10/2009		81.48
10/30/2009 667391		COREFIRST BANK & TRUST	1310466	FUEL-GISH/OBREGON	F36506	F36506	10/2009		.00
101-1810-520.23-00		10/14/2009							.00
10/30/2009 667393		CUES	1033601	TELEVISION EQUIPMENT	315178	555286	10/2009		398.05
623-2713-570.48-00		10/12/2009		TELEVISION EQUIPMENT	315178	555286	10/2009		39.80
686-2430-572.48-00		10/12/2009							358.25
10/30/2009 667394		DAVIN ELECTRIC INC	1300266	MISCELLANEOUS SERVICES	0090429	557792	10/2009		1,852.00
686-2102-570.26-00		09/11/2009		MISCELLANEOUS SERVICES	0090429	557792	10/2009		452.00
686-2102-570.27-00		09/11/2009		MISCELLANEOUS SERVICES	0090429	557792	10/2009		1,235.00
686-2102-570.48-00		09/11/2009		MISCELLANEOUS SERVICES	0090429	557792	10/2009		165.00
10/30/2009 667395		DEBACKERS INC	1108453	624 SE LOCUST ST	115057	557796	10/2009		3,554.50
740-6223-560.34-07		10/15/2009		1624 SW CLAY ST	114808	557792	10/2009		3,465.00
230-6125-510.34-05		10/05/2009							89.50
10/30/2009 667396		DEBORAH LATENRESSE	44	CREATIVE PLAY	LATENRESSE DEBO		10/2009		22.50
265-0000-444.26-06		10/21/2009							22.50
10/30/2009 667397		DENNIS MUSCH	90	MILEAGE REIMB/SHIRLEY	MUSCH DENNIS	F36468	10/2009		89.48
101-0510-510.29-01		10/05/2009							79.48

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PROGRAM: GM350LSPL				FROM 10/26/2009 TO 11/01/2009				*ALL*	
City of Topeka									
CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	DESCRIPTION	INVOICE	PO #	PER/YEAR	BANK CODE	CHECK AMOUNT
ACCOUNT #	TEN DATE								TRN AMOUNT
101-0510-510.29-01	10/05/2009	WITNESS FEE/SHIRLEY		MUSCH DENNIS		F36468	10/2009		10.00
10/30/2009 667398	DIAMOND INTERNATIONAL INC	1115287							
614-0435-510.99-99	10/14/2009	AUTO & TRUCK MAINT. ITEMS		TI40987		555109	10/2009		1,040.89
614-0435-510.99-99	10/14/2009	AUTO & TRUCK MAINT. ITEMS		TI41011		555109	10/2009		54.18
614-0435-510.99-99	10/13/2009	AUTO & TRUCK MAINT. ITEMS		TW46589		555109	10/2009		110.13
614-0435-510.99-99	10/13/2009	AUTO & TRUCK MAINT. ITEMS		TW46596		555109	10/2009		462.06
614-0435-510.99-99	10/14/2009	AUTO & TRUCK MAINT. ITEMS		TI40998		555109	10/2009		414.52
614-0435-510.99-99	10/14/2009	AUTO & TRUCK MAINT. ITEMS		TI41001		555109	10/2009		1,020.48
10/30/2009 667491	NIEGSCH, DONNA J	7702740							81.63
101-0930-510.22-54	10/20/2009	2008 REFUND		NIEGSCH DONNA J			10/2009		81.63
10/30/2009 667399	DUKE'S ROOT CONTROL INC	1311504							
686-2430-572.26-00	10/13/2009	CHEMICAL, COMMERCIAL,BULK		6214		557652	10/2009		12,762.06
10/30/2009 667400	CONFIDENTIAL-HIPAA REG	13							
530-0000-227.00-00	10/19/2009	MUNI COURT OVERPMT (BOND)		HIPPA REG			10/2009		149.00
10/30/2009 667402	DYNATRON ELEVATOR INC	1007946							22,062.52
686-2185-572.26-00	09/25/2009	BUILDING MAINTENANCE/REPR		34950		555868	10/2009		4,293.84
621-3610-571.26-00	09/25/2009	BUILDING MAINTENANCE/REPR		34950		555868	10/2009		1,431.24
686-1550-570.26-00	09/25/2009	BUILDING MAINTENANCE/REPR		34950		555868	10/2009		715.64
686-2180-572.26-00	09/25/2009	BUILDING MAINTENANCE/REPR		34950		555868	10/2009		1,431.28
686-2185-572.26-00	10/05/2009	BUILDING MAINTENANCE/REPR		35019		555679	10/2009		2,375.00
686-2185-572.26-00	10/05/2009	BUILDING MAINTENANCE/REPR		35020		555679	10/2009		2,750.00
686-2185-572.26-00	10/08/2009	BUILDING MAINTENANCE/REPR		35072		555679	10/2009		4,900.00
686-2185-572.26-00	10/08/2009	BUILDING MAINTENANCE/REPR		35073		555679	10/2009		2,467.41
686-2185-572.26-00	10/08/2009	BUILDING MAINTENANCE/REPR		35074		555679	10/2009		1,323.11
686-1550-570.26-00	10/08/2009	BUILDING MAINTENANCE/REPR		35075		555679	10/2009		375.00
10/30/2009 667401	DYNATRON ELEVATOR INC	1007946							.00
686-1550-570.26-00	10/08/2009	BUILDING MAINTENANCE/REPR		35075		555679	10/2009		.00
10/30/2009 667403	ELIZABETH LIND	44							25.00
265-0000-444.20-03	10/15/2009	ADVANCE DIGITAL PHOTOGRAP		LIND ELIZABETH			10/2009		25.00
10/30/2009 667404	EMPI INC	1007559							77.66
640-0320-510.22-26	10/02/2009	MISCELLANEOUS SERVICES		393376912976075		555379	10/2009		77.66
10/30/2009 667405	CONFIDENTIAL-HIPAA REG	13							150.00
530-0000-227.00-00	10/16/2009	MUNI COURT OVERPMT (BOND)		HIPPA REG			10/2009		150.00
10/30/2009 667406	CONFIDENTIAL-HIPAA REG	13							350.00
530-0000-227.00-00	10/16/2009	MUNI COURT OVERPMT (BOND)		HIPPA REG			10/2009		350.00
10/30/2009 667409	FACTORY MOTOR PARTS COMPANY IN	1001346							2,545.63
614-0435-510.99-99	10/08/2009	AUTO & TRUCK MAINT. ITEMS		8 436045		555113	10/2009		235.74
614-0435-510.99-99	10/09/2009	AUTO & TRUCK MAINT. ITEMS		8 436115		555113	10/2009		317.40
614-0435-510.99-98	10/12/2009	AUTO & TRUCK MAINT. ITEMS		8 436243		555201	10/2009		515.44

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PROGRAM: GM350LSPL				FROM 10/26/2009 TO 11/01/2009					
City of Topeka									
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ACCOUNT #	TRN DATE								CHECK AMOUNT
									TRN AMOUNT
10/30/2009 667424	ISS FACILITY SERVICES INC	1005086							8,518.92
101-3070-510.29-42	10/15/2009	MISCELLANEOUS SERVICES	29019651	555576	10/2009				2,955.09
101-3070-510.29-42	10/15/2009	MISCELLANEOUS SERVICES	29019651	555576	10/2009				1,883.31
265-4002-540.29-45	10/15/2009	MISCELLANEOUS SERVICES	29019652	555576	10/2009				559.31
291-3131-530.29-42	10/15/2009	MISCELLANEOUS SERVICES	29019653	555576	10/2009				1,025.88
686-2170-572.22-00	10/15/2009	MISCELLANEOUS SERVICES	29019718	557023	10/2009				1,640.88
686-2180-572.22-00	10/15/2009	MISCELLANEOUS SERVICES	29019718	557023	10/2009				454.45
10/30/2009 667425	J W LAWN SERVICE	1007290							2,835.92
101-1820-520.22-00	10/06/2009	GROUNDS & PARK SERVICES	77767 AB	557674	10/2009				2,835.92
10/30/2009 667426	JAMES A HALL	90							82.82
101-0510-510.29-01	10/06/2009	MILEAGE REIMB/EASTWOOD	HALL JAMES A	F36466	10/2009				72.82
101-0510-510.29-01	10/06/2009	WITNESS FEE/EASTWOOD	HALL JAMES A	F36466	10/2009				10.00
10/30/2009 667482	MELLINGER, JAMES	2003729							100.00
265-4123-540.22-03	09/28/2009	MISCELLANEOUS SERVICES	557751	557751	10/2009				100.00
10/30/2009 667427	JIM MUSA CONSTRUCTION INC	1007040							4,000.00
686-1629-570.30-10	10/12/2009	PUBLIC WORKS/RELATED SERV	556510	556510	10/2009				4,000.00
10/30/2009 667428	JIMS TRAILER SALES	1301295							1,366.90
623-2717-570.27-00	08/27/2009	AUTO BODIES & ACCESSORIES	653425	557478	10/2009				42.95
623-2717-570.27-00	08/27/2009	AUTO MAJOR TRANSPORTATION	653425	557478	10/2009				1,323.95
10/30/2009 667421	HYBSKMANN, JON W	7702372							79.28
101-0930-510.22-54	10/20/2009	2008 REFUND	HYBSKMANN JON W		10/2009				79.28
10/30/2009 667430	JUAN LOPEZ	44							50.00
265-0000-227.40-00	10/19/2009	SHELTER HOUSE DEPOSIT	LOPEZ JUAN		10/2009				50.00
10/30/2009 667422	HYTEN, JULIE A	7702743							30.29
101-0930-510.22-54	10/20/2009	2008 REFUND	HYTEN JULIE A		10/2009				30.29
10/30/2009 667431	KANSAS ASSOCIATION OF CODE	1005164							30.00
101-1820-520.22-00	10/22/2009	LESPEANCE/JONES	F36527	F36527	10/2009				30.00
10/30/2009 667451	KANSAS AUTOMOTIVE INC	1110174							3,479.47
614-0435-510.99-99	10/01/2009	AUTO & TRUCK MAINT. ITEMS	2232860	555141	10/2009				23.03
614-0435-510.99-99	10/01/2009	AUTO & TRUCK MAINT. ITEMS	2232915	555141	10/2009				46.10
614-0435-510.99-99	10/02/2009	AUTO & TRUCK MAINT. ITEMS	2233260	555141	10/2009				2.69
614-0435-510.99-99	10/02/2009	AUTO & TRUCK MAINT. ITEMS	2233310	555141	10/2009				40.27
614-0435-510.99-99	10/02/2009	AUTO & TRUCK MAINT. ITEMS	2233350	555141	10/2009				49.34
614-0435-510.99-99	10/02/2009	AUTO & TRUCK MAINT. ITEMS	2233471	555141	10/2009				18.24
614-0435-510.99-99	10/02/2009	AUTO & TRUCK MAINT. ITEMS	2233484	555141	10/2009				80.88
614-0435-510.99-98	10/01/2009	AUTO & TRUCK MAINT. ITEMS	2233055	555214	10/2009				60.90
614-0435-510.99-98	10/01/2009	AUTO & TRUCK MAINT. ITEMS	2233141	555214	10/2009				72.04
614-0435-510.99-98	10/02/2009	AUTO & TRUCK MAINT. ITEMS	2233386	555214	10/2009				1.80
614-0435-510.99-98	10/06/2009	AUTO & TRUCK MAINT. ITEMS	2234092	555214	10/2009				28.85

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PROGRAM: GM350LSPCL				FROM 10/26/2009 TO 11/01/2009				*ALL*	
City of Topeka									
CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	DESCRIPTION	INVOICE	PO #	PER/YEAR	BANK CODE	CHECK AMOUNT
ACCOUNT #	TRN DATE								TRN AMOUNT
614-0435-510.99-98	10/06/2009	AUTO & TRUCK MAINT.	ITEMS	2234356	555214	10/2009			28.85
614-0435-510.99-99	10/05/2009	AUTO & TRUCK MAINT.	ITEMS	2233775	555141	10/2009			.82
614-0435-510.99-99	10/05/2009	AUTO & TRUCK MAINT.	ITEMS	2233794	555141	10/2009			9.28
614-0435-510.99-99	10/06/2009	AUTO & TRUCK MAINT.	ITEMS	2234047	555141	10/2009			1.58
614-0435-510.99-99	10/06/2009	AUTO & TRUCK MAINT.	ITEMS	2234153	555141	10/2009			3.86
614-0435-510.99-99	10/06/2009	AUTO & TRUCK MAINT.	ITEMS	2234237	555141	10/2009			16.65
614-0435-510.99-99	10/06/2009	AUTO & TRUCK MAINT.	ITEMS	2234333	555141	10/2009			4.77
614-0435-510.99-99	10/06/2009	AUTO & TRUCK MAINT.	ITEMS	2234354	555141	10/2009			1.23
614-0435-510.99-99	10/06/2009	AUTO & TRUCK MAINT.	ITEMS	2234454	555141	10/2009			92.26
614-0435-510.99-99	10/07/2009	AUTO & TRUCK MAINT.	ITEMS	2234475	555141	10/2009			16.27
614-0435-510.99-99	10/07/2009	AUTO & TRUCK MAINT.	ITEMS	2234570	555141	10/2009			84.05
614-0435-510.99-99	10/07/2009	AUTO & TRUCK MAINT.	ITEMS	2234628	555141	10/2009			9.35
614-0435-510.99-99	10/07/2009	AUTO & TRUCK MAINT.	ITEMS	2234667	555141	10/2009			5.15
614-0435-510.99-99	10/07/2009	AUTO & TRUCK MAINT.	ITEMS	2234739	555141	10/2009			26.91
614-0435-510.99-99	10/07/2009	AUTO & TRUCK MAINT.	ITEMS	2234741	555141	10/2009			25.56
614-0435-510.99-99	10/07/2009	AUTO & TRUCK MAINT.	ITEMS	2234776	555141	10/2009			11.04
614-0435-510.99-99	10/07/2009	AUTO & TRUCK MAINT.	ITEMS	2234792	555141	10/2009			10.58
614-0435-510.99-99	10/07/2009	AUTO & TRUCK MAINT.	ITEMS	2234801	555141	10/2009			71.52
614-0435-510.99-99	10/07/2009	AUTO & TRUCK MAINT.	ITEMS	2234853	555141	10/2009			7.28
614-0435-510.99-99	10/08/2009	AUTO & TRUCK MAINT.	ITEMS	2235137	555141	10/2009			7.04
614-0435-510.99-99	10/08/2009	AUTO & TRUCK MAINT.	ITEMS	2235138	555141	10/2009			3.52-
614-0435-510.99-99	10/08/2009	AUTO & TRUCK MAINT.	ITEMS	2235165	555141	10/2009			7.04
614-0435-510.99-99	10/09/2009	AUTO & TRUCK MAINT.	ITEMS	2235424	555141	10/2009			82.27
614-0435-510.99-99	10/07/2009	AUTO & TRUCK MAINT.	ITEMS	2234766	555141	10/2009			82.55
614-0435-510.99-99	10/08/2009	AUTO & TRUCK MAINT.	ITEMS	2234897	555141	10/2009			12.74
614-0435-510.99-99	10/08/2009	AUTO & TRUCK MAINT.	ITEMS	2234946	555141	10/2009			55.73
614-0435-510.99-99	10/09/2009	AUTO & TRUCK MAINT.	ITEMS	2235239	555141	10/2009			8.41
614-0435-510.99-99	10/09/2009	AUTO & TRUCK MAINT.	ITEMS	2235402	555141	10/2009			9.02
614-0435-510.99-99	10/09/2009	AUTO & TRUCK MAINT.	ITEMS	2235418	555141	10/2009			84.00
614-0435-510.99-99	10/09/2009	AUTO & TRUCK MAINT.	ITEMS	2235464	555141	10/2009			8.49
614-0435-510.99-99	10/09/2009	AUTO & TRUCK MAINT.	ITEMS	2235532	555141	10/2009			185.72
614-0435-510.99-99	10/09/2009	AUTO & TRUCK MAINT.	ITEMS	2235553	555141	10/2009			9.00-
614-0435-510.99-99	10/10/2009	AUTO & TRUCK MAINT.	ITEMS	2235573	555141	10/2009			9.02
614-0435-510.99-99	10/10/2009	AUTO & TRUCK MAINT.	ITEMS	2235584	555141	10/2009			66.11
614-0435-510.99-99	10/12/2009	AUTO & TRUCK MAINT.	ITEMS	2235609	555141	10/2009			13.16
614-0435-510.99-99	10/12/2009	AUTO & TRUCK MAINT.	ITEMS	2235673	555141	10/2009			1.23
614-0435-510.99-99	10/12/2009	AUTO & TRUCK MAINT.	ITEMS	2235682	555141	10/2009			1.72
614-0435-510.99-99	10/12/2009	AUTO & TRUCK MAINT.	ITEMS	2235761	555141	10/2009			2.90
614-0435-510.99-99	10/12/2009	AUTO & TRUCK MAINT.	ITEMS	2235816	555141	10/2009			10.00
614-0435-510.99-99	10/12/2009	AUTO & TRUCK MAINT.	ITEMS	2235986	555141	10/2009			7.68
614-0435-510.99-98	10/12/2009	AUTO & TRUCK MAINT.	ITEMS	2234345	555214	10/2009			36.28
614-0435-510.48-15	10/09/2009	EQUIPMENT MAINT & REPAIR	2235344		555255	10/2009			36.50
614-0435-510.99-99	10/13/2009	AUTO & TRUCK MAINT.	ITEMS	2236132	555141	10/2009			3.74
614-0435-510.99-99	10/13/2009	AUTO & TRUCK MAINT.	ITEMS	2236315	555141	10/2009			13.74
614-0435-510.99-99	10/14/2009	AUTO & TRUCK MAINT.	ITEMS	2236523	555141	10/2009			4.25
614-0435-510.99-99	10/14/2009	AUTO & TRUCK MAINT.	ITEMS	2236617	555141	10/2009			2.40
614-0435-510.99-99	10/14/2009	AUTO & TRUCK MAINT.	ITEMS	2236748	555141	10/2009			10.00
614-0435-510.99-99	10/14/2009	AUTO & TRUCK MAINT.	ITEMS	2236769	555141	10/2009			1.83
614-0435-510.99-99	10/14/2009	AUTO & TRUCK MAINT.	ITEMS	2236799	555141	10/2009			11.05
614-0435-510.99-99	10/14/2009	AUTO & TRUCK MAINT.	ITEMS	2236806	555141	10/2009			4.13

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PROGRAM: GM3501SPCL				FROM 10/26/2009 TO 11/01/2009				*ALL*	
City of Topeka									
CHECK DATE	CHECK NUMBER	VENDOR NAME	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	BANK CODE	CHECK AMOUNT
ACCOUNT #									TRN AMOUNT
614-0435-510.99-99			10/15/2009	AUTO & TRUCK MAINT. ITEMS	2236866	555141	10/2009		.78
614-0435-510.99-98			10/13/2009	AUTO & TRUCK MAINT. ITEMS		555214	10/2009		196.82
614-0435-510.99-98			10/14/2009	AUTO & TRUCK MAINT. ITEMS	2236560	555214	10/2009		.67
614-0435-510.41-01			10/14/2009	TOOLS, HAND (NOT CLASSED)	2236827	555253	10/2009		3.90
614-0435-510.99-99			10/15/2009	AUTO & TRUCK MAINT. ITEMS	2237145	555141	10/2009		8.12
614-0435-510.99-99			10/15/2009	AUTO & TRUCK MAINT. ITEMS	2237186	555141	10/2009		29.16
614-0435-510.99-99			10/15/2009	AUTO & TRUCK MAINT. ITEMS	2237202	555141	10/2009		7.47
614-0435-510.99-99			10/16/2009	AUTO & TRUCK MAINT. ITEMS	2237241	555141	10/2009		49.81
614-0435-510.99-98			10/15/2009	AUTO & TRUCK MAINT. ITEMS	2236900	555214	10/2009		460.08
614-0435-510.99-99			10/13/2009	AUTO & TRUCK MAINT. ITEMS	2236141	555141	10/2009		29.63
614-0435-510.99-99			10/15/2009	AUTO & TRUCK MAINT. ITEMS	2236923	555141	10/2009		10.00
614-0435-510.99-99			10/16/2009	AUTO & TRUCK MAINT. ITEMS	2237284	555141	10/2009		45.00
614-0435-510.99-99			10/16/2009	AUTO & TRUCK MAINT. ITEMS	2237293	555141	10/2009		85.00
614-0435-510.99-99			10/16/2009	AUTO & TRUCK MAINT. ITEMS	2237557	555141	10/2009		4.50
614-0435-510.99-98			10/14/2009	AUTO & TRUCK MAINT. ITEMS	2236654	555214	10/2009		13.82
614-0435-510.99-99			10/19/2009	AUTO & TRUCK MAINT. ITEMS	2237797	555141	10/2009		129.41
614-0435-510.99-99			10/19/2009	AUTO & TRUCK MAINT. ITEMS	2237812	555141	10/2009		56.56
614-0435-510.99-99			10/19/2009	AUTO & TRUCK MAINT. ITEMS	2237813	555141	10/2009		19.54
614-0435-510.99-99			10/19/2009	AUTO & TRUCK MAINT. ITEMS	2237943	555141	10/2009		.98
614-0435-510.99-98			10/19/2009	AUTO & TRUCK MAINT. ITEMS	2238051	555214	10/2009		6.03
614-0435-510.41-01			10/19/2009	TOOLS, HAND (NOT CLASSED)	2237968	555253	10/2009		19.45
614-0435-510.99-99			10/19/2009	AUTO & TRUCK MAINT. ITEMS	2237691	555141	10/2009		45.00
614-0435-510.99-99			10/19/2009	AUTO & TRUCK MAINT. ITEMS	2237935	555141	10/2009		177.74
614-0435-510.99-99			10/20/2009	AUTO & TRUCK MAINT. ITEMS	2238147	555141	10/2009		15.53
614-0435-510.99-99			10/20/2009	AUTO & TRUCK MAINT. ITEMS	2238155	555141	10/2009		4.87
614-0435-510.99-99			10/20/2009	AUTO & TRUCK MAINT. ITEMS	2238239	555141	10/2009		8.64
614-0435-510.99-99			10/20/2009	AUTO & TRUCK MAINT. ITEMS	2238340	555141	10/2009		22.50
614-0435-510.99-99			10/20/2009	AUTO & TRUCK MAINT. ITEMS	2238347	555141	10/2009		4.05
614-0435-510.99-99			10/20/2009	AUTO & TRUCK MAINT. ITEMS	2238358	555141	10/2009		35.64
614-0435-510.99-99			10/21/2009	AUTO & TRUCK MAINT. ITEMS	2238483	555141	10/2009		4.74
614-0435-510.99-99			10/21/2009	AUTO & TRUCK MAINT. ITEMS	2238507	555141	10/2009		1.54
614-0435-510.99-99			10/21/2009	AUTO & TRUCK MAINT. ITEMS	2238518	555141	10/2009		4.90
614-0435-510.99-99			10/21/2009	AUTO & TRUCK MAINT. ITEMS	2238568	555141	10/2009		7.02
614-0435-510.99-99			10/21/2009	AUTO & TRUCK MAINT. ITEMS	2238576	555141	10/2009		11.90
614-0435-510.99-99			10/21/2009	AUTO & TRUCK MAINT. ITEMS	2238645	555141	10/2009		36.72
614-0435-510.99-99			10/21/2009	AUTO & TRUCK MAINT. ITEMS	2238647	555141	10/2009		32.75
614-0435-510.99-99			10/21/2009	AUTO & TRUCK MAINT. ITEMS	2238714	555141	10/2009		3.75
614-0435-510.99-99			10/21/2009	AUTO & TRUCK MAINT. ITEMS	2238720	555141	10/2009		17.22
614-0435-510.99-99			10/21/2009	AUTO & TRUCK MAINT. ITEMS	2238725	555141	10/2009		3.66
614-0435-510.99-99			10/22/2009	AUTO & TRUCK MAINT. ITEMS	2238906	555141	10/2009		3.19
614-0435-510.99-99			10/22/2009	AUTO & TRUCK MAINT. ITEMS	2238917	555141	10/2009		28.45
614-0435-510.99-99			10/22/2009	AUTO & TRUCK MAINT. ITEMS	2238945	555141	10/2009		12.06
614-0435-510.99-99			10/22/2009	AUTO & TRUCK MAINT. ITEMS	2239014	555141	10/2009		2.76
614-0435-510.99-99			10/22/2009	AUTO & TRUCK MAINT. ITEMS	2239057	555141	10/2009		9.90
614-0435-510.99-99			10/22/2009	AUTO & TRUCK MAINT. ITEMS	2239104	555141	10/2009		21.64
614-0435-510.99-99			10/22/2009	AUTO & TRUCK MAINT. ITEMS	2239160	555141	10/2009		70.00
614-0435-510.99-99			10/22/2009	AUTO & TRUCK MAINT. ITEMS	2239164	555141	10/2009		14.86
614-0435-510.99-99			10/23/2009	AUTO & TRUCK MAINT. ITEMS	2239251	555141	10/2009		9.37
614-0435-510.99-99			10/23/2009	AUTO & TRUCK MAINT. ITEMS	2239382	555141	10/2009		1.25
614-0435-510.99-98			10/20/2009	AUTO & TRUCK MAINT. ITEMS	2238383	555214	10/2009		118.40

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PROGRAM: GM350LSPCL				FROM 10/26/2009 TO 11/01/2009				*ALL*	
City of Topeka				BANK CODE					
CHECK DATE	CHECK NUMBER	VENDOR NAME	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	CHECK AMOUNT
ACCOUNT #									
614-0435-510.99-98		KANSAS AUTOMOTIVE INC	10/22/2009	AUTO & TRUCK MAINT. ITEMS	2238838	555214	10/2009	13.09	
614-0435-510.99-98		KANSAS AUTOMOTIVE INC	10/22/2009	AUTO & TRUCK MAINT. ITEMS	2238915	555214	10/2009	48.04	
614-0435-510.99-98		KANSAS AUTOMOTIVE INC	10/22/2009	AUTO & TRUCK MAINT. ITEMS	2239116	555214	10/2009	19.60	
614-0435-510.56-00		KANSAS AUTOMOTIVE INC	10/21/2009	AUTO SHOP EQUIPMENT & SUP	2238648	555254	10/2009	7.70	
10/30/2009	667450	KANSAS AUTOMOTIVE INC	10/21/2009	AUTO SHOP EQUIPMENT & SUP	2238648	555254	10/2009	.00	
614-0435-510.56-00		KANSAS AUTOMOTIVE INC	10/21/2009	AUTO SHOP EQUIPMENT & SUP	2238648	555254	10/2009	.00	
10/30/2009	667449	KANSAS AUTOMOTIVE INC	10/21/2009	AUTO SHOP EQUIPMENT & SUP	2238648	555254	10/2009	.00	
614-0435-510.56-00		KANSAS AUTOMOTIVE INC	10/21/2009	AUTO SHOP EQUIPMENT & SUP	2238648	555254	10/2009	.00	
10/30/2009	667448	KANSAS AUTOMOTIVE INC	10/21/2009	AUTO SHOP EQUIPMENT & SUP	2238648	555254	10/2009	.00	
614-0435-510.56-00		KANSAS AUTOMOTIVE INC	10/21/2009	AUTO SHOP EQUIPMENT & SUP	2238648	555254	10/2009	.00	
10/30/2009	667447	KANSAS AUTOMOTIVE INC	10/21/2009	AUTO SHOP EQUIPMENT & SUP	2238648	555254	10/2009	.00	
614-0435-510.56-00		KANSAS AUTOMOTIVE INC	10/21/2009	AUTO SHOP EQUIPMENT & SUP	2238648	555254	10/2009	.00	
10/30/2009	667446	KANSAS AUTOMOTIVE INC	10/21/2009	AUTO SHOP EQUIPMENT & SUP	2238648	555254	10/2009	.00	
614-0435-510.56-00		KANSAS AUTOMOTIVE INC	10/21/2009	AUTO SHOP EQUIPMENT & SUP	2238648	555254	10/2009	.00	
10/30/2009	667445	KANSAS AUTOMOTIVE INC	10/21/2009	AUTO SHOP EQUIPMENT & SUP	2238648	555254	10/2009	.00	
614-0435-510.56-00		KANSAS AUTOMOTIVE INC	10/21/2009	AUTO SHOP EQUIPMENT & SUP	2238648	555254	10/2009	.00	
10/30/2009	667444	KANSAS AUTOMOTIVE INC	10/21/2009	AUTO SHOP EQUIPMENT & SUP	2238648	555254	10/2009	.00	
614-0435-510.56-00		KANSAS AUTOMOTIVE INC	10/21/2009	AUTO SHOP EQUIPMENT & SUP	2238648	555254	10/2009	.00	
10/30/2009	667443	KANSAS AUTOMOTIVE INC	10/21/2009	AUTO SHOP EQUIPMENT & SUP	2238648	555254	10/2009	.00	
614-0435-510.56-00		KANSAS AUTOMOTIVE INC	10/21/2009	AUTO SHOP EQUIPMENT & SUP	2238648	555254	10/2009	.00	
10/30/2009	667442	KANSAS AUTOMOTIVE INC	10/21/2009	AUTO SHOP EQUIPMENT & SUP	2238648	555254	10/2009	.00	
614-0435-510.56-00		KANSAS AUTOMOTIVE INC	10/21/2009	AUTO SHOP EQUIPMENT & SUP	2238648	555254	10/2009	.00	
10/30/2009	667441	KANSAS AUTOMOTIVE INC	10/21/2009	AUTO SHOP EQUIPMENT & SUP	2238648	555254	10/2009	.00	
614-0435-510.56-00		KANSAS AUTOMOTIVE INC	10/21/2009	AUTO SHOP EQUIPMENT & SUP	2238648	555254	10/2009	.00	
10/30/2009	667440	KANSAS AUTOMOTIVE INC	10/21/2009	AUTO SHOP EQUIPMENT & SUP	2238648	555254	10/2009	.00	
614-0435-510.56-00		KANSAS AUTOMOTIVE INC	10/21/2009	AUTO SHOP EQUIPMENT & SUP	2238648	555254	10/2009	.00	
10/30/2009	667439	KANSAS AUTOMOTIVE INC	10/21/2009	AUTO SHOP EQUIPMENT & SUP	2238648	555254	10/2009	.00	
614-0435-510.56-00		KANSAS AUTOMOTIVE INC	10/21/2009	AUTO SHOP EQUIPMENT & SUP	2238648	555254	10/2009	.00	
10/30/2009	667438	KANSAS AUTOMOTIVE INC	10/21/2009	AUTO SHOP EQUIPMENT & SUP	2238648	555254	10/2009	.00	
614-0435-510.56-00		KANSAS AUTOMOTIVE INC	10/21/2009	AUTO SHOP EQUIPMENT & SUP	2238648	555254	10/2009	.00	
10/30/2009	667437	KANSAS AUTOMOTIVE INC	10/21/2009	AUTO SHOP EQUIPMENT & SUP	2238648	555254	10/2009	.00	
614-0435-510.56-00		KANSAS AUTOMOTIVE INC	10/21/2009	AUTO SHOP EQUIPMENT & SUP	2238648	555254	10/2009	.00	
10/30/2009	667436	KANSAS AUTOMOTIVE INC	10/21/2009	AUTO SHOP EQUIPMENT & SUP	2238648	555254	10/2009	.00	
614-0435-510.56-00		KANSAS AUTOMOTIVE INC	10/21/2009	AUTO SHOP EQUIPMENT & SUP	2238648	555254	10/2009	.00	
10/30/2009	667435	KANSAS AUTOMOTIVE INC	10/21/2009	AUTO SHOP EQUIPMENT & SUP	2238648	555254	10/2009	.00	
614-0435-510.56-00		KANSAS AUTOMOTIVE INC	10/21/2009	AUTO SHOP EQUIPMENT & SUP	2238648	555254	10/2009	.00	

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PROGRAM: GM350LSFCL				FROM 10/26/2009 TO 11/01/2009				*ALL*	
City of Topeka									
CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	DESCRIPTION	INVOICE	PO #	PER/YEAR	BANK CODE	CHECK AMOUNT
ACCOUNT #	TRN DATE								
10/30/2009	667434	KANSAS AUTOMOTIVE INC	1110174	AUTO SHOP EQUIPMENT & SUP	2238648	555254	10/2009		.00
614-0435-510.56-00	10/21/2009								
10/30/2009	667433	KANSAS AUTOMOTIVE INC	1110174	AUTO SHOP EQUIPMENT & SUP	2238648	555254	10/2009		.00
614-0435-510.56-00	10/21/2009								
10/30/2009	667432	KANSAS AUTOMOTIVE INC	1110174	AUTO SHOP EQUIPMENT & SUP	2238648	555254	10/2009		.00
614-0435-510.56-00	10/21/2009								
10/30/2009	667453	KANSAS BUREAU OF INVESTIGATION	1007202	PARTIAL RESTITUTION	MC MILLON CHRIST		09/2009		965.60
101-0000-227.83-00	09/29/2009								
101-0000-227.83-00	09/29/2009								
101-0000-227.83-00	09/29/2009								
101-0000-227.83-00	09/29/2009								
101-0000-227.83-00	10/07/2009								
101-0000-227.83-00	10/07/2009								
101-0000-227.83-00	10/07/2009								
101-0000-227.83-00	10/07/2009								
101-0000-227.83-00	10/07/2009								
101-0000-227.83-00	10/07/2009								
101-0000-227.83-00	10/14/2009								
101-0000-227.83-00	10/14/2009								
10/30/2009	667452	KANSAS BUREAU OF INVESTIGATION	1007202	PARTIAL RESTITUTION	WILLIAMS ALEXAN		10/2009		.00
101-0000-227.83-00	10/14/2009								
10/30/2009	667454	KANSAS DEPT OF CORRECTIONS	1307189	FINANCIAL SERVICES	2010 9 PR	556523	10/2009		284.59
101-0220-510.29-99	10/15/2009								
10/30/2009	667455	KANSAS DEPT OF LABOR	1110383	BOILER INSP-KS48672H	415416	F36505	10/2009		30.00
265-4139-540.25-16	10/12/2009								
10/30/2009	667456	KANSAS FIRE & SAFETY EQUIPMENT	1110520	LAKE SHERWOOD WWTP	46597	F36526	10/2009		25.00
686-2101-570.22-00	10/08/2009								
10/30/2009	667457	KANSAS GAS SERVICE INC	1114963	ENGINEERING	144746127 OCT09		10/2009		538.06
101-3046-510.20-02	10/16/2009								
101-3070-510.20-02	10/16/2009								
291-3131-530.20-02	10/16/2009								
101-3110-520.20-02	10/14/2009								
10/30/2009	667458	KANSAS ORTHOPEDICS & SPORTS	1150487	MISCELLANEOUS SERVICES	9817221	555408	10/2009		11.24
640-0320-510.22-26	02/11/2009								
10/30/2009	667459	KANSAS REGISTER	1114576	GOB S 2009A/GO REF 2009B	37555	F36500	10/2009		189.00
101-0930-510.82-09	09/25/2009								
10/30/2009	667460	KANSAS SAND & CONCRETE	1110849	BUILDER'S SUPPLIES	165820	557112	10/2009		8,144.91
291-3130-530.45-10	10/14/2009								

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PROGRAM: GM350LSPCL				FROM 10/26/2009 TO 11/01/2009				*ALL*	
City of Topeka									
CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	DESCRIPTION	INVOICE	PO #	PER/YEAR	BANK CODE	CHECK AMOUNT
ACCOUNT #	TRN DATE								TRN AMOUNT
291-3130-530.45-10	10/15/2009	BUILDER'S SUPPLIES			165848	557112	10/2009		3,302.01
10/30/2009 667461	KANSAS UNIVERSITY								450.00
101-2030-520.23-00	09/16/2009	EDUCATIONAL SERVICES	1100835		FS101837 884 B	555983	10/2009		450.00
10/30/2009 667462	KEY EQUIPMENT & SUPPLY CO		1301195						4,763.15
623-2713-570.48-00	07/30/2009	EQUIPMENT MAINT & REPAIR			210150	555298	10/2009		335.47
686-2430-572.48-00	07/30/2009	EQUIPMENT MAINT & REPAIR			210150	555298	10/2009		1,341.89
623-2713-570.48-00	09/16/2009	EQUIPMENT MAINT & REPAIR			210678	555298	10/2009		613.95
686-2430-572.48-00	09/16/2009	EQUIPMENT MAINT & REPAIR			210678	555298	10/2009		2,455.81
614-0435-510.99-99	10/13/2009	AUTO & TRUCK MAINT. ITEMS			210770	555144	10/2009		16.03
10/30/2009 667368	BIDWELL, KYLE		2005211						150.00
265-4135-540.22-00	10/21/2009	GROUNDS & PARK SERVICES			557821	557821	10/2009		150.00
10/30/2009 667419	HOLLIE, LA VERNA M		7702742						34.85
101-0930-510.22-54	10/20/2009	2008 REFUND			HOLLIE LA VERNA		10/2009		34.85
10/30/2009 667467	LAIRD NOLLER FORD INC		1141109						3,008.51
614-0435-510.99-99	10/01/2009	AUTO & TRUCK MAINT. ITEMS			1049010	555147	10/2009		178.42
614-0435-510.99-99	10/07/2009	AUTO & TRUCK MAINT. ITEMS			1049216	555147	10/2009		43.90
614-0435-510.99-99	10/07/2009	AUTO & TRUCK MAINT. ITEMS			1049217	555147	10/2009		5.84
614-0435-510.99-99	10/09/2009	AUTO & TRUCK MAINT. ITEMS			1049336	555147	10/2009		89.18
614-0435-510.99-99	10/09/2009	AUTO & TRUCK MAINT. ITEMS			1049342	555147	10/2009		41.35
614-0435-510.99-99	10/09/2009	AUTO & TRUCK MAINT. ITEMS			1049346	555147	10/2009		80.20
614-0435-510.99-99	10/08/2009	AUTO & TRUCK MAINT. ITEMS			1049291	555147	10/2009		73.10
614-0435-510.99-99	10/09/2009	AUTO & TRUCK MAINT. ITEMS			1049349	555147	10/2009		45.52
614-0435-510.99-99	10/12/2009	AUTO & TRUCK MAINT. ITEMS			1049420	555147	10/2009		55.91
614-0435-510.99-99	10/12/2009	AUTO & TRUCK MAINT. ITEMS			1049432	555147	10/2009		80.40
614-0435-510.99-98	10/12/2009	AUTO & TRUCK MAINT. ITEMS			1049439	555216	10/2009		50.21
614-0435-510.99-99	10/13/2009	AUTO & TRUCK MAINT. ITEMS			1049486	555147	10/2009		629.91
614-0435-510.99-99	10/13/2009	AUTO & TRUCK MAINT. ITEMS			1049493	555147	10/2009		56.25
614-0435-510.99-99	10/13/2009	AUTO & TRUCK MAINT. ITEMS			1049513	555147	10/2009		12.46
614-0435-510.99-99	10/14/2009	AUTO & TRUCK MAINT. ITEMS			1049540	555147	10/2009		11.08
614-0435-510.99-99	10/14/2009	AUTO & TRUCK MAINT. ITEMS			1049602	555147	10/2009		8.11
614-0435-510.99-99	10/15/2009	AUTO & TRUCK MAINT. ITEMS			1049633	555147	10/2009		5.84
614-0435-510.99-99	10/14/2009	AUTO & TRUCK MAINT. ITEMS			1049544	555147	10/2009		70.58
614-0435-510.99-99	10/16/2009	AUTO & TRUCK MAINT. ITEMS			1049711	555147	10/2009		564.27
614-0435-510.99-99	10/16/2009	AUTO & TRUCK MAINT. ITEMS			1049712	555147	10/2009		42.23
614-0435-510.99-99	10/16/2009	AUTO & TRUCK MAINT. ITEMS			1049764	555147	10/2009		46.39
614-0435-510.99-99	10/19/2009	AUTO & TRUCK MAINT. ITEMS			1049795	555147	10/2009		71.50
614-0435-510.99-99	10/20/2009	AUTO & TRUCK MAINT. ITEMS			1049900	555147	10/2009		51.92
614-0435-510.99-99	10/21/2009	AUTO & TRUCK MAINT. ITEMS			1049964	555147	10/2009		43.06
614-0435-510.99-99	10/21/2009	AUTO & TRUCK MAINT. ITEMS			1050004	555147	10/2009		45.95
614-0435-510.99-99	10/22/2009	AUTO & TRUCK MAINT. ITEMS			1050056	555147	10/2009		564.27
614-0435-510.99-99	10/21/2009	AUTO & TRUCK MAINT. ITEMS			1049970	555147	10/2009		19.92
614-0435-510.99-99	10/23/2009	AUTO & TRUCK MAINT. ITEMS			1050098	555147	10/2009		20.74
10/30/2009 667466	LAIRD NOLLER FORD INC		1141109						.00
614-0435-510.99-99	10/23/2009	AUTO & TRUCK MAINT. ITEMS			1050098	555147	10/2009		.00

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PROGRAM: GM350LSPL				FROM 10/26/2009 TO 11/01/2009				*ALL*	
City of Topeka				BANK CODE					
CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	DESCRIPTION	INVOICE	PO #	PER/YEAR	BANK CODE	CHECK AMOUNT
ACCOUNT #	TRN DATE								TRN AMOUNT
10/30/2009 667480	MATTHEW WILSON		90	MILEAGE REIMB/QUINTANA	WILSON MATTHEW	F36479	10/2009		40.72
101-0510-510.29-01	10/13/2009			WITNESS FEE/QUINTANA	WILSON MATTHEW	F36479	10/2009		30.72
101-0510-510.29-01	10/13/2009								10.00
10/30/2009 667489	NAVE, MAUREEN D		7701811		NAVE MAUREEN D		10/2009		48.92
101-0930-510.22-54	10/20/2009			2008 REFUND					48.92
10/30/2009 667481	MEIERS READY MIX		1131834	ROAD/HIGHWAY MATERIAL	283206	555293	10/2009		600.15
623-2713-570.45-00	10/02/2009			ROAD/HIGHWAY MATERIAL	283589	555293	10/2009		212.68
623-2713-570.45-00	10/12/2009			ROAD/HIGHWAY MATERIAL	283697	555293	10/2009		212.68
686-2102-570.45-00	10/14/2009			ROAD/HIGHWAY MATERIAL	283747	555293	10/2009		43.45
623-2713-570.45-00	10/15/2009								131.34
10/30/2009 667483	MHC KENWORTH		1002669	AUTO & TRUCK MAINT. ITEMS	T29560054604	555154	10/2009		281.79
614-0435-510.99-99	10/12/2009			AUTO & TRUCK MAINT. ITEMS	T29560054767	555154	10/2009		37.80
614-0435-510.99-99	10/19/2009								243.99
10/30/2009 667484	MICHELLE R KIPP		15	CLAIM 09 047	KIPP MICHELLE	F36490	10/2009		38.50
236-0930-510.32-04	10/15/2009								38.50
10/30/2009 667485	MIGHTY OF NE KANSAS		1000691	AUTO & TRUCK MAINT. ITEMS	021487	555993	10/2009		64.32
614-0435-510.99-98	10/16/2009								64.32
10/30/2009 667486	MOTHERS AGAINST DRUNK DRIVING		1003961	SEPT & OCT 2009	555775 7	555775	10/2009		280.00
560-0520-510.22-08	10/15/2009								280.00
10/30/2009 667487	NAACP - TOPEKA BRANCH		1302679	NAACP DINNER-1/2 TABLE	F36525	F36525	10/2009		187.50
101-1810-520.44-00	10/22/2009								187.50
10/30/2009 667488	NATALIE GEREN		44	SHELTER HOUSE DEPOSIT	GEREN NATALIE		10/2009		50.00
265-0000-227.40-00	10/19/2009								50.00
10/30/2009 667490	NEW WORLD SYSTEMS		1314030	COMPUTERS,DP & WORD PROC.	I0000065819 NWS	557884	10/2009		19,400.00
101-1820-520.29-00	09/30/2009			COMPUTERS,DP & WORD PROC.	I0000065821 NWS	557884	10/2009		5,000.00
101-1820-520.29-00	09/30/2009								14,400.00
10/30/2009 667497	O REILLY AUTO PARTS		1307849	AUTO & TRUCK MAINT. ITEMS	0152 484948	555159	10/2009		1,101.08
614-0435-510.99-99	10/01/2009			AUTO & TRUCK MAINT. ITEMS	0152 485026	555159	10/2009		31.38
614-0435-510.99-99	10/01/2009			AUTO & TRUCK MAINT. ITEMS	0152 486094	555159	10/2009		11.75
614-0435-510.99-99	10/06/2009			AUTO & TRUCK MAINT. ITEMS	0152 486148	555159	10/2009		60.41
614-0435-510.99-99	10/06/2009			AUTO & TRUCK MAINT. ITEMS	0152 485552	555221	10/2009		50.87
614-0435-510.99-98	10/04/2009			AUTO & TRUCK MAINT. ITEMS	0152 482890	555159	10/2009		3.48
614-0435-510.99-99	09/23/2009			AUTO & TRUCK MAINT. ITEMS	0152 482890CRAJ	555159	10/2009		107.80
614-0435-510.99-99	09/23/2009			#25219 HANDCLEANER	0152 485745	555159	10/2009		107.80-
614-0435-510.56-00	10/05/2009			AUTO & TRUCK MAINT. ITEMS	RP 0152 482890	555159	10/2009		93.96
614-0435-510.99-99	09/23/2009			AUTO & TRUCK MAINT. ITEMS	0152 486148CRAJ	555159	10/2009		107.80-
614-0435-510.99-99	10/06/2009			AUTO & TRUCK MAINT. ITEMS	0152 486668	555159	10/2009		.90-
614-0435-510.99-99	10/08/2009			AUTO & TRUCK MAINT. ITEMS	0152 486807	555159	10/2009		10.72
614-0435-510.99-99	10/08/2009								35.52

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PROGRAM: GM350LSPCL				FROM 10/26/2009 TO 11/01/2009				*ALL*	
City of Topeka									
CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	DESCRIPTION	INVOICE	PO #	PER/YEAR	BANK CODE	CHECK AMOUNT
ACCOUNT #	TRN DATE	TRN DATE	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	BANK CODE	TRN AMOUNT
10/30/2009 667364	667364	BAKER MD, PHILLIP	1003760	MISCELLANEOUS SERVICES	555389 7	555389	10/2009		750.00
640-0320-510.22-26		10/12/2009							750.00
10/30/2009 667500	667500	PTING CONTRACTORS OF KANSAS I	1160855	WATER SEWAGE TREATMENT EQ	17244	555620	10/2009		496.00
686-2180-572.27-00		10/06/2009							496.00
10/30/2009 667501	667501	POWER SYSTEMS ENGINEERING	1007253	DAMAGED CIRCUIT BOARD	092409LS	F36518	10/2009		227.32
613-0710-510.40-10		09/24/2009							227.32
10/30/2009 667502	667502	POWERPLAN	1101956	AUTO & TRUCK MAINT. ITEMS	326491	555156	10/2009		132.00
614-0435-510.99-99		10/15/2009							132.00
10/30/2009 667503	667503	PROFESSIONAL ENGINEERING	1307488	MISCELLANEOUS SERVICES	607596	553113	10/2009		30,993.47
870-8070-590.22-25		10/16/2009							30,910.00
291-3135-530.26-13		10/16/2009		PUBLIC WORKS/RELATED SERV	607598	555024	10/2009		83.47
10/30/2009 667504	667504	RADIOLOGY & NUCLEAR MEDICINE	1180149	MISCELLANEOUS SERVICES	405990847	555402	10/2009		681.72
640-0320-510.22-26		09/22/2009							313.93
640-0320-510.22-26		09/23/2009		MISCELLANEOUS SERVICES	405991020	555402	10/2009		171.27
640-0320-510.22-26		10/02/2009		MISCELLANEOUS SERVICES	405995370	555402	10/2009		158.93
640-0320-510.22-26		10/01/2009		MISCELLANEOUS SERVICES	405995431	555402	10/2009		37.59
10/30/2009 667505	667505	RICK'S CONCRETE SAWING	1181160	ROAD/HIGHWAY EQUIPMENT	09 2138	557877	10/2009		2,800.00
101-3110-520.27-35		09/05/2009							2,100.00
101-3110-520.27-35		09/05/2009		ROAD/HIGHWAY EQUIPMENT	09 2139	557877	10/2009		700.00
10/30/2009 667507	667507	ROACH HARDWARE	1181343	BLANKET ORDERS	120443	556915	10/2009		171.44
621-3680-571.56-00		09/30/2009		BLANKET ORDERS	120614	556915	10/2009		22.08
621-3610-571.41-00		10/05/2009		BLANKET ORDERS	120627	556915	10/2009		11.99
621-3680-571.56-00		10/05/2009		BLANKET ORDERS	120737	556915	10/2009		13.92
621-3610-571.56-00		10/06/2009		BLANKET ORDERS	120820	556915	10/2009		6.09
621-3610-571.48-00		10/08/2009		BLANKET ORDERS	120836	556915	10/2009		19.98
621-3610-571.56-00		10/08/2009		BLANKET ORDERS	120887	556915	10/2009		5.99
621-3610-571.56-00		10/09/2009		BLANKET ORDERS	120895	556915	10/2009		7.78
621-3610-571.56-00		10/09/2009		BLANKET ORDERS	120904	556915	10/2009		39.97
621-3610-571.56-00		10/09/2009		BLANKET ORDERS	120910	556915	10/2009		9.68
621-3610-571.56-00		10/09/2009		BLANKET ORDERS	120926	556915	10/2009		3.99
621-3610-571.56-00		10/13/2009		BLANKET ORDERS	121021	556915	10/2009		27.98
10/30/2009 667506	667506	ROACH HARDWARE	1181343	BLANKET ORDERS	121021	556915	10/2009		1.99
621-3610-571.56-00		10/13/2009							.00
10/30/2009 667509	667509	SAMANTHA JO BUYLE	88	OVERPAYMENT REFUND	BUYLE SAMANTHA	556915	10/2009		.00
621-0000-221.10-10		10/28/2009							54.78
10/30/2009 667513	667513	SCHENDEL SERVICES INC	1190265	BUILDING MAINTENANCE/REPR	21010166	557185	10/2009		824.00
101-3070-510.29-45		09/03/2009		BUILDING MAINTENANCE/REPR	21009659	557185	10/2009		15.00
101-3070-510.29-45		09/10/2009							15.00

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City of Topeka									
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ACCOUNT #									TRN AMOUNT
101-3070-510.29-45	09/14/2009	BUILDING MAINTENANCE/REPR	21009658	557185	10/2009				15.00
101-3070-510.29-45	09/14/2009	BUILDING MAINTENANCE/REPR	21009660	557185	10/2009				15.00
101-3070-510.29-45	09/14/2009	BUILDING MAINTENANCE/REPR	21010554	557185	10/2009				15.00
101-3070-510.29-45	09/15/2009	BUILDING MAINTENANCE/REPR	21009664	557185	10/2009				15.00
101-3070-510.29-45	09/17/2009	BUILDING MAINTENANCE/REPR	21010014	557185	10/2009				52.00
101-3070-510.29-45	09/17/2009	BUILDING MAINTENANCE/REPR	21010120	557185	10/2009				55.00
101-3070-510.29-45	09/17/2009	BUILDING MAINTENANCE/REPR	21010121	557185	10/2009				22.00
101-3070-510.29-45	09/17/2009	BUILDING MAINTENANCE/REPR	21010122	557185	10/2009				22.00
101-3070-510.29-45	09/18/2009	BUILDING MAINTENANCE/REPR	21009666	557185	10/2009				15.00
101-3070-510.29-45	09/21/2009	BUILDING MAINTENANCE/REPR	21009662	557185	10/2009				15.00
101-3070-510.29-45	09/24/2009	BUILDING MAINTENANCE/REPR	21009663	557185	10/2009				15.00
101-3070-510.29-45	09/24/2009	BUILDING MAINTENANCE/REPR	21009667	557185	10/2009				15.00
101-3070-510.29-45	09/25/2009	BUILDING MAINTENANCE/REPR	21009668	557185	10/2009				15.00
101-3070-510.29-45	09/29/2009	BUILDING MAINTENANCE/REPR	21009665	557185	10/2009				15.00
686-2180-572.26-00	09/29/2009	BUILDING MAINTENANCE/REPR	21009670	557185	10/2009				126.00
686-2170-572.26-00	09/29/2009	BUILDING MAINTENANCE/REPR	21009671	557185	10/2009				293.00
101-3070-510.29-45	09/29/2009	BUILDING MAINTENANCE/REPR	21010124	557185	10/2009				15.00
101-3070-510.29-45	09/29/2009	BUILDING MAINTENANCE/REPR	21010484	557185	10/2009				15.00
101-3070-510.29-45	10/15/2009	BUILDING MAINTENANCE/REPR	21012759	557185	10/2009				22.00
101-3070-510.29-45	10/15/2009	BUILDING MAINTENANCE/REPR	21012760	557185	10/2009				22.00
10/30/2009 667512	SCENDEL SERVICES INC	1190265							.00
101-3070-510.29-45	10/15/2009	BUILDING MAINTENANCE/REPR	21012760	557185	10/2009				.00
10/30/2009 667511	SCENDEL SERVICES INC	1190265							.00
101-3070-510.29-45	10/15/2009	BUILDING MAINTENANCE/REPR	21012760	557185	10/2009				.00
10/30/2009 667510	SCENDEL SERVICES INC	1190265							.00
101-3070-510.29-45	10/15/2009	BUILDING MAINTENANCE/REPR	21012760	557185	10/2009				.00
10/30/2009 667514	SENNE COMPANY INC	1301235							79,094.53
601-7205-572.26-03	09/20/2009	PUBLIC WORKS/RELATED SERV	6472	557011	10/2009				4,033.92
601-7205-572.26-03	09/30/2009	PUBLIC WORKS/RELATED SERV	6516	557011	10/2009				1,551.31
601-7205-572.26-03	09/30/2009	PUBLIC WORKS/RELATED SERV	6517	557011	10/2009				73,509.30
10/30/2009 667516	SHAWNEE COUNTY DEPT OF PUBLIC	1100074							2,548.00
291-3130-530.45-03	10/09/2009	ROAD & HIGHWAY MATERIALS	1426	557114	10/2009				2,548.00
10/30/2009 667515	SHAWNEE COUNTY DEPT OF CORRECT	1300996							107,089.06
101-0930-510.29-02	08/10/2009	JUNE 2009	555846 7	555846	10/2009				107,089.06
10/30/2009 667517	SHAWNEE COUNTY REGISTER DEEDS	1191433							101.00
740-6229-560.29-00	10/22/2009	BLANKET ORDERS	555322 20	555322	10/2009				101.00
10/30/2009 667518	SHAWNEE COUNTY TREASURER	1191469							127.00
614-0435-510.99-99	10/26/2009	VEHICLE REGISTRATION	3469043	555268	10/2009				25.00
614-0435-510.99-99	10/26/2009	VEHICLE REGISTRATION	51A0086372	555268	10/2009				25.50
614-0435-510.99-99	10/26/2009	VEHICLE REGISTRATION	51A0086373	555268	10/2009				25.50
614-0435-510.99-99	10/26/2009	VEHICLE REGISTRATION	51A0086374	555268	10/2009				25.50
614-0435-510.99-99	10/26/2009	VEHICLE REGISTRATION	51A0086375	555268	10/2009				25.50

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ACCOUNT #	TRN DATE							
10/30/2009	667519	SIEMENS WATER TECHNOLOGIES COR	1001298	MISCELLANEOUS SERVICES	8413631	555626	10/2009	5,259.80
686-2170-571.22-00								5,259.80
10/30/2009	667520	SIMILAR MODE UNIFORMS INC	1192134	CLOTHING & APPAREL	42448	557770	10/2009	185.50
291-3130-530.46-99								185.50
10/30/2009	667522	SKINNER NURSERY & GARDEN STORE	1192334	MISCELLANEOUS SERVICES	54879	555627	10/2009	4,689.00
623-2716-570.42-09								352.00
623-2716-570.42-09								380.00
623-2716-570.42-09								33.00
623-2716-570.42-09								11.00-
623-2716-570.42-09								2,700.00
623-2716-570.42-09								1,235.00
10/30/2009	667523	STANDARD BATTERY INC	1313453	AUTO & TRUCK MAINT. ITEMS	R18394	555224	10/2009	418.52
614-0435-510.99-98								126.18
614-0435-510.99-98								292.34
10/30/2009	667524	TARC INDUSTRIES EMPLOYMENT SER	1114819	MTRL HNDL SHRED-131 LBS	I0006716	F36379	10/2009	8.45
101-2010-520.22-99								8.45
10/30/2009	667525	TARWATER FARM & HOME SUPPLY	1200232	KENNEL GATE-BEIGHTEL	0830245	F36519	10/2009	193.59
101-1850-520.48-10								193.59
10/30/2009	667526	TASER INTERNATIONAL INC	1007860	TASER REPAIR	SI1176304	F36494	10/2009	1,100.00
101-1840-520.27-00								1,100.00
10/30/2009	667527	TFM COMM INC	1307405	EQUIPMENT MAINT & REPAIR	84590	557118	10/2009	761.68
291-3130-530.27-20								95.50
291-3130-530.27-20								666.18
10/30/2009	667535	THE LAUNDRY CHUTE	1007205	LAUNDRY/DRY CLEANING SERV	0237 5	557460	10/2009	384.60
623-2711-570.22-00								5.80
623-2712-570.22-00								2.88
623-2713-570.22-00								8.65
623-2716-570.22-00								.96
686-1785-570.22-00								2.88
686-2101-570.22-00								2.88
686-2170-571.22-00								15.38
686-2170-572.22-00								5.77
686-2180-571.22-00								5.77
686-2180-572.22-00								8.65
686-2185-572.22-00								8.65
686-2430-572.22-00								27.88
623-2711-570.22-00								5.80
623-2712-570.22-00								2.88
623-2713-570.22-00								8.65
623-2716-570.22-00								.96
686-1785-570.22-00								2.88

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City of Topeka									
CHECK DATE	CHECK NUMBER	VENDOR NAME	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	BANK CODE	CHECK AMOUNT
ACCOUNT #									TRN AMOUNT
686-2101-570.22-00	09/30/2009	LAUNDRY/DRY CLEANING SERV	0237 6	LAUNDRY/DRY CLEANING SERV	0237 6	557460	10/2009		2.88
686-2170-571.22-00	09/30/2009	LAUNDRY/DRY CLEANING SERV	0237 6	LAUNDRY/DRY CLEANING SERV	0237 6	557460	10/2009		15.38
686-2170-572.22-00	09/30/2009	LAUNDRY/DRY CLEANING SERV	0237 6	LAUNDRY/DRY CLEANING SERV	0237 6	557460	10/2009		5.77
686-2180-571.22-00	09/30/2009	LAUNDRY/DRY CLEANING SERV	0237 6	LAUNDRY/DRY CLEANING SERV	0237 6	557460	10/2009		5.77
686-2180-572.22-00	09/30/2009	LAUNDRY/DRY CLEANING SERV	0237 6	LAUNDRY/DRY CLEANING SERV	0237 6	557460	10/2009		8.65
686-2185-572.22-00	09/30/2009	LAUNDRY/DRY CLEANING SERV	0237 6	LAUNDRY/DRY CLEANING SERV	0237 6	557460	10/2009		8.65
686-2430-572.22-00	09/30/2009	LAUNDRY/DRY CLEANING SERV	0237 6	LAUNDRY/DRY CLEANING SERV	0237 6	557460	10/2009		27.88
623-2711-570.22-00	10/07/2009	LAUNDRY/DRY CLEANING SERV	0237 7	LAUNDRY/DRY CLEANING SERV	0237 7	557460	10/2009		5.80
623-2712-570.22-00	10/07/2009	LAUNDRY/DRY CLEANING SERV	0237 7	LAUNDRY/DRY CLEANING SERV	0237 7	557460	10/2009		2.88
623-2713-570.22-00	10/07/2009	LAUNDRY/DRY CLEANING SERV	0237 7	LAUNDRY/DRY CLEANING SERV	0237 7	557460	10/2009		8.65
623-2716-570.22-00	10/07/2009	LAUNDRY/DRY CLEANING SERV	0237 7	LAUNDRY/DRY CLEANING SERV	0237 7	557460	10/2009		.96
686-1785-570.22-00	10/07/2009	LAUNDRY/DRY CLEANING SERV	0237 7	LAUNDRY/DRY CLEANING SERV	0237 7	557460	10/2009		2.88
686-2101-570.22-00	10/07/2009	LAUNDRY/DRY CLEANING SERV	0237 7	LAUNDRY/DRY CLEANING SERV	0237 7	557460	10/2009		2.88
686-2170-571.22-00	10/07/2009	LAUNDRY/DRY CLEANING SERV	0237 7	LAUNDRY/DRY CLEANING SERV	0237 7	557460	10/2009		15.38
686-2170-572.22-00	10/07/2009	LAUNDRY/DRY CLEANING SERV	0237 7	LAUNDRY/DRY CLEANING SERV	0237 7	557460	10/2009		5.77
686-2180-571.22-00	10/07/2009	LAUNDRY/DRY CLEANING SERV	0237 7	LAUNDRY/DRY CLEANING SERV	0237 7	557460	10/2009		5.77
686-2180-572.22-00	10/07/2009	LAUNDRY/DRY CLEANING SERV	0237 7	LAUNDRY/DRY CLEANING SERV	0237 7	557460	10/2009		8.65
686-2185-572.22-00	10/07/2009	LAUNDRY/DRY CLEANING SERV	0237 7	LAUNDRY/DRY CLEANING SERV	0237 7	557460	10/2009		27.88
686-2430-572.22-00	10/07/2009	LAUNDRY/DRY CLEANING SERV	0237 8	LAUNDRY/DRY CLEANING SERV	0237 8	557460	10/2009		5.68
623-2711-570.22-00	10/14/2009	LAUNDRY/DRY CLEANING SERV	0237 8	LAUNDRY/DRY CLEANING SERV	0237 8	557460	10/2009		2.90
623-2712-570.22-00	10/14/2009	LAUNDRY/DRY CLEANING SERV	0237 8	LAUNDRY/DRY CLEANING SERV	0237 8	557460	10/2009		8.66
623-2713-570.22-00	10/14/2009	LAUNDRY/DRY CLEANING SERV	0237 8	LAUNDRY/DRY CLEANING SERV	0237 8	557460	10/2009		.97
623-2716-570.22-00	10/14/2009	LAUNDRY/DRY CLEANING SERV	0237 8	LAUNDRY/DRY CLEANING SERV	0237 8	557460	10/2009		2.90
686-1785-570.22-00	10/14/2009	LAUNDRY/DRY CLEANING SERV	0237 8	LAUNDRY/DRY CLEANING SERV	0237 8	557460	10/2009		2.90
686-2101-570.22-00	10/14/2009	LAUNDRY/DRY CLEANING SERV	0237 8	LAUNDRY/DRY CLEANING SERV	0237 8	557460	10/2009		15.40
686-2170-571.22-00	10/14/2009	LAUNDRY/DRY CLEANING SERV	0237 8	LAUNDRY/DRY CLEANING SERV	0237 8	557460	10/2009		5.77
686-2170-572.22-00	10/14/2009	LAUNDRY/DRY CLEANING SERV	0237 8	LAUNDRY/DRY CLEANING SERV	0237 8	557460	10/2009		5.77
686-2180-571.22-00	10/14/2009	LAUNDRY/DRY CLEANING SERV	0237 8	LAUNDRY/DRY CLEANING SERV	0237 8	557460	10/2009		8.66
686-2180-572.22-00	10/14/2009	LAUNDRY/DRY CLEANING SERV	0237 8	LAUNDRY/DRY CLEANING SERV	0237 8	557460	10/2009		27.88
686-2185-572.22-00	10/14/2009	LAUNDRY/DRY CLEANING SERV	0237 8	LAUNDRY/DRY CLEANING SERV	0237 8	557460	10/2009		8.66
686-2430-572.22-00	10/14/2009	LAUNDRY/DRY CLEANING SERV	0237 8	LAUNDRY/DRY CLEANING SERV	0237 8	557460	10/2009		27.88
10/30/2009 667534	THE LAUNDRY CHUTE	1007205	0237 8	LAUNDRY/DRY CLEANING SERV	0237 8	557460	10/2009		.00
686-2430-572.22-00	10/14/2009	LAUNDRY/DRY CLEANING SERV	0237 8	LAUNDRY/DRY CLEANING SERV	0237 8	557460	10/2009		.00
10/30/2009 667533	THE LAUNDRY CHUTE	1007205	0237 8	LAUNDRY/DRY CLEANING SERV	0237 8	557460	10/2009		.00
686-2430-572.22-00	10/14/2009	LAUNDRY/DRY CLEANING SERV	0237 8	LAUNDRY/DRY CLEANING SERV	0237 8	557460	10/2009		.00
10/30/2009 667532	THE LAUNDRY CHUTE	1007205	0237 8	LAUNDRY/DRY CLEANING SERV	0237 8	557460	10/2009		.00
686-2430-572.22-00	10/14/2009	LAUNDRY/DRY CLEANING SERV	0237 8	LAUNDRY/DRY CLEANING SERV	0237 8	557460	10/2009		.00
10/30/2009 667531	THE LAUNDRY CHUTE	1007205	0237 8	LAUNDRY/DRY CLEANING SERV	0237 8	557460	10/2009		.00
686-2430-572.22-00	10/14/2009	LAUNDRY/DRY CLEANING SERV	0237 8	LAUNDRY/DRY CLEANING SERV	0237 8	557460	10/2009		.00
10/30/2009 667530	THE LAUNDRY CHUTE	1007205	0237 8	LAUNDRY/DRY CLEANING SERV	0237 8	557460	10/2009		.00
686-2430-572.22-00	10/14/2009	LAUNDRY/DRY CLEANING SERV	0237 8	LAUNDRY/DRY CLEANING SERV	0237 8	557460	10/2009		.00
10/30/2009 667529	THE LAUNDRY CHUTE	1007205	0237 8	LAUNDRY/DRY CLEANING SERV	0237 8	557460	10/2009		.00
686-2430-572.22-00	10/14/2009	LAUNDRY/DRY CLEANING SERV	0237 8	LAUNDRY/DRY CLEANING SERV	0237 8	557460	10/2009		.00
10/30/2009 667528	THE LAUNDRY CHUTE	1007205	0237 8	LAUNDRY/DRY CLEANING SERV	0237 8	557460	10/2009		.00
686-2430-572.22-00	10/14/2009	LAUNDRY/DRY CLEANING SERV	0237 8	LAUNDRY/DRY CLEANING SERV	0237 8	557460	10/2009		.00

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ACCOUNT #	TEN DATE	DESCRIPTION					TRN AMOUNT
10/30/2009	667536	THOMAS LEONARD	90				33.88
101-0510-510.29-01	10/06/2009	MILEAGE REIMB/RALSTON		LEONARD THOMAS	F36467	10/2009	23.88
101-0510-510.29-01	10/06/2009	WITNESS FEE/RALSTON		LEONARD THOMAS	F36467	10/2009	10.00
10/30/2009	667537	TOPEKA ELECTRIC MOTOR REPAIR I	1201905				3,793.80
686-2101-570.27-00	09/30/2009	WATER SEWAGE TREATMENT EQ		29351	557818	10/2009	3,131.80
686-2170-572.27-00	10/08/2009	EQUIPMENT MAINT & REPAIR		29477	557875	10/2009	662.00
10/30/2009	667538	TOPEKA HEATING AND COOLING	1308653				796.00
101-3110-520.48-10	10/14/2009	AIR CONDITIONING & HEATING		5871	557710	10/2009	796.00
10/30/2009	667539	TOPEKA TRANSMISSION SERVICE IN	1110788				1,922.10
614-0435-510.99-99	10/13/2009	AUTO & TRUCK MAINT. ITEMS		40689	555177	10/2009	1,922.10
10/30/2009	667540	TRAVELERS INSURANCE COMPANY	1309335				203.00
641-0000-204.00-00	10/09/2009	AUTO LIAB--SEPT 09		1426605		10/2009	203.00
10/30/2009	667541	TURBOFLARE USA	1003594				659.20
760-1171-520.48-10	10/14/2009	POLICE EQUIPMENT & SUPPLY		1697	557781	10/2009	639.20
760-1171-520.48-10	10/14/2009	SHIPPING AND HANDLING		1697	557781	10/2009	20.00
10/30/2009	667542	TYLER ABEL	90				30.72
101-0510-510.29-01	10/21/2009	MILEAGE REIMB/CLOYD		ABEL TYLER	F36516	10/2009	20.72
101-0510-510.29-01	10/21/2009	WITNESS FEE/CLOYD		ABEL TYLER	F36516	10/2009	10.00
10/30/2009	667543	CONFIDENTIAL-HIPAA REG	13				114.00
530-0000-227.00-00	10/22/2009	MUNI COURT OVERPMT (BOND)		HIPPA REG		10/2009	114.00
10/30/2009	667376	BRUHNS, VERA A	7702648				92.71
101-0930-510.22-54	10/20/2009	2008 REFUND		BRUHNS VERA A		10/2009	92.71
10/30/2009	667544	VETERINARY MEDICAL & SURGICAL	1000107				663.96
101-1850-520.22-00	10/15/2009	ANIMAL FEED & BEDDING		40765	555432	10/2009	80.08
101-1850-520.22-00	10/15/2009	ANIMAL FEED & BEDDING		40819	555432	10/2009	42.29
101-1850-520.22-00	10/15/2009	ANIMAL FEED & BEDDING		40364	555432	10/2009	344.05
101-1850-520.22-00	10/15/2009	ANIMAL FEED & BEDDING		41020	555432	10/2009	147.12
101-1850-520.22-00	10/15/2009	ANIMAL FEED & BEDDING		40502	555432	10/2009	50.42
10/30/2009	667545	VICTOR L PHILLIPS COMPANY INC	1300161				3,246.80
614-0435-510.99-99	10/14/2009	AUTO & TRUCK MAINT. ITEMS		WT28424	555181	10/2009	1,498.57
614-0435-510.99-99	10/16/2009	AUTO & TRUCK MAINT. ITEMS		WT28437	555181	10/2009	1,748.23
10/30/2009	667372	BRIDGES, WELLS F	2101830				149.50
265-4139-540.22-02	10/16/2009	MISCELLANEOUS SERVICES		557644 1	557644	10/2009	149.50
10/30/2009	667547	WESTAR ENERGY	1110646				38,187.09
101-3046-510.20-01	10/16/2009	ENGINEERING		0165524685SEP09		10/2009	236.70
101-3070-510.20-01	10/16/2009	MUNICIPAL BLDG MAINT		0391107126SEP09		10/2009	12,557.30
101-3070-510.20-01	10/16/2009	CYRUS K HOLLIDAY BLDG		0306303686SEP09		10/2009	6,249.66

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City of Topeka						*ALL*	
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ACCOUNT #							
101-3070-510.20-01		LEC/FLEET/COUNTY	10/16/2009	LEC/FLEET/COUNTY	9673824013SEP09		10/2009
614-0435-510.20-01		LEC/FLEET/COUNTY	10/16/2009	LEC/FLEET/COUNTY	9673824013SEP09		10/2009
101-3070-510.20-30		LEC/FLEET/COUNTY	10/16/2009	LEC/FLEET/COUNTY	9673824013SEP09		10/2009
101-3070-510.20-30		LEC/FLEET/COUNTY	10/16/2009	LEC/FLEET/COUNTY	9673824013SEP09		10/2009
101-3070-510.20-30		LEC/FLEET/COUNTY	10/16/2009	LEC/FLEET/COUNTY	9673824013SEP09		10/2009
10/30/2009 667546		WESTAR ENERGY		11110646			
101-3070-510.20-30		10/16/2009		LEC/FLEET/COUNTY	9673824013SEP09		10/2009
10/30/2009 667548		WHITE STAR MACHINERY & SUPPLY	1308742	AUTO & TRUCK MAINT. ITEMS	06030572	555183	10/2009
614-0435-510.99-99		10/14/2009		EQUIPMENT RENTAL	06028246	556750	10/2009
623-2717-570.28-00		09/03/2009		EQUIPMENT RENTAL	06028703 CR	556750	10/2009
623-2717-570.28-00		09/15/2009		EQUIPMENT RENTAL	06028246	556750	10/2009
623-2717-570.28-00		09/03/2009		AUTO & TRUCK MAINT. ITEMS	06030306	555183	10/2009
614-0435-510.99-99		10/09/2009		AUTO & TRUCK MAINT. ITEMS	06030632	555183	10/2009
614-0435-510.99-99		10/14/2009		WINGFOOT COMMERCIAL TIRE SYSTE	1003144		
10/30/2009 667549		10/12/2009		AUTO & TRUCK MAINT. ITEMS	123 1033692	555184	10/2009
614-0435-510.99-99		11/07/2009		WOOD VALLEY RACQUET CLUB & FIT	1300367		
10/30/2009 667550		265-4166-540.22-10		NOVEMBER 2009 SERVICES	555525 11	555525	11/2009
10/30/2009 667551		WYNN'S		1006182			
614-0435-510.99-98		10/12/2009		AUTO & TRUCK MAINT. ITEMS	0003281368	555237	10/2009
NUMBER OF CHECKS-	155			DATE RANGE TOTAL *			496,356.55 *

TRN AMOUNT

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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

November 2, 2009

+ Back Print

DATE: November 17, 2009

CONTACT PERSON: Bill Hoover/David Thurbon **DOCUMENT #:** Z09/7

SECOND PARTY/SUBJECT: Edward and Debra Hoffman **PROJECT #:** N/A

CATEGORY/SUBCATEGORY 014 Ordinances – Non-Codified / 007 Zoning

CIP PROJECT: No

ACTION OF COUNCIL: **JOURNAL #:**

PAGE #:

DOCUMENT DESCRIPTION:

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr. amending the “District Map” referred to and made a part of the Zoning Ordinances by Section 48-1.04 of the Code of the City of Topeka, by providing for certain changes in zoning on property located at 1168 SW Mission Avenue from “R-1” Single Family Dwelling District TO “O&I-1” Office and Institutional District. Final Reading. (Z09/7) (Council District No. 9)

Voting Requirement: Majority vote of the Governing Body, including the Mayor.

(Approval would allow the property to be used for office and/or institutional uses.)

POLICY ISSUE:

Request is consistent with the policies and principles of the Topeka Land Use and Growth Management Plan - 2025.

STAFF RECOMMENDATION:

The Planning Commission recommended this proposal be **APPROVED** by a vote of **8-0-0** at their October 19, 2009 meeting as referenced in their attached minutes. The Planning Department recommended that this request be **APPROVED** as referenced in the attached staff report.

BACKGROUND:

- See staff report.
- Governing Body options:
- **Adopt** the recommendation of the Planning Commission by Ordinance (6 votes),
- **Override** the Planning Commission's recommendation by a two-thirds majority of Governing Body membership (7 votes); or,
- **Return** such recommendation to the Planning Commission with a statement specifying the basis for the Governing Body's failure to approve or disapprove.

BUDGETARY IMPACT:

N/A

Item #13

SOURCE OF FUNDING:

N/A

ATTACHMENTS:

[ordinance](#)

[staff report](#)

[aerial map](#)

[zoning map](#)

[Rezoning application](#)

[Planning Commission Minutes](#)

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr. amending the "District Map" referred to and made a part of the Zoning Ordinances by Section 48-1.04 of the Code of the City of Topeka, by providing for certain changes in zoning on property located at 1168 SW Mission Avenue from "R-1" Single Family Dwelling District **TO** "O&I-1" Office and Institutional District. **(Z09/7)**
(Council District No. 9)

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

Section 1. That the "District Map" referred to and made a part of the Zoning Ordinances by Section 48-1.04 of the Code of the City of Topeka, be, and the same is hereby amended, by classifying the following described property:

Lots 20 and 22 Boyntons Addition Replat, Shawnee County, Kansas.

from "R-1" Single Family Dwelling District **TO** "O&I-1" Office and Institutional District.

Section 2. This Ordinance Number shall be fixed upon the "District Map".

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. 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 Governing Body of the City of Topeka,
_____, 2009.

William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk

To Be Codified _____
Not To Be Codified X

October 19, 2009
Agenda Item # E-1

ZONING REPORT

CITY OF TOPEKA PLANNING DEPARTMENT

CASE NO: Z09/7

by: Edward & Debra Hoffman

PROPOSAL: Zone change from "R-1" Single-Family Dwelling District TO "O&I-1" Office and Institutional District.

LOCATION: 1168 SW Mission Avenue

PRESENT USE: The subject property comprises 6,900 sq. ft and contains a 624 sq. ft. single-family residence. The applicant stated in their rezoning application the property has been in part-time use as a "by appointment only" therapeutic massage business for the past four months.

PROPOSED USE: To bring the existing therapeutic massage business into conformance under the proper zoning classification. (There are no pending home occupation permits or zoning violations for a business on the subject property.) Since the house is not occupied as a residence, it cannot have a home occupation.

CHARACTER OF NEIGHBORHOOD: The blocks on either side SW Mission lie within a transitional area between the Gage commercial corridor to the east and a single-family dwelling district to the west. The property is located at a point where SW 12th joins SW Huntoon and is bordered on the east side by two fast-food style restaurants. The property is bordered on the west by vacant lots and a veterinarian's clinic. A cellular tower and a McDonald's restaurant are located just to the south of SW 12th Street.

ZONING CLASSIFICATION AND USE OF SURROUNDING PROPERTIES:

	ZONING CLASSIFICATION	PRESENT LAND USE
North:	"R-1" Single-Family Dwelling District	Single-family residence
South:	"C-2" Commercial District	Beauty salon
East:	"C-4" Commercial District	Sonic Drive-in and Arby's Drive-thru restaurants
West:	"C-4" Commercial District "R-1" Single-Family Dwelling District	Veterinarian's clinic Vacant

October 19, 2009
Agenda Item # E-1

LENGTH OF TIME PROPERTY HAS REMAINED VACANT AS ZONED OR USED FOR ITS CURRENT USE UNDER PRESENT CLASSIFICATION: The property has been used for single-family residential since the existing residence was built in 1945. The property was annexed into the City in approximately 1950 and has remained zoned for single-family residential ever since.

SUITABILITY OF PROPERTY FOR USES TO WHICH IT HAS BEEN RESTRICTED: The property may still be suitable for single-family residential land uses since it lies to the south of an existing residence and has been used for a residence historically in the past. However, considering the surrounding commercial development bordering this property, the small size of the home, and its location on the highly traveled SW 12th Street connection to SW Huntoon, a small-scale office use without high parking demands may also be appropriate.

CONFORMANCE TO COMPREHENSIVE PLAN: The Topeka Land Use and Growth Management Plan – 2025 designates the blocks along SW Mission for *commercial/office* land uses, making this proposal in conformance to the Comprehensive Plan.

THE EXTENT TO WHICH REMOVAL OF THE RESTRICTIONS WILL DETRIMENTALLY AFFECT NEARBY PROPERTIES: There should be a minimal detrimental effect upon the adjacent single-family residential property as the existing structure will remain unchanged on the outside and will have a low traffic impact on the neighborhood. Due to the size of the lot, any new office buildings that could potentially be built under this zoning classification would have a difficult time meeting all required City regulations – setbacks, landscaping, parking, etc., and still remain as a buildable lot.

THE RELATIVE GAIN TO THE PUBLIC HEALTH, SAFETY AND WELFARE BY THE DESTRUCTION OF THE VALUE OF THE OWNER'S PROPERTY AS COMPARED TO THE HARDSHIP IMPOSED UPON THE INDIVIDUAL LANDOWNER: The proposed reclassification would allow the property to develop in a manner consistent with the pattern of surrounding land uses and allow for a transition between the commercial use to the south and the residential use to the north. As minimal detrimental effects are anticipated and the existing residential structure will remain unchanged on the outside, there should be no significant loss to public health, safety, and welfare by the reclassification of this area.

AVAILABILITY OF PUBLIC SERVICES: All essential public utilities, services and facilities are presently available to this area.

COMPLIANCE WITH ZONING AND SUBDIVISION REGULATIONS: The business will have to meet City parking regulations at one space per 300 sq. ft. of ground floor area for medical office uses, which will require the business provide at least two off-street parking spaces. As required by City parking lot standards, these spaces will need to be paved to City standards.

Minimum Lot Area: **Non-Compliant** – 6,900 sq. ft. The minimum lot area in the O&I District is 7,500 sq. ft. However, pursuant to Sect. 48-27.01(f) of the Comprehensive Zoning Regulations, an administrative variance to the minimum lot size requirement may be granted for lots filing a rezoning application if:

October 19, 2009
Agenda Item # E-1

- a.) The lot size comprises at least 90 percent of the lot size requirement of the desired zoning district- **Compliant**
- b.) The use group is comparable to that of the surrounding neighborhood – **Compliant** – The desired zoning classification will act as a transitional zoning district between commercial zoning to the south and residential zoning to the north and is consistent with the surrounding area.
- c.) The proposed rezoning does not conflict, or alternatively, promotes the policies of the Comprehensive Plan – **Compliant** – The Topeka Land Use and Growth Management Plan – 2025 designates this area for *commercial/office* land uses.

Therefore, the Planning Director has approved an administrative variance to the required minimum lot size based upon the proposal meeting these provisions.

Setbacks: **Compliant** – (25’ front, 7’ side, 25’ rear) – The existing structure meets the required setbacks in the “O&I-1” District.

Platting: **Compliant** – The property is platted as Lots 20 and 22, Mission Avenue, Boynton’s Addition replat.

CONCERNS OF STAFF AND REVIEWING AGENCIES: This request was submitted to all applicable reviewing agency staff for consideration and comment and all relevant issues were addressed. All required off-street vehicle parking spaces shall be paved according to City parking lot standards.

ADDITIONAL FACTORS:

- 1. Neighborhood Improvement Association/Neighborhood Association: N/A
- 2. Capitol Area Plaza Authority: N/A
- 3. Flood Hazard Area: N/A
- 4. Airport Hazard Area: N/A
- 5. Historic Properties: No registered properties within 500’.

STAFF RECOMMENDATION: Based upon the above findings and analysis, the planning staff recommends **APPROVAL** of this proposal.

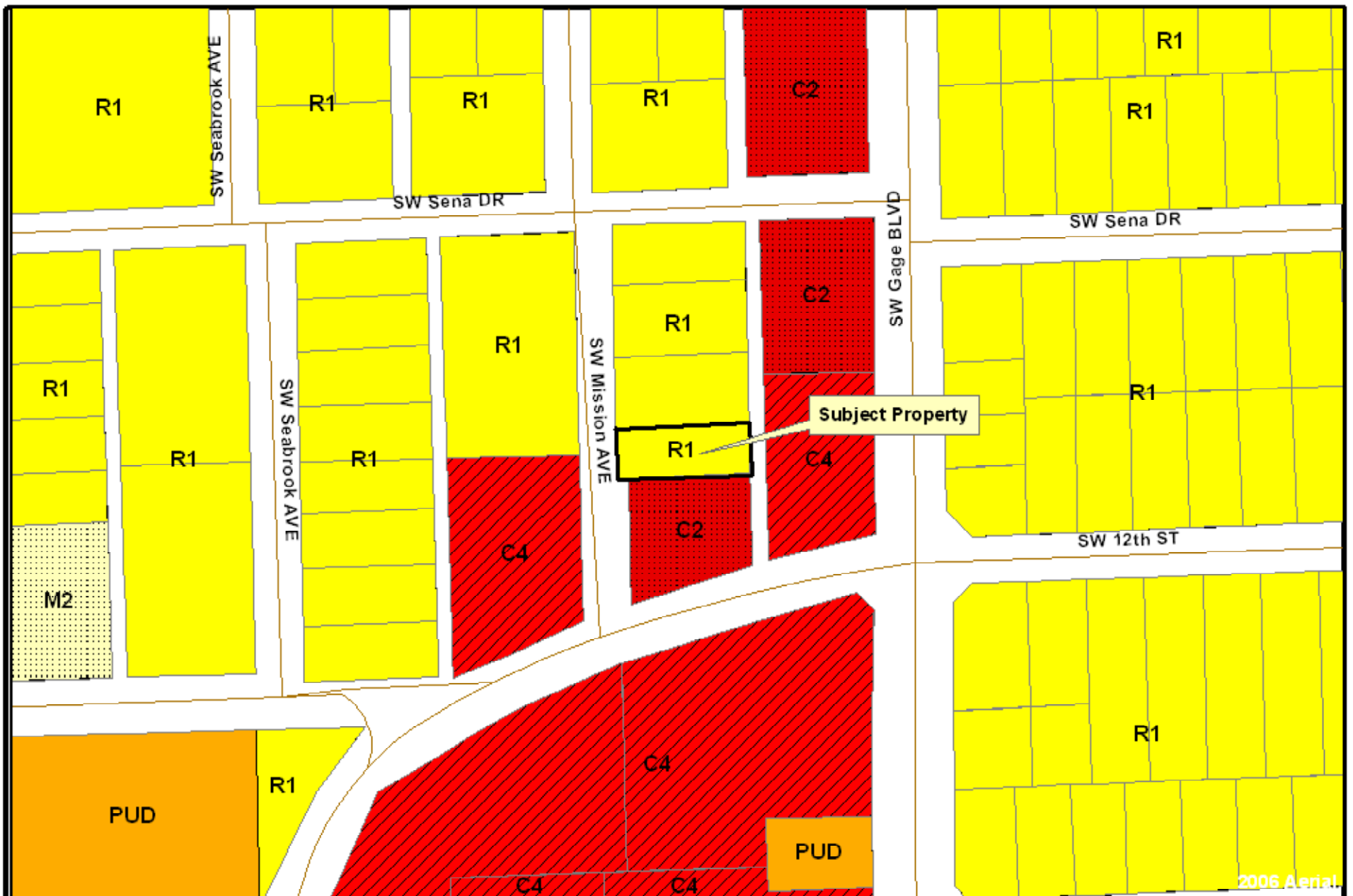
Prepared by:
Annie Driver, Planner I



Z09/7 by: Edward & Debra Hoffman



City of Topeka Planning Department



Z09/7 by: Edward & Debra Hoffman





Zoning Application Form

(including PUDs and CUPs)

City of Topeka Planning Department
620 SE Madison, 3rd Floor (Unit #11)
Topeka, KS 66607-1118
Phone 785-368-3728 Fax 785-368-2535
www.topeka.org/planning

Applicant Information

Property Owner(s): Edward Craig Hoffman and Debra Kay Hoffman

X Street Address: 525 N.E. 43rd St
City: Topeka State: KS Zip: 66607 E-mail: Debra.Hoffman73
Work phone: 232-5745 Home phone: 286-2733 Fax: @ya.hoo.com

Authorized Owner Representative (if any): _____

Street Address: _____
City: _____ State: _____ Zip: _____ E-mail: _____
Work phone: _____ Home phone: _____ Fax: _____

Authorized Professional Agent (Engineer, Architect, Attorney, etc.) – if different from above

Street Address: _____
City: _____ State: _____ Zip: _____ E-mail: _____
Work phone: _____ Home phone: _____ Fax: _____

Authorization

I (we) am (are) the owner(s) of record for the subject property and hereby authorize filing of this application and any agent listed in this application to represent the owner(s). I (we) allow posting of signage on the property by the City of Topeka for the requested zoning change. I (we) declare that all submitted information is complete and accurate. I (we) hereby acknowledge that all zoning application procedures have been reviewed and understood as part of this submittal.

X Owner 1 Name: Debra K. Hoffman
Owner 1 Signature: Debra K. Hoffman Date: 9-2-09
X Owner 2 Name: Edward C. Hoffman
Owner 2 Signature: Edward C. Hoffman Date: 9/2/09

Requested Action and Site Information

Address or Location of Property to be Re-Zoned: 1168 SW Mission Ave.Legal Description of Property*: lot(s) 20+22 block _____ subdivision Bayntons Addition Replat
lot(s) _____ block _____ subdivision (see attached ILC)

*if unplatted, attach metes and bounds description

Total Area (acres/square feet): 50' X 130' 0900 sf

Type of Application:

1. Re-zoning from: R-1 to: O+I-1 ~~(see attached ILC)~~
2. Planned Unit Development (PUD) zoning use group(s): _____
3. Conditional Use Permit (CUP) proposed use: _____

Existing Use(s) on the property: Massage TherapyHow long has the existing use been active on the property? 4 months

Proposed Use(s), if known (please describe to ensure conformity to the proposed zoning):

I am a Certified Massage Therapist
and I would like to open my place
of business.Was a Pre-Application Meeting or Zoning Inquiry completed with Staff? X If Yes, when? 8/21/09

FOR OFFICE USE ONLY

Date submitted: 9/4/09Application no.: 20917Filing fee: 650⁰⁰ Receipt no.: 11960Date notice sent: 9/25/09Date advertised: 9/25/09Date of hearing: 10/19/09Council district: #9NIA/NA: none

Items Missing? Yes ___ No ___ List any incomplete items:

Applicant Justification

This section is intended to provide you with the opportunity to present information in support of your request. It is important to bear in mind that the presumption of validity rests with the present zoning and use of the property. It is the burden of the applicant to demonstrate that the proposed change in zoning or proposed conditional use is appropriate. Please attach additional sheets if necessary.

1. How is the land more suitable for the uses allowed under your proposed zoning vs. the uses allowed under the current zoning?

With the improvements already made to the property I think a small business will improve the overall Property Value. There are already businesses next to my property and this seems a likely step toward improvement of the surrounding area. We hope to grow & promote as a small business that will add to the overall area.

2. What effect would the proposed zoning have on the character of the neighborhood and surrounding properties?

Since there are already businesses next to my property, it seems adverse effect to the neighborhood or surrounding properties. We have taken an eye sore piece of property and completely restarted it. I believe it will only have a positive effect.

3. If known, how does the proposed zoning conform to the City's Comprehensive Plan?

N/A

Real Property Tax Status

As part of the official application for a zoning amendment, the Zoning Regulations of the City of Topeka require:

"Proof that all real property taxes are paid to date and are current for the subject property. In the event real property taxes including any special assessments are delinquent, the application shall not be scheduled for public hearing until such time all taxes are paid or satisfactory escrow arrangements for the payment of such taxes or special assessment have been made and presented to the City Attorney's Office for approval."

There are two ways to provide proof with this application:

1. Submit a copy of the property's tax status found on-line at the Shawnee County Appraiser's web-site (<http://www.co.shawnee.ks.us/Ap/>). Click on "residential search" or "commercial search", input the address, and follow the links to the property's tax information. Print off the Shawnee County Treasurer's page indicating the amount of any unpaid property tax.

OR

2. Complete the information below at the Shawnee County Register of Deeds and the Shawnee County Treasurer for verification of real property tax/special assessment status. Both offices must sign the form below for it to be complete. The Register of Deeds and Treasurer of Shawnee County, Kansas, are located in the Shawnee County Courthouse, 200 S.E. 7th Street, Topeka, Kansas, Rooms 108 and 101, respectively

Applicant

Property Address: _____

Owner of Record Name(s): _____

Legal Description: _____

Shawnee County Register of Deeds

Property Identification Number (PIN): _____

X _____

Shawnee County Register of Deeds

Date _____

Shawnee County Treasurer

As of this date, I hereby certify that the real property tax liabilities and special assessments applicable to the property described and identified above, to be of the following status:

Paid in Full _____ Current _____ Delinquent _____ In Dispute _____ Exempt _____

X _____

Shawnee County Treasurer

Date _____

Taxes current as of 9/4/09.
Amir, Planning Dept.

Infrastructure Availability (optional)

Please consult the Engineering Division of Topeka Public Works Department for information below (368-3842)

1. Water

- a. Location and size of water main serving site:
- b. Does the current system have adequate capacity?

2. Sanitary Sewer

- a. Location and size of sewer main serving site:
- b. Does the current system have adequate capacity? If not, are improvements anticipated?

3. Storm Drainage

- a. How will storm water run-off be handled on site?
- b. Does the current storm sewer system have adequate capacity for proposed use?

4. Traffic Circulation

- a. What are the site's existing and proposed access points?

EXISTING OR PROPOSED
PARKING SPACES?

we really only need Two and no more than three parking spaces
Driveway is gravel. I hope to asphalt
Are any street or traffic control improvements proposed? in near future

INTEGRITY

Integrity is the quality of being honest and having strong moral principles.

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DRAFT

**Minutes of the
Topeka Planning Commission
October 19, 2009**

Z09/7 by Edward C and Debra K Hoffman requesting to amend the District Zoning Classification from “R-1” Single-Family Dwelling District **TO** “O&I-1” Office and Institutional District on property located at 1168 SW Mission Avenue. **(Driver)** Annie Driver summarized the staff report.

Discussion by members:

Doug Bassett asked if the lot to the north is vacant? Ms. Driver replied there is a house on it.

Michelle Hoferer asked when the map showing the Gage corridor was created? She said she hadn't seen this map before. David Thurbon added Annie created it. Ms. Driver added it is based on a map out of the Land Use Growth Management Plan. Mr. Thurbon said he would rather the commission rely on the neighborhood plans. He said this map is useful to show zoning patterns. Ms. Hoferer said this is a useful map for the commission. Mr. Thurbon said he would make note of it.

Mark Boyd said he had a conversation with someone about the parking lot being paved to city standards. He said it could have been someone asking on behalf of the applicant. Mr. Boyd asked if the parking lot will be reviewed or is there room for adjustment? Mr. Thurbon replied they could apply for a variance through the Board of Zoning Appeals if there is a basis for it.

No one spoke in favor or in opposition to the request.

Exparte communications – Mark Boyd stated he had someone contact him on behalf of the applicant regarding parking lot requirements.

Michelle Hoferer moved approval as written by staff, seconded by Lee Williams. **APPROVAL. (8-0-0)**



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

October 27, 2009

+ Back Print

DATE: November 17, 2009

CONTACT PERSON: Bill Hoover/David Thurbon **DOCUMENT #:**

SECOND PARTY/SUBJECT: Jeffery J. Alderman, Executive Director Kansas Bar Association **PROJECT #:** CU09/5

CATEGORY/SUBCATEGORY 020 Resolutions / 001 Special Permits

CIP PROJECT: No

ACTION OF COUNCIL: **JOURNAL #:**
PAGE #:

DOCUMENT DESCRIPTION:

A RESOLUTION introduced by City Manager Norton N. Bonaparte, Jr., in accordance with Section 48-10.02(c)(7) and 48-12.02(c)(10) of the Code of the City of Topeka, approving a Conditional Use Permit to allow for a vehicle surface parking lot in association with a principal use on property currently zoned "M-3" Multiple Family Dwelling District and "O&I-2" Office Institutional District on property located at 1253, 1257 and 1263 SW Harrison Street in the City of Topeka, Kansas. (CU09/5) (Council District No. 1)

Voting Requirement: Majority vote of the Governing Body, including the Mayor.

(Approval would allow use of the site for a vehicle surface parking lot in association with a principal use.)

POLICY ISSUE:

Request is consistent with the land use principles of the Comprehensive Plan. See attached Planning Commission minutes for a detailed discussion of the issues.

STAFF RECOMMENDATION:

The Planning Commission recommended this proposal be conditionally **APPROVED** by a vote of **6-0-0** at their **September 28, 2009** meeting as referenced in their attached minutes. The Planning Department recommended that this request be conditionally **APPROVED** as referenced in the attached staff report dated September 21, 2009.

BACKGROUND:

Item #14

- See Staff Report.
- Governing Body options:
 - **Adopt** the recommendation of the Planning Commission by Resolution (6 votes);
 - **Override** the Planning Commission's recommendation by a two-thirds majority (7 votes) of the Governing Body membership; or,
 - **Return** such recommendation to the Planning Commission with a statement specifying the basis for the Governing Body's failure to approve or disapprove.

BUDGETARY IMPACT:

N/A

SOURCE OF FUNDING:

N/A

ATTACHMENTS:

[Resolution](#)

[Staff Report](#)

[Site Plan](#)

[Aerial](#)

[Zoning Map](#)

[Application 5 pages](#)

[Minutes 9/28/09](#)

[Site Plan](#)

RESOLUTION _____

CONDITIONAL USE PERMIT

A RESOLUTION introduced by City Manager Norton N. Bonaparte, Jr. in accordance with Section 48-10.02(c)(7) and 48-12.02(c)(10) of the Code of the City of Topeka, approving a Conditional Use Permit to allow for a vehicle surface parking lot in association with a principal use on property currently zoned "M-3" Multiple Family Dwelling District and "O&I-2" Office Institutional District on property located at 1253, 1257 and 1263 SW Harrison Street in the City of Topeka, Kansas. **(CU09/5) (Council District No. 1)**

BE IT RESOLVED by the Governing Body of the City of Topeka, Kansas, that the application of City of Topeka under the provisions of Section 48-10.02(c)(7) and 48-12.02(c)(10) of the Code of the City of Topeka, approving a Conditional Use Permit to allow for a vehicle surface parking lot in association with a principal use on property currently zoned "M-3" Multiple Family Dwelling District and "O&I-2" Office Institutional District located at 1253, 1257 and 1263 SW Harrison Street in the City of Topeka, Kansas and legally described as follows:

The South 8 feet and four inches of Lot 443, all of Lots 445, 447, 449, 451, 453 and 455 on Harrison Street in Block 3 in Joel Huntoon's Addition to the City of Topeka, Shawnee County, Kansas.

be, and the same is hereby approved, **subject to:**

- 1. Use and development of the site in accordance with the approved Conditional Use Permit site plan for the site.**

ADOPTED AND APPROVED by the Governing Body of the City of Topeka, _____, 2009.

William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk

September 21, 2009
Agenda Item #E-3

CONDITIONAL USE PERMIT REPORT

TOPEKA PLANNING DEPARTMENT

CASE NO: CU09/5

by: Kansas Bar Association

PROPOSAL: Requesting a Conditional Use Permit "CUP" to establish a *vehicle surface parking lot*, on property currently zoned "M-3" Multiple-Family Dwelling District and "O&I-2" Office and Institutional District.

LOCATION: 1253, 1257 and 1263 SW Harrison Street on the west side of SW Harrison Street centrally located between SW Huntoon Street and SW 13th Street.

PRESENT USE: The bulk of the subject property is vacant land with the center portion of the site, (extending from SW Harrison west to the alley), being occupied by an old parking lot of substandard construction.

PROPOSED USE: In accordance with Sections 48-10.02(c)(7) and 48-13.02(c)(12) of the Comprehensive Zoning Regulations, the applicant requests a "CUP" to allow for a vehicle surface parking lot in an "M-3" and "O&I-2" District. The parking lot is to be used solely by the Kansas Bar Association whose headquarters are located to the east across SW Harrison Street.

CHARACTER OF NEIGHBORHOOD: The subject property is located on the southern fringe of the "Downtown Core" area as designated by the Downtown Topeka Redevelopment Plan and provides for a mixture of office and residential uses.

ZONING CLASSIFICATION AND USE OF SURROUNDING PROPERTIES:

	ZONING CLASSIFICATION	PRESENT LAND USE
North:	"M-3" Multiple-Family Dwelling District	Centennial Apartments
South:	"M-3" and "M-2" Multiple-Family Dwelling District	Residential
	"R-2" Single-Family Dwelling District	Residential
East:	"O&I-2" Office and Institutional District	Office
	"M-3" Multiple-Family Dwelling District	Office parking
	"M-2" Multiple-Family Dwelling District	Residential
West:	"O&I-2" Office and Institutional District	Ks Optometric Association
	"M-3" Multiple-Family Dwelling District	Residential

September 21, 2009
Agenda Item #E-3

GUIDELINES FOR EVALUATION: In considering an application for a conditional use permit, the Planning Commission and Governing Body will give consideration to the following criteria in order to protect the integrity and character of the zoning district in which the proposed use is located; and to minimize adverse effects on surrounding properties and neighborhood, all conditional use permit applications shall be evaluated in accordance with the guidelines established in Section 48-25 of the City of Topeka, Comprehensive Zoning Regulations.

1. **The conformance of the proposed use to the Comprehensive Plan and other adopted planning policies:** The *Comprehensive Plan* designates this area as *Medium/High Density Residential* land use. The *Downtown Topeka Redevelopment Plan* element of the *Comprehensive Plan* defines the subject area as being located on the southern fringe of the *Downtown Core* area. With regard to parking the plan states: "*Accommodating workers' vehicles, both on the street and in parking facilities, is a perennial issue. "...development will require new parking...to be considered, and as needs change over time the infrastructure needs to be able to reflect (the) new sets of demands."* The proposed parking lot will aid in resolving these parking issues in the vicinity of the Kansas Bar Association, (whose headquarters is located to the east at 1200 SW Harrison Street), by allowing for off-street parking by Kansas Bar Association patrons. Additionally, this will assist in relieving traffic congestion along this portion of SW Harrison Street. Use of the site by the Kansas Bar Association as a parking lot will result in a substantial improvement in the appearance of the property as the streetscape will be improved by the landscaping that is required with development of a parking lot. This will further one of the main objectives of the *Downtown Topeka Redevelopment Plan* which is to: "*Enhance the streetscape and develop an attractive visual character*". Development of the property in this manner also serves as a means of "preserving" the site in a more desirable condition for any future development than is merely achieved by leaving it as a vacant tract. The proposal is therefore, viewed as being consistent with the *Comprehensive Plan's*.
2. **The character of the neighborhood including but not limited to: land use, zoning, density, architectural style, building materials, height, structural mass, sitting, open space and floor-to area ratio:** The property lies on the southern fringe of the *Downtown Core* area; an area designated for the type of use being proposed. Use of the site for a parking lot as conditioned is therefore, considered suitable for this location.
3. **The zoning and uses of nearby properties, and the extent to which the proposed use would be in harmony with such zoning and uses:** Nearby properties, are zoned for either multiple-family or office and institutional uses. There currently exists a parking lot constructed through the center of the site, (extending east to west), dating from the mid 1960's. This proposal intends to replace the existing bland parking lot with a well-landscaped parking area, that would be approximately three times larger by expanding the existing lot both to the north and south. As conditioned, the proposal should be in harmony with surrounding zoning classifications and land uses.

September 21, 2009
Agenda Item #E-3

4. **The suitability of the property for the uses to which it has been restricted under the applicable zoning district regulations:** The site's present classification is consistent with the established pattern of zoning and land use in the area and is therefore viewed as being suitable for the uses to which it has been restricted.
5. **The length of time the property has remained vacant as zoned:** As indicated by the attached aerial; in 2006 the southern portion of the site was occupied by a residential structure abutting the old existing parking lot with the area north of the old parking lot being vacant ground.
6. **The extent to which the approval of the application would detrimentally affect nearby properties:** As conditioned there is anticipated to be no detrimental affects on any surrounding properties.
7. **The extent to which the proposed use would substantially harm the value of nearby properties:** Staff is unaware of any harm expansion of the existing parking lot area would have on the nearby properties. Improvements in the sites appearance should have a positive affect on the surrounding area.
8. **The extent to which the proposed use would adversely affect the capacity or safety of that portion of the road network influenced by the use, or present parking problems in the vicinity of the property:** Parking within the area should be positively impacted as the proposal will create additional off street parking thereby reducing or eliminating Kansas Bar Association patrons from needing to park on the street. Therefore, no adverse affects are anticipated provided staff's recommendations are implemented.
9. **The extent to which the proposed use would create excessive air pollution, water pollution, noise pollution or other environmental harm:** None anticipated.
10. **The economic impact of the proposed use on the community:** A positive economic impact to the community is anticipated.
11. **The gain, if any, to the public health, safety and welfare due to denial of the application as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application:** There appears to be no particular public gain in respect to health, safety and welfare by denying the requested application providing staff recommendations are implemented.

COMPLIANCE WITH ZONING AND SUBDIVISION REGULATIONS:

Application: **Complete**

Minimum Lot Area: **Compliant.**

Setbacks: **Non-Compliant** – Section 48-38.05(D) of the Comprehensive Zoning Regulations requires that along the north boundary of the parking lot a six-foot wide buffer with landscape along the exterior of the fence be provided. However, the setback along the north boundary is only shown to be five feet. Therefore,

September 21, 2009
Agenda Item #E-3

the parking lot, islands and spaces need to be moved one foot south on the site to achieve the required setback. The access drive may remain in its current location.

Platting: **Compliant** – Huntoon Addition.

CONCERNS OF STAFF AND REVIEWING AGENCIES: All essential public utilities, services and facilities are presently available to the site and will not be overburdened by this proposal. This request has been submitted to all applicable reviewing agency staff for consideration and comment. No significant issues or concerns were expressed by reviewing staff relative to code compliance or the provisions of public services except as herein noted.

ADDITIONAL FACTORS:

1. Neighborhood Improvement Association: Monroe.
2. Capitol Plaza Area: Not Applicable.
3. Flood Hazard Area: Not Applicable.
4. Airport Hazard Area: Not Applicable.
5. Historic Properties: No Registered Properties within 500-feet.

STAFF RECOMMENDATION:

Based upon the above findings and analysis Planning Staff recommends **APPROVAL** of this proposal, subject to the following conditions:

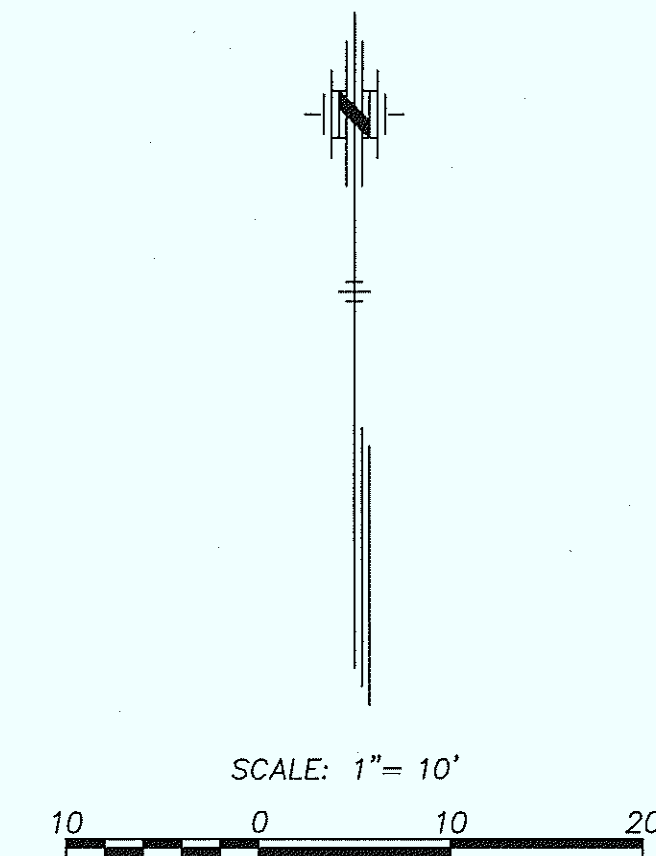
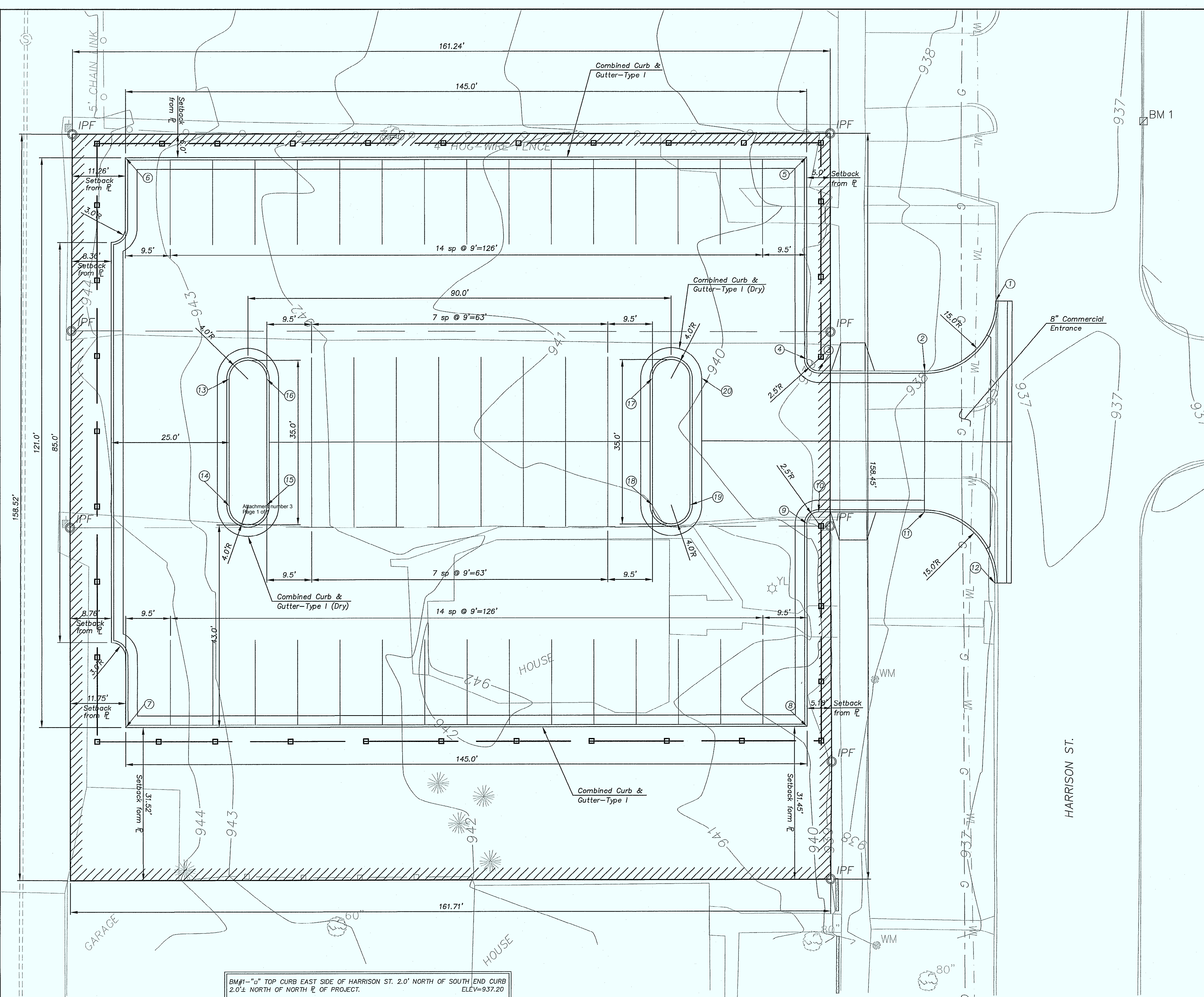
1. Use and development of the site in accordance with the site development plan approved by the Planning Commission.
2. The appropriate setback along the north boundary of the site needs to be indicated on the plans.
3. Property line needs to be better defined on the plans and depicted in the Legend.
4. Dimensions from the parking lot to the west and south property lines needs to be dimensioned on the plans.
5. "Landscape Plan" needs to be indicated on the landscape plan, (both plans are currently labeled as "Site Plan").
6. Scale and North Arrow need to be provided on the Landscape Plan sheet.
7. The scale provided on the Site Plan sheet does not scale correctly.
8. Site Plan needs to indicate "Page 1 of 2" and the Landscape Plan needs to indicate "Page 2 of 2".
9. Remove from both plans all notes and references regarding the septic tank and well.

September 21, 2009
Agenda Item #E-3

10. On the landscape plan provide a typical elevation, (with dimensions), of brick pillars with decorative iron fence or alternatively note on the Landscape Plan a brick pillared decorative iron fence shall be constructed around the perimeter of the parking lot that is very similar to the existing one surrounding the Kansas Bar Association parking lot across the street.
11. Add the following notes to the Landscape Plan:
 - Landscape screening, as required by Section 48-38.05(D)(1) of the *Comprehensive Zoning Regulations* not to exceed a height of four feet so as to provide for natural surveillance of the parking lot, shall be provided along the north and south perimeters of the parking lot.
 - Pursuant to Section 48-38.04(A)(16) of the *Comprehensive Zoning Regulations* the Planning Director approves as an "alternate plan" the landscaping/screening as is herein proposed.

Prepared by: Dean W. Diediker
Planner II

J:\2009Proj\095006\DWG\site-plan.dwg 10/26/2009 - 8:04am kholland



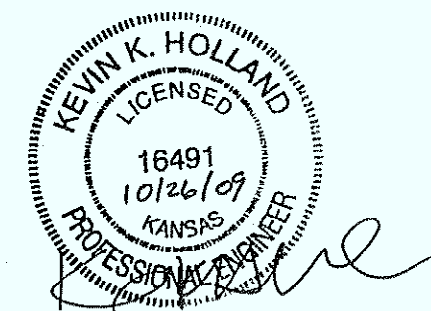
PROPERTY DESCRIPTION: 1253, 1257 and 1263 SW Harrison St.
The South 8 1/3 feet of Lot 443, all of Lots 445, 447, 449, 451,
453 and 455, on Harrison Street, Joel Huntton's Addition, Topeka,
Shawnee County, Kansas.

NOTES:
Fence shall consist of Brick Pillars with decorative black iron fence
to match adjoining property.
Total number of parking spaces equal 50.

—LEGEND—

- Power Pole
- Yard Light
- Iron Pin Found
- Water Meter
- Sanitary Sewer Manhole
- Property Line = PL
- Water Line
- Gas Line
- Telephone Line
- Underground Electric
- Sanitary Sewer Line
- Existing Fence
- Existing Fence
- New Fence
- Tree
- Bush/Shrub

SITE COORDINATES		
NO.	NORTHING	EASTING
1	20121.8365	30035.1751
2	20106.8850	30020.1268
3	20106.9582	29997.4637
4	20109.4568	29994.9718
5	20152.4472	29994.9478
6	20152.3663	29849.9478
7	20031.3663	29850.0154
8	20031.4472	29995.0153
9	20074.4566	29994.9913
10	20077.4579	29997.5010
11	20076.8852	30020.0299
12	20061.8368	30034.9814
13	20105.3786	29871.9740
14	20078.3786	29871.9891
15	20078.3830	29879.9891
16	20105.3830	29879.9740
17	20105.4288	29961.9740
18	20078.4288	29961.9891
19	20078.4333	29969.9891
20	20105.4347	29972.4740



CITY OF TOPEKA

SITE PLAN

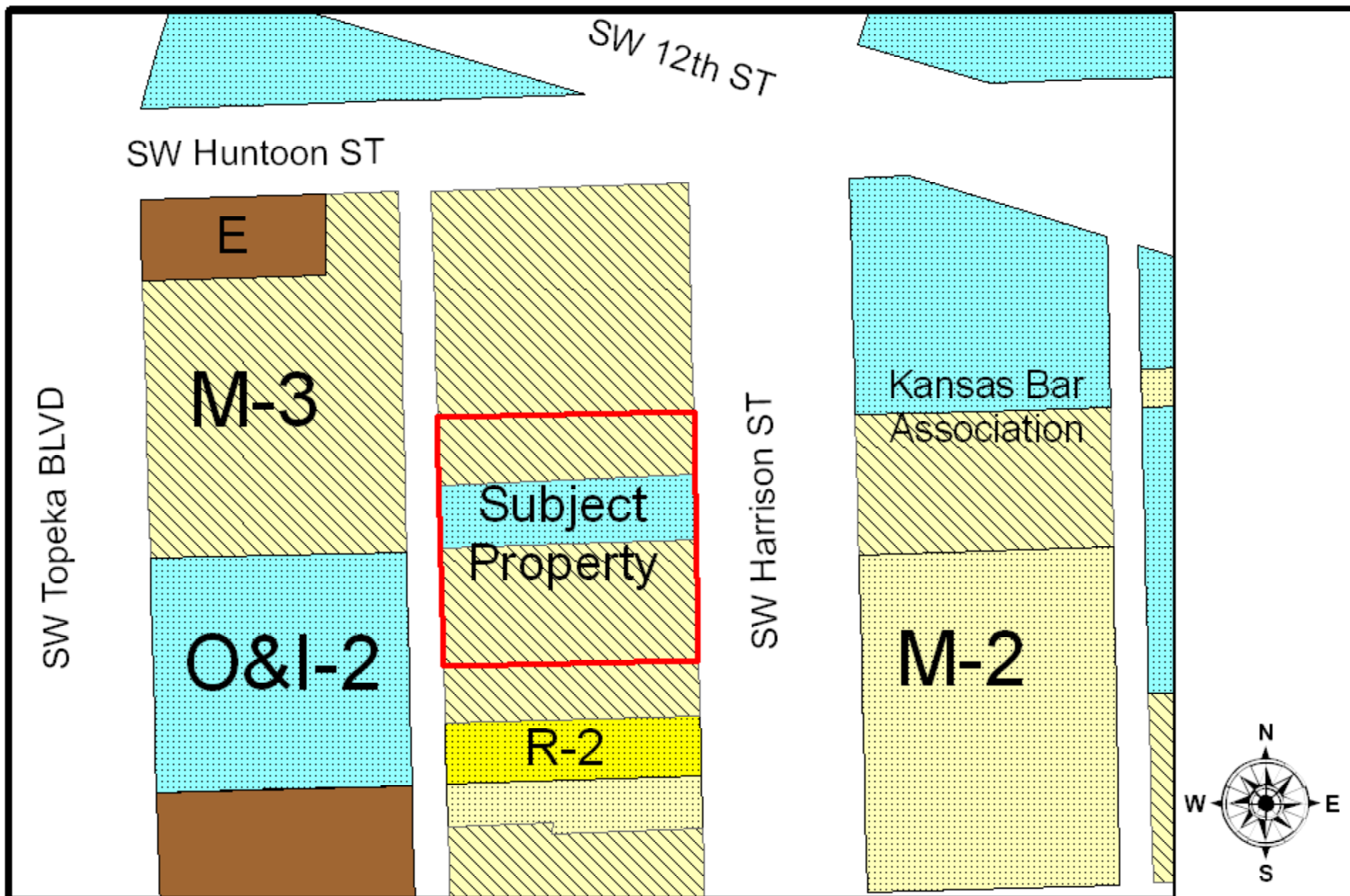
KANSAS BAR ASSOCIATION



DESIGNED	KKH	SCALE	1"=10'
DETAILED	RWE	DATE	8/24/09
QUANTITIES	KKH	SHEET	1 OF 2



CU09/5 by Kansas Bar Association



CU09/5 by Kansas Bar Association

**Zoning Application Form**

(including PUDs and CUPs)

City of Topeka Planning Department
620 SE Madison, 3rd Floor (Unit #11)
Topeka, KS 66607-1118
Phone 785-368-3728 Fax 785-368-2535
www.topeka.org/planning

1253
1257
1263
SW
Harrison St.**Applicant Information**Property Owner(s): Kansas Bar FoundationStreet Address: 1200 SW HarrisonCity: TOPEKA State: KS Zip: 66612 E-mail: dlattimer@ksbar.orgWork phone: 785-234-5696 Home phone: _____ Fax: 785-234-3813Authorized Owner Representative (if any): Jeffrey J. Alderman, Executive DirectorStreet Address: 1200 SW HarrisonCity: Topeka State: KS Zip: 66612 E-mail: jalderman@ksbar.orgWork phone: 785-234-5696 Home phone: _____ Fax: 785-234-3813

Authorized Professional Agent (Engineer, Architect, Attorney, etc.) – if different from above

Street Address: _____

City: _____ State: _____ Zip: _____ E-mail: _____

Work phone: _____ Home phone: _____ Fax: _____

Authorization

I (we) am (are) the owner(s) of record for the subject property and hereby authorize filing of this application and any agent listed in this application to represent the owner(s). I (we) allow posting of signage on the property by the City of Topeka for the requested zoning change. I (we) declare that all submitted information is complete and accurate. I (we) hereby acknowledge that all zoning application procedures have been reviewed and understood as part of this submittal.

Owner 1 Name: JEFFREY J. ALDERMAN on behalf of the Kansas Bar AssociationOwner 1 Signature: Jeffrey J. AldermanDate: August 3, 2009

Owner 2 Name: _____

Owner 2 Signature: _____

Date: _____

Requested Action and Site Information

Address or Location of Property to be Re-Zoned: 1253 SW Harrison St; 1257 SW Harrison St; 1263 SW Harrison St

Legal Description of Property*: lot(s) 443;447 block 3 subdivision Huntoons Addition

lot(s) 451+ block 3 subdivision Huntoons Addition

*if unplatted, attach metes and bounds description

Total Area (acres/square feet): 21,600

Type of Application:

1. Re-zoning from: _____ to: _____
2. Planned Unit Development (PUD) zoning use group(s): _____
3. Conditional Use Permit (CUP) proposed use: Parking Lot

Existing Use(s) on the property: Demolished House, Parking Lot, Empty Lot

How long has the existing use been active on the property? _____

Proposed Use(s), if known (please describe to ensure conformity to the proposed zoning):

Parking Lot

Was a Pre-Application Meeting or Zoning Inquiry completed with Staff? No If Yes, when? _____

FOR OFFICE USE ONLY

Date submitted: 8/7/09

Date notice sent: 8/28/09

Application no.: CU09/5

Date advertised: 8/28/09

Filing fee: 700.00 Receipt no.: 11951

Date of hearing: 9/21/09

Council district: #1

NIA/NA: Monroe NIA

Items Missing? Yes ___ No ___ List any incomplete items:

Applicant Justification

This section is intended to provide you with the opportunity to present information in support of your request. It is important to bear in mind that the presumption of validity rests with the present zoning and use of the property. It is the burden of the applicant to demonstrate that the proposed change in zoning or proposed conditional use is appropriate. Please attach additional sheets if necessary.

- 1. How is the land more suitable for the uses allowed under your proposed zoning vs. the uses allowed under the current zoning?**

The new parking lot will serve the Kansas Law Center at 1200 SW Harrison. It will take vehicle parking off the streets and occupy now empty lots.

- 2. What effect would the proposed zoning have on the character of the neighborhood and surrounding properties?**

It would aid 1200 SW Harrison and remove street parking

- 3. If known, how does the proposed zoning conform to the City's Comprehensive Plan?**

Unknown

Real Property Tax Status

As part of the official application for a zoning amendment, the Zoning Regulations of the City of Topeka require:

"Proof that all real property taxes are paid to date and are current for the subject property. In the event real property taxes including any special assessments are delinquent, the application shall not be scheduled for public hearing until such time all taxes are paid or satisfactory escrow arrangements for the payment of such taxes or special assessment have been made and presented to the City Attorney's Office for approval."

There are two ways to provide proof with this application:

1. Submit a copy of the property's tax status found on-line at the Shawnee County Appraiser's web-site (<http://www.co.shawnee.ks.us/Ap/>). Click on "residential search" or "commercial search", input the address, and follow the links to the property's tax information. Print off the Shawnee County Treasurer's page indicating the amount of any unpaid property tax.

OR

2. Complete the information below at the Shawnee County Register of Deeds and the Shawnee County Treasurer for verification of real property tax/special assessment status. Both offices must sign the form below for it to be complete. The Register of Deeds and Treasurer of Shawnee County, Kansas, are located in the Shawnee County Courthouse, 200 S.E. 7th Street, Topeka, Kansas, Rooms 108 and 101, respectively

Applicant

Property Address: _____

Owner of Record Name(s): _____

Legal Description: _____

Shawnee County Register of Deeds

Property Identification Number (PIN): _____

X _____
Shawnee County Register of Deeds

_____ Date

Shawnee County Treasurer

As of this date, I hereby certify that the real property tax liabilities and special assessments applicable to the property described and identified above, to be of the following status:

Paid in Full _____ Current _____ Delinquent _____ In Dispute _____ Exempt _____

X _____
Shawnee County Treasurer

_____ Date

Taxes current
Amara Planning
8/7/09

Infrastructure Availability (optional)

Please consult the Engineering Division of Topeka Public Works Department for information below (368-3842)

1. Water

- a. Location and size of water main serving site:

Unknown

- b. Does the current system have adequate capacity?

No water required.

2. Sanitary Sewer

- a. Location and size of sewer main serving site:

Unknown

- b. Does the current system have adequate capacity? If not, are improvements anticipated?

No sanitary sewer required.

3. Storm Drainage

- a. How will storm water run-off be handled on site?

Sheet drainage matching existing contained with curbs and gutter.

- b. Does the current storm sewer system have adequate capacity for proposed use?

Yes

4. Traffic Circulation

- a. What are the site's existing and proposed access points?

One central drive matching existing.

- b. Are any street or traffic control improvements proposed?

No

**Minutes of the
Topeka Planning Commission
September 28, 2009**

CU09/5 Kansas Bar Association by the Kansas Bar Foundation requesting a Conditional Use Permit for a parking lot on property currently zoned "M-3" Multiple Family Dwelling District and "O&I-2" Office and Institutional District located at 1253, 1257 and 1263 SW Harrison Street. **(Diediker)** Dean Diediker summarized the staff report.

Discussion by members:

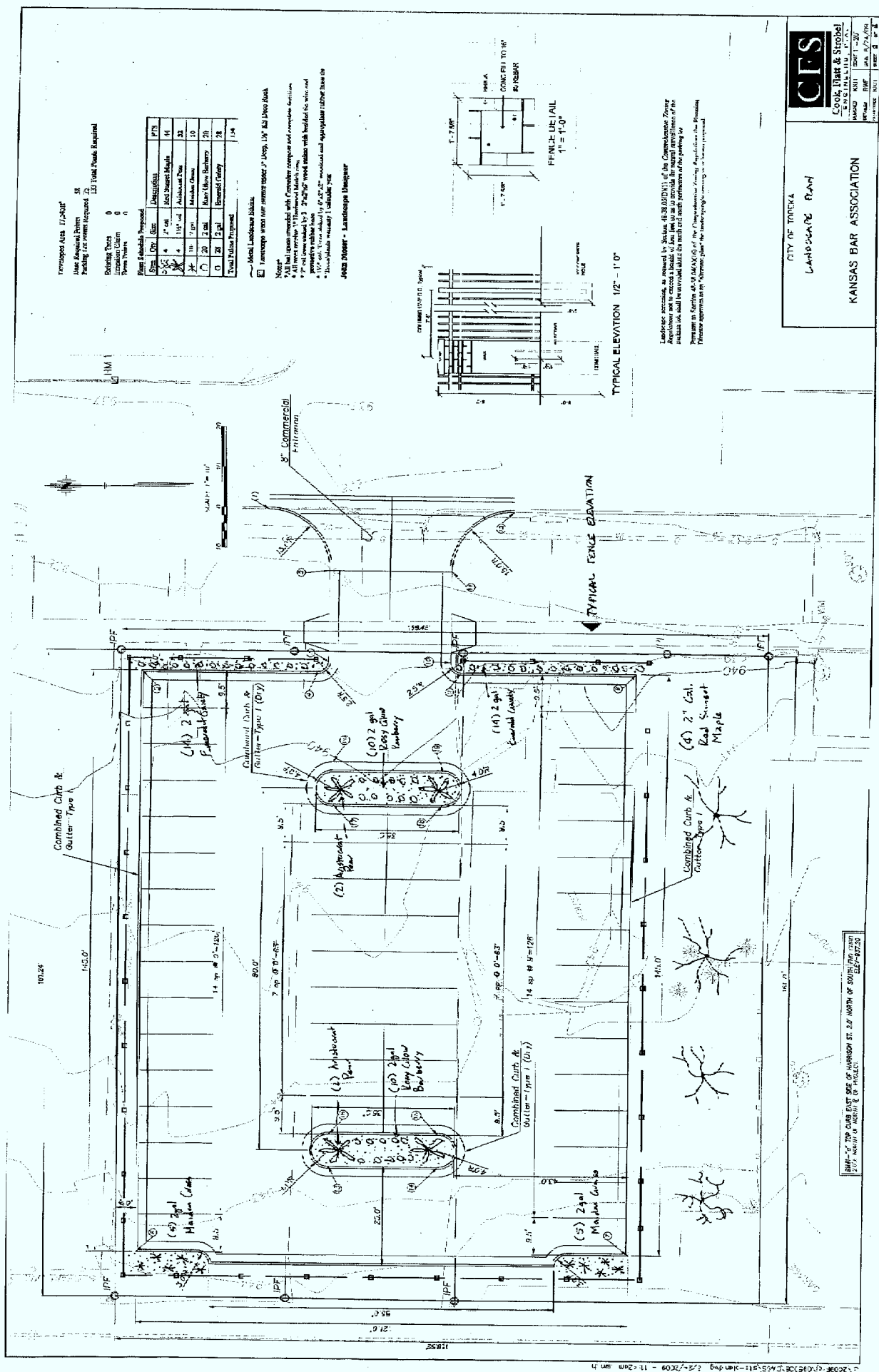
John Federico asked where the Kansas Optometric building is located in proximity to this parking lot? Mr. Diediker replied it is to the southwest of the property in the O&I-2 area shown on the zoning map.

Proponents:

Jeff Alderman, member of the Kansas Bar Association, spoke in favor of the proposal. He said we are committed to the capitol city. He said this is the last phase of an expansive renovation. We are helping to clean up the area of blight. Our team will answer any questions you have.

No one spoke in opposition to the proposal.

Howard Blackmon moved approval, seconded by Jim Brown. **APPROVAL. (6-0-0)**
Commissioners Beardmore and Hoferer were out of the room.





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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

October 23, 2009

+ Back Print

DATE: November 17, 2009
CONTACT PERSON: David Thurbon
SECOND PARTY/SUBJECT:
CATEGORY/SUBCATEGORY 013 Ordinances - Codified / 161 Comprehensive Zoning Cases
CIP PROJECT: No
ACTION OF COUNCIL:
DOCUMENT #:
PROJECT #:
JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., concerning fencing requirements, amending City of Topeka Code Section 48-29.03 and specifically repealing said original section. First Reading. (ACZR09/4)

Voting Requirement: Majority vote of the Governing Body, including the Mayor.

(Approval would amend the Zoning Code to clarify that only fences within parks can exceed the four foot height requirement in a front yard.)

POLICY ISSUE:

Clarification of the intent of the Zoning Code front yard fence height requirement.

STAFF RECOMMENDATION:

The Planning Commission and Planning Department recommend approval of the attached ordinance.

BACKGROUND:

The Zoning Code requires any fence located in the front yard to be no higher than 4 feet unless it is "in or around parks and recreation facilities." The attached ordinance would clarify this requirement by stating that the fence must be "in" a park in order to be exempt from the 4 foot height requirement. Please see the attached Planning Commission staff report for a fuller discussion of this issue. The attached aerial photo shows a property that the County Court (on appeal from the City's Municipal Court) recently ruled was "around" a recreational facility.

BUDGETARY IMPACT:

NA

SOURCE OF FUNDING:

NA

ATTACHMENTS:

Item #15

[Planning Commission staff report](#)

[Aerial photo](#)

[Plng Comm Policy Minutes](#)

[Plng Comm Public Hearing Minutes](#)

[Ordinance](#)

Amendment to Fence Regulations – AZCR09/4

September 21, 2009 Planning Commission

Purpose: Attached is a draft Ordinance amending Sect. 48-29.03(c) in the fence regulations relating to an exception to the height and location for fences that are “in or around parks and recreational facility”. The purpose of the amendment is to clarify the “in and around” language that is used in the current provision and to more precisely specify which fences are exempt.

Current Regulations: This provision in the current regulation states that fences “in and around parks and recreational facilities” are exempt from the location and height requirements for fences in residential districts. This amendment will clarify recent confusion as to how far a fence must be from a park or recreational facility in order to be exempt. Staff interpretation of this provision is that it exempts fences that are part of or enclosing the boundary of a park or recreational facility with the intent to allow fences higher than 8’ within parks or surrounding the park itself.

The City of Topeka lost a recent District Court case pertaining to this provision when the term “around” was applied to a fence on a single-family dwelling property that is adjacent to Avondale East Elementary School because it is “around” a recreation facility. The defendant had erected a fence 6’ to 8’ tall beyond the front face of their dwelling in order to keep their rottweiler dogs from escaping.

Staff believes the intent of this provision was not meant to refer to fences on single-family dwelling properties that are near or adjacent to parks and was instead intended to refer to those fences that are within or accessory to parks and recreational facilities; meaning fences located “around” the perimeter of the park itself or fences within the park boundaries. The provision clearly excludes fences accessory to those facilities on single-family dwelling properties (i.e. sand boxes, play areas, or swimming pools).

The Ordinance will clarify this language referring to “in and around” to mean fences accessory to or located within the parks and/or recreational facility properties themselves.

Recommendation: Planning staff recommends approval of the attached Ordinance amending the fence regulations.

Enc: Aerial map of 3200 SE Colfax
Proposed Ordinance



MINUTES OF THE TOPEKA PLANNING COMMISSION POLICY BOARD
Monday, August 24, 2009
620 SE MADISON STREET, HOLLIDAY CONFERENCE ROOM
TOPEKA, KANSAS

ACZR09/4-Discussion of proposed amendment to the City of Topeka Comprehensive Zoning Regulations relating to fence heights.

David Thurbon, Planning Director spoke and introduced Gaylene Epke, Zoning Inspector IV. Mr. Thurbon said the ordinance states no portion of a fence shall exceed eight feet in height. Mr. Thurbon said the ordinance in the fence regulations relating to an exemption to the height and location for fences that are in or around parks and recreational facility." Mr. Thurbon said the purpose of the amendment is to clarify the "in and around" language that is used in the current provision and to more precisely specify which fences are exempt. Mr. Thurbon said this provision in the current regulations states that fences "in and around parks and recreations facilities" are exempt from the locations and height requirements for fences in residential districts. Mr. Thurbon said this amendment change will clarify the recent confusions as to how far a fence must be from park or recreational facility in order to be exempt. Staff interpretation of this provision is that it exempts fences that are part of our enclosing the boundary of a park or recreational facility with the intent to allow fences higher than 8" within parks or surrounding the park itself.

Mr. Thurbon spoke about a case the City Of Topeka lost in District Court pertaining to this provision when the term "around" was applied to a fence on a single-family property that is adjacent to Avondale East Elementary School because it is "around" a recreational facility. The defendant had an erected a fence 6' to 8' ft. tall beyond the front face of their property in order to keep their rottweiler dogs from escaping.

Mr. Thurbon said staff believes the intent of the provision was not meant to refer to fences on single-family properties that are near or adjacent to parks and was instead intended to refer to those fences that are within or accessory to parks and recreational facilities; meaning fences located "around" the perimeter of the park itself or fences with the park boundaries. The provision clearly excludes fences accessory to those facilities on single-family properties. Mr. Thurbon said the ordinance will clarify this language referring to "in and around" to mean fences accessory to or located within the parks and or recreational facility properties themselves.

The Planning Commission discussed and recommended the ordinance amending the fence regulations be advertised for public hearing. And clarifying the language referring to "in and around" to mean fences located within parks and/or recreational facility properties.

**Minutes of the
Topeka Planning Commission
September 28, 2009**

ACZR09/4 an amendment to the City of Topeka Comprehensive Zoning Regulations. Section 48-29.03 of the Topeka City Code for the purpose of amending subsection (c) of the **Fence Regulations** related to **exceptions to the requirements for fences in or around parks and recreational facilities**. David Thurbon summarized the amendment.

Discussion by members:

Mr. Boyd asked if the board is to take action on this item tonight? Mr. Thurbon replied, yes, it has been advertised for public hearing then it will be forward on to city council.

No one spoke in favor or in opposition to the proposal.

Doug Bassett moved approval, seconded by Rich Beardmore. **APPROVAL. (8-0-0)**

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., concerning fencing requirements, amending City of Topeka Code § 48-29.03 and specifically repealing said original section.

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

Section 1. That section 48-29.03, Fences, of The Code of the City of Topeka,

Kansas, is hereby amended to read as follows:

Fences.

(a) *Location and height:* Fences and hedges, shall be subject to the following location and height requirements:

(1) No portion of a fence shall exceed eight feet in height.

(2) Fences and hedges shall be located so no part thereof extends into public right-of-way nor is located closer than one foot from a public sidewalk.

(3) In "R" or "M" districts, fences beyond the front face of the principal structure shall not exceed four feet in height.

(b) *Hazards:*

(1) No fence shall be constructed which will constitute a traffic hazard, and no permit shall be granted for the construction of a fence until the city or county engineer has certified that the proposed fence will not constitute a traffic hazard.

(2) No fence shall be constructed in such a manner or design as to be hazardous or dangerous to persons or animals.

(c) The following shall constitute exceptions to the requirements of subsection (a);:

(1) Fences located in or ~~around~~upon parks and/or recreational facilities; ~~excepting those provided,~~ however this exception shall not apply to recreational facilities which are accessory to a single-family dwelling.

Section 2. That original § 48-29.03 of The Code of the City of Topeka, Kansas, is hereby specifically repealed.

Section 3. 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

William W. Buntin, Mayor

ATTEST:

Brenda Younger, City Clerk



A Capital City Government Working For You...

www.topeka.org

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

October 30, 2009

+ Back Print

DATE: November 17, 2009
CONTACT PERSON: Bill Hoover/David Thurbon
DOCUMENT #: Z09/8
SECOND PARTY/SUBJECT: Cory Higginbotham
PROJECT #:
CATEGORY/SUBCATEGORY 014 Ordinances – Non-Codified / 007 Zoning
CIP PROJECT: No
ACTION OF COUNCIL:
JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., amending the "District Map" referred to and made a part of the Zoning Ordinances by Section 48-1.04 of the Code of the City of Topeka, by providing for certain changes in zoning on property located at 1236 SW Garfield Avenue from "R-2" Single Family Dwelling District TO "M-1" Two Family Dwelling District. First Reading. (Z09/8) (Council District No. 6)

Voting Requirement: Majority vote of the Governing Body, including the Mayor.

(Approval would allow the property to be used for two-family residential uses.)

POLICY ISSUE:

Request is inconsistent with the land use principles of the Elmhurst Neighborhood Plan and the Comprehensive Plan. See attached Planning Commission minutes for a detailed discussion of the issues.

STAFF RECOMMENDATION:

The Planning Commission recommended this proposal be **DISAPPROVED** by a vote of **8-0-0** at their October 19, 2009 meeting as referenced in their attached minutes. The Planning Department recommended that this request be **DISAPPROVED** as referenced in the attached staff report.

BACKGROUND:

- See Staff Report.
- Governing Body options:
- **Adopt** the recommendation of the Planning Commission by Ordinance (6 votes);
- **Override** the Planning Commission's recommendation by a two-thirds majority (7 votes) of the Governing Body membership; or,
- **Return** such recommendation to the Planning Commission with a statement specifying the basis for the Governing Body's failure to approve or disapprove.

BUDGETARY IMPACT:

N/A

SOURCE OF FUNDING:

N/A

ATTACHMENTS:

[Ordinance](#)

[Staff Report](#)

[Vicinity map](#)

[Letters 7 pages](#)

[Aerial Lrg](#)

[Aerial](#)

[Zoning Map](#)

[Application 5 pages](#)

[Planning Commission Minutes](#)

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr. amending the "District Map" referred to and made a part of the Zoning Ordinances by Section 48-1.04 of the Code of the City of Topeka, by providing for certain changes in zoning on property located at 1236 SW Garfield Avenue from "R-2" Single Family Dwelling District **TO** "M-1" Two Family Dwelling District. **(Z09/8)**
(Council District No. 6)

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

Section 1. That the "District Map" referred to and made a part of the Zoning Ordinances by Section 48-1.04 of the Code of the City of Topeka, be, and the same is hereby amended, by classifying the following described property:

Lot 512 and the north ½ of Lot 514, Elmhurst Subdivision, Shawnee County, Kansas.

from "R-2" Single Family Dwelling District **TO** "M-1" Two Family Dwelling District.

Section 2. This Ordinance Number shall be fixed upon the "District Map".

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. 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 Governing Body of the City of Topeka,
_____, 2009.

William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk

To Be Codified _____
Not To Be Codified X

October 19, 2009
Agenda Item #E-2

ZONING REPORT

CITY OF TOPEKA PLANNING DEPARTMENT

CASE NO: **Z09/8**

by: **Cory Higginbotham.**

PROPOSAL: Amend the District Zoning Classification from "R-2" Single-Family Dwelling District, TO "M-1" Two-Family Dwelling District.

LOCATION: 1236 SW Garfield Avenue.

PRESENT USE: A 3,896 square foot (0.089 ac.) tract occupied by a 2,140 square foot single-family dwelling.

PROPOSED USE: The applicant is seeking rezoning to allow the property to be redeveloped for two-family residential use. The existing dwelling is proposed to be made into an up/down duplex with associated parking taking access from the alley.

BACKGROUND: The subject dwelling is a 2½ story structure dating from the early part of the last century (1909) and is located within the area known as Elmhurst. By the mid-1950s portions of the area of Elmhurst were up-zoned to allow two-family dwellings. As the applicant indicates the dwelling had been used as a two-family structure however, with the passage of Ordinance No. 17631, on January 5, 2001, roughly half of the property making up the Elmhurst area was re-zoned from "M-1" Two-Family Dwelling District to "R-2" Single-Family Dwelling District. The re-zoning was a City sponsored action whereby all of the area previously zoned "M-1" Two-Family Dwelling District within Elmhurst-predominately the areas existing south of 11th Street - was rezoned to the current "R-2" Single-Family Dwelling District designation (see the attached vicinity map from case Z00/54) . This action was taken to begin the process of bringing the area into compliance with the adopted land use plan for the neighborhood as set forth in the Elmhurst Neighborhood Plan element of the City of Topeka Comprehensive Plan.

At the time of the re-zoning and the adoption of the Elmhurst Neighborhood Plan the subject site's location was considered to be between an "at risk and an intensive care" area since it was blighted with vacant and run down housing in addition to being located in what was considered a high crime area of Elmhurst. All this was indicating the need to address the spread of blight here before the more stable blocks of the Elmhurst area were affected. The destabilizing affects caused by vacant housing and the high crime rate has been reduced to a great extent with the eradication of several drug houses within the area.

CHARACTER OF NEIGHBORHOOD: The subject property is located in an area of the southeast corner of the Elmhurst Neighborhood Plan area which, is a little over a half block west of the Dillon's

October 19, 2009
Agenda Item #E-2

grocery store located at the northeast corner of SW Washburn Avenue and SW Huntoon Street. With exception of the subject site's proximity to the Dillon store the neighborhood is overwhelmingly residential with an over 90% concentration. In turn, the area retains much of its original low-density residential character with 87% of all parcels devoted to single-family residential use as indicated by the Elmhurst Neighborhood Plan.

ZONING CLASSIFICATION AND USE OF SURROUNDING PROPERTIES:

	ZONING CLASSIFICATION	PRESENT LAND USE
North:	"R-2" Single-Family Dwelling District	Residential
South:	"R-2" Single-Family Dwelling District	Residential (two-family duplex)
East:	"R-2" Single-Family Dwelling District	Residential
West:	"R-2" Single-Family Dwelling District	Residential
	"M-1" Two-Family Dwelling District	Residential (two-family duplex)

LENGTH OF TIME PROPERTY HAS REMAINED VACANT AS ZONED OR USED FOR ITS CURRENT USE UNDER PRESENT CLASSIFICATION: The property was platted in 1909, with the subject dwelling having been built shortly thereafter. The dwelling served as a single family structure until sometime in the 1950s when the area was rezoned for two-family residential use. In 2000, the area was again rezoned for single-family since with the passage of 40 years, the subject area was still predominately single-family in character and did not exhibit any two-family districts or great concentrations of two-family uses. At the time of the adoption of the Elmhurst Neighborhood Plan approximately 92% of the residential properties were "overzoned" (i.e., existing use is less intensive than allowed uses under the current zoning). One of the principal goals of the Elmhurst Neighborhood Plan is to promote "*Single-family residential land use, as the predominate and intended land use of the neighborhood, should remain viable and be protected from encroachment of incompatible land uses.*" By maintaining the original low-density residential character of the area this goal is achievable.

SUITABILITY OF PROPERTY FOR USES TO WHICH IT HAS BEEN RESTRICTED: The site's present classification of "R-1" Single-Family Dwelling District, is intended for the development of detached single-family dwellings in locations free from the encroachment of incompatible uses, and is consistent with the established pattern of zoning and land use in the area as well as the goals and objectives of the adopted Elmhurst Neighborhood Plan. Therefore, the site would appear to be perfectly suited to the uses to which it is currently restricted.

CONFORMANCE TO COMPREHENSIVE PLAN: The Comprehensive Plan designates this area as *Urban/Suburban Low Density Residential* land use. The proposed rezoning to two-family is viewed as being inconsistent with both the Comprehensive Plan and the Elmhurst Neighborhood Plan which also calls for this site and area to remain single-family. An "M-1" zoning district is intended to be located so as to provide a transitional use between districts of lesser and greater intensity. The subject property is in the middle of an established single-family neighborhood and as such the proposed rezoning would be viewed as inappropriate "spot" zoning which is found to be contrary to accepted planning principles. The proposal for this reason is viewed by staff as being inconsistent with the Comprehensive Plan, in addition to the Elmhurst Neighborhood Plan, an element of the City of Topeka Comprehensive Plan.

October 19, 2009
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THE EXTENT TO WHICH REMOVAL OF THE RESTRICTIONS WILL DETRIMENTALLY AFFECT NEARBY PROPERTIES: Accepted planning principles dictate that established patterns of land use must be recognized as a basic factor which strongly influences rezoning decisions. Based upon the established patterns of land use within the area a removal of the present restrictions would only serve to undermine the advances made by the Elmhurst Neighborhood Plan and its attempt to fortify the established low-density single family character of Elmhurst. To this end, rezoning the property from its current "R-2" Single-Family Dwelling District classification to the proposed "M-1" Two-Family Dwelling District classification is viewed as being incompatible with the established pattern of zoning within the area, as having a detrimental affect on properties within the area, and being detrimental to the advancement of the Elmhurst Neighborhood Plan.

THE RELATIVE GAIN TO THE PUBLIC HEALTH, SAFETY AND WELFARE BY THE DESTRUCTION OF THE VALUE OF THE OWNER'S PROPERTY AS COMPARED TO THE HARDSHIP IMPOSED UPON THE INDIVIDUAL LANDOWNER: The site's present classification is consistent with the established pattern of zoning and land use in the area as the property is currently zoned "R-2" Single-Family Dwelling District. The integrity of the area's predominately single-family residential character has been breached by the influx of two-family development over time. The more permissive "M-1" zoning district only served to cloud the area making it less desirable for exclusive single-family uses. The re-zoning accomplished with case (Z00/54) and the implementation of the Elmhurst Neighborhood Plan has only served to strengthen the ability of the area to begin to rebound and prosper. Allowing a more intense use threatens the integrity of all the good changes that Elmhurst has experienced over the last decade derived from the re-zoning action and the adoption and implementation of the Elmhurst Neighborhood Plan.

Preventing a more intense use within the neighborhood outweighs the hardship placed upon the landowner who, as previously indicated, is aware the property has been zoned "R-2" Single-Family Dwelling District for nearly 10 years. As a whole the community's health, safety, and welfare would be more substantially aided by seeing the Elmhurst Neighborhood Plan continue to be implemented. The neighborhood would be more negatively impacted than the hardship being imposed on a landowner, who was aware of the zoning of the property and its limitations at the time the property was recently acquired.

AVAILABILITY OF PUBLIC SERVICES: All essential public utilities, services and facilities are presently available to this area and will not be overburdened by this proposal.

COMPLIANCE WITH ZONING AND SUBDIVISION REGULATIONS:

Application: **Complete.**

Minimum Lot Area: **Non-Compliant** – 3,896 S.F. The "R-2" District requires a minimum lot area of 5,000 and the "M-1" District requires a minimum lot area 4,500 S.F. respectfully. However, in both situations the subject lot is considered to be legal non-conforming. (Many lots within the district also do not meet these minimum lot area requirements).

Setbacks: **Compliant.**

October 19, 2009
Agenda Item #E-2

Platting: **Compliant** – Property is platted as Lots 512 and more, Elmhurst Subdivision.

CONCERNS OF STAFF AND REVIEWING AGENCIES: This request has been submitted to all applicable reviewing agency staff for their consideration and comment. No significant issues or concerns were expressed by reviewing staff relative to Code compliance or the provisions of public services except for the following:

- The subject tract does not meet the minimum lot area of the "M-1" Two-Family Dwelling District. The "M-1" District requires a minimum lot area of 4,500 square feet to be considered for two-family dwelling use, the subject property is only 3,896 square feet in area. Normally a lot of this size would not be considered however, the current "R-2" zoning classification requires a lot to be a minimum of 5,000 square feet. Since the subject lot is currently non-compliant, as are many in the district, and as the "M-1" zoning classification requires less area than the lots current zoning classification it was determined that the substandard lot size should not in itself be a disqualifier for rezoning consideration.
- The Elmhurst Neighborhood Association has expressed their concerns with any change that is not in keeping with the primary goals and objectives of the adopted *Elmhurst Neighborhood Plan*. The Association deems any deviation from the plan to be detrimental to the neighborhood and to the plan's viability as a meaningful document.
- In staff's opinion, the request, if approved, would represent "spot zoning". Spot zoning is not legal because: 1) It is not based on a uniform land use plan, 2) It is zoned differently than surrounding properties, 3) It provides a benefit to a particular property owner to the potential detriment of surrounding properties. Case law has determined that spot zoning is not legal.

ADDITIONAL FACTORS:

1. Neighborhood Improvement Association: Elmhurst.
2. Capitol Plaza Area: Not Applicable.
3. Flood Hazard Area: Not Applicable.
4. Airport Hazard Area: Not Applicable.
5. Historic Properties: Not Applicable.

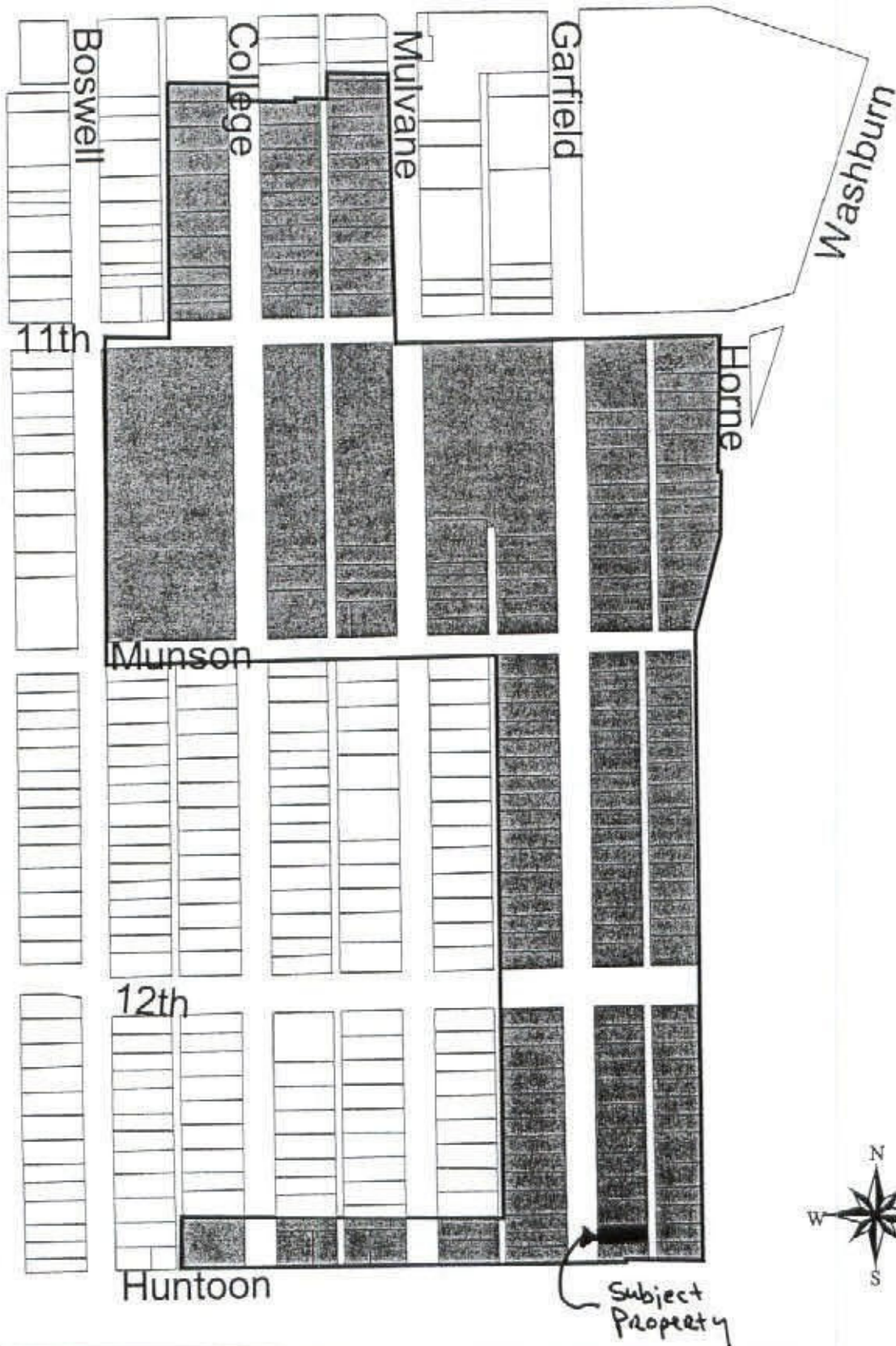
STAFF RECOMMENDATION:

Based upon the above findings and analysis Planning Staff recommends **DISAPPROVAL** of this proposal.

Prepared by: Dean W. Diediker, Planner II

Vicinity Map

 Z00/54 by the City of Topeka requesting to amend the district zoning classification from "M-1" Two Family Dwelling District TO "R-2" Single Family Dwelling District in an area of irregular boundary and generally situated within an area bounded by S.W. Boswell Street and S.W. Washburn Ave, and S.W. 10th Avenue and S.W. Huntoon Street in the City of Topeka, Kansas.



Dean Diediker
c/o Topeka Planning Dept
620 SE Madison
Topeka, KS 66607

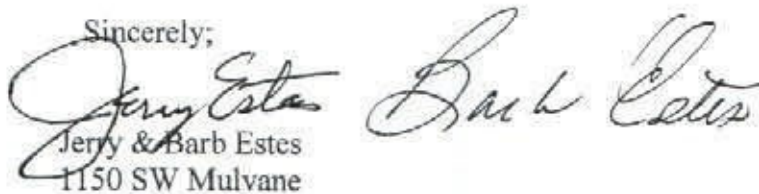
Mr Diediker;

The owner of the property at 1236 SW Garfield has applied to have the zoning changed back to multiple family from single family occupancy.

Several members of our neighborhood association worked very hard to get the single family zoning passed a few years ago, and we strongly feel our neighborhood has greatly improved since then. Changing it back would be a prelude to the return of drug houses and many other problems.

Please consider this at the hearing Oct 19 at the City Commission Meeting.

Sincerely;



Jerry & Barb Estes
1150 SW Mulvane
Topeka, KS 66604-1457
234-9647
jestes7@cox.net

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DEPARTMENT

October 6, 2009

Dean Diediker
Planning Department
620 SE Madison Street, Unit 11
Topeka, KS 66607-1118

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OCT 06 2009
TOPEKA PLANNING
DEPARTMENT

Dear Mr. Diediker:

Thank you for the opportunity to comment regarding the re-zoning requested by Mr. Higginbotham relative to 1236 Garfield.

While the Elmhurst Neighborhood Association regrets Mr. Higginbotham's error in assuming he could convert the property at 1236 Garfield for multi-family use, we do not agree with his position or his request. In fact, the residents of Elmhurst are very much in support of maintaining the current zoning for 1236 Garfield, and encourage Planning Commission members to deny Mr. Higginbotham's request.

The Elmhurst neighborhood underwent a large scale re-zoning to single family classification through the City's downzoning process in 2001. As such, zoning for the neighborhood came into conformance with the Elmhurst Neighborhood Plan that was approved by the Topeka Planning Commission, the Shawnee County Board of Commissioners and the Topeka City Council in that same year. It is our understanding that the Elmhurst Neighborhood Plan was adopted as part of the City's larger Comprehensive Plan which sets out land use for the city and provides for zoning that encourages future land development that meets the goals of the city.

From the standpoint of the Elmhurst Neighborhood Association, it was that downzoning action which set our neighborhood on a path of stability and improvement. The conversion of the turn-of-the-century homes in Elmhurst to zoning that more appropriately matched the original intent of those homes formed the foundation of our efforts to rebuild our neighborhood as a place free of blighted and vacant properties, and free of drug houses and high incidences of crime.

One of the messages the Elmhurst Neighborhood Association has consistently used when talking with prospective new residents is that it was safe to invest in Elmhurst because our city recognizes the importance of proper zoning as a tool in building healthy neighborhoods. We believe that many new Elmhurst residents made the decision to purchase an Elmhurst home largely because of the downzoning action.

Residents of Elmhurst have communicated to me that they would view approval of the zoning request before you as a real step backward for our neighborhood. They are concerned that the approval of one such request might be followed by others. Residents of Elmhurst remember what our neighborhood was like 10 -15 years ago, and they worry that the work they have done, and the progress we have made, might be lost.

We thank the Planning staff and the Planning Commission for the vision and leadership that resulted in the downzoning of our neighborhood and we encourage you to deny the request to rezone 1236 Garfield.

Sincerely,

Marc Galbraith
President, Elmhurst Neighborhood Association
1230 College
Topeka, KS 66604
357-4503

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OCT 06 2009
TOPEKA PLANNING
DEPARTMENT

Dean Diediker

From: Loreena Munoz
Sent: Thursday, October 08, 2009 1:56 PM
To: Dean Diediker
Subject: Z09/8

Mr. & Mrs. Scott members of Elmhurst NIA wanted to call in their opposition to Z09/8 by Cory Higginbothum. They would like the home to remain a single family dwelling. They are not within the 200ft radius but wanted to voice their opposition. Her phone 785-233-7067.

Loreena Munoz
Office Specialist
City of Topeka, Planning Department
785-368-3003

CONFIDENTIALITY NOTICE: This e-mail message is being sent from an employee or representative of the City of Topeka, Kansas. This message, including any attachments, is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

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OCT 08 2009
TOPEKA PLANNING
DEPARTMENT

October 1, 2009

Dean Diediker
c/o Topeka Planning Dept
620 SE Madison
Topeka, KS 66607

Mr. Diediker:

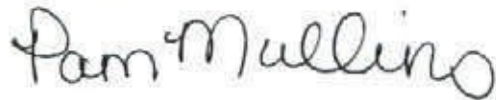
The owner of the property at 1236 SW Garfield has applied to have the zoning changed back to multiple family from single family occupancy.

Several members of our neighborhood association worked very hard to get the single family zoning passed a few years ago, and we strongly feel our neighborhood has greatly improved since then. Changing it back may be a prelude to the return of drug houses and many other problems. Please consider this at the hearing Oct. 19 at the City Commission Meeting.

I also question the process of this owner's application to have the zoning changed. Would our neighborhood be notified of the hearing for the application? I trust we would receive some notification as the Planning Commission voted to change the zoning -- would they actually make an exception thereby nullifying the earlier change?

Thank you for your consideration in this matter.

Sincerely,



Pamela R. Mullins
1151 SW Mulvane
Topeka KS 66604-1457
233-9053
mullinsgypsy@sbcglobal.net

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October 18, 2009

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DEPARTMENT

Topeka Planning Commission

On October 11, 2009 the Holliday Park NIA proposed to support the Elmhurst neighborhoods' current zoning ordinance. The vote was unanimous in favor supporting the Elmhurst neighborhood plan and or current zoning status. Historic Holliday Park has benefitted significantly from similar zoning ordinances resulting in maintaining single family dwellings and attracting new families to our neighborhood. We encourage the Topeka Planning Commission to support the Elmhurst neighborhood in its efforts to maintain its historical architectural elements and family friendly environment.

Sincerely,



Thomas S. Bartlett

President Elect: Historic Holliday Park NIA

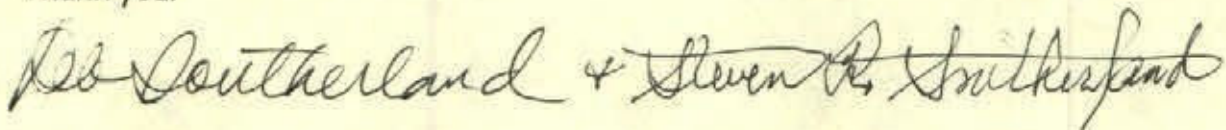
To the Honorable Mayor Bunten and The Topeka City Council:

Please do not allow anyone to come into our Elmhurst neighborhood, chop up our beautiful homes into apartments, and take our zoning back 20 years. We, as a neighborhood, have come so far from the 1970's when *this* family moved into the 1200 block of College Avenue.

This increase in safety, beauty, and property value has been due, in large part, to the efforts of the Elmhurst Neighborhood Association (Marc Galbraith, President) and many determined and sacrificing individuals, who live in the area, as well as Topeka Bible Church and the Topeka Turnaround Team.

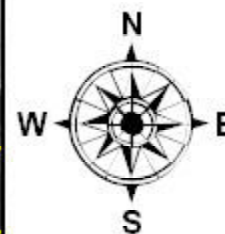
Please recognize their great accomplishments by supporting our current zoning and helping us keep our neighborhood on the upswing.

Thank you.

A handwritten signature in cursive script that reads "Deb Southerland & Steven R. Southerland". The ink is dark and the signature is fluid.

Deb and Steve Southerland
1227 SW College Avenue
— — — — —

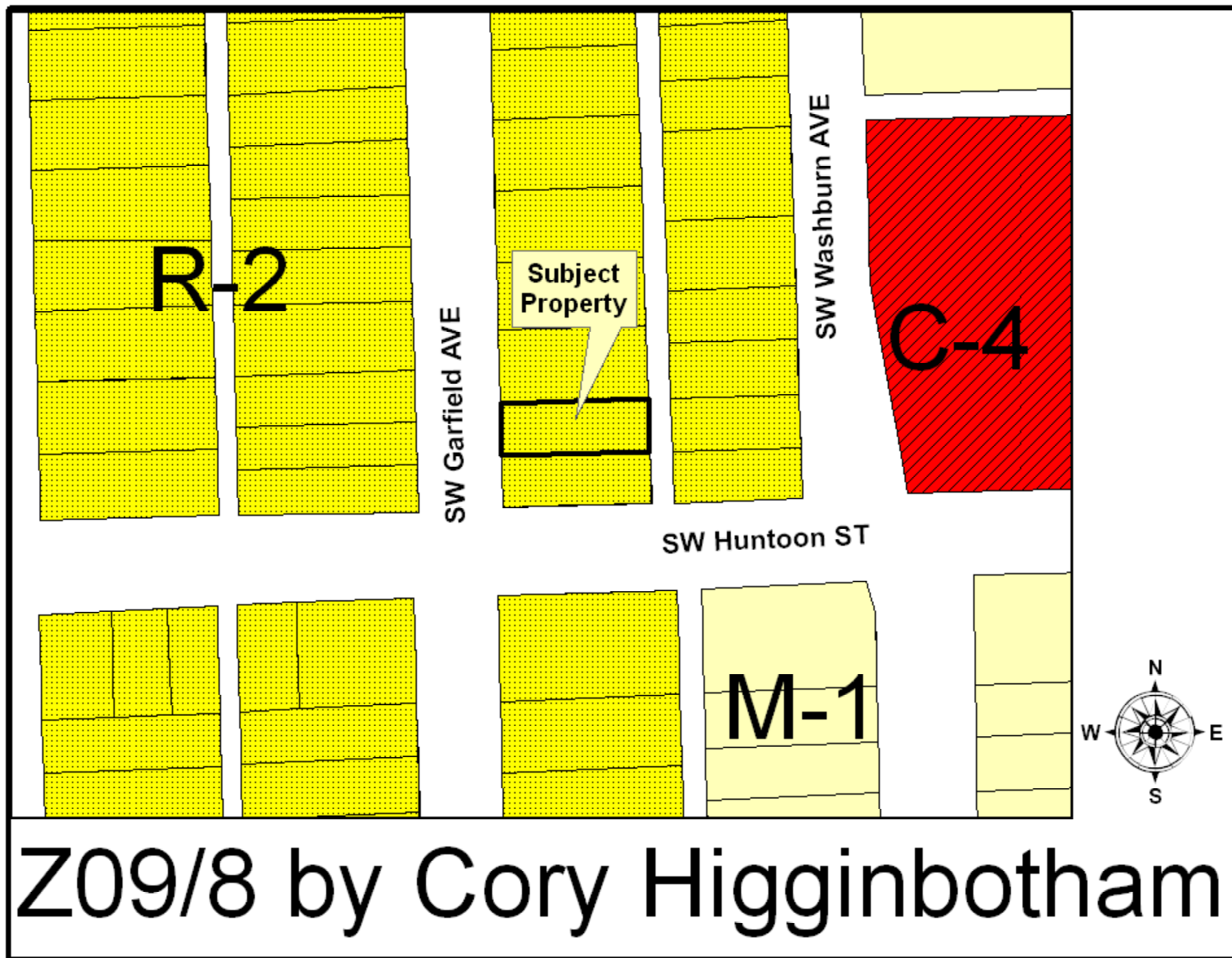
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OCT 19 2009
TOPEKA PLANNING
DEPARTMENT



Z09/8 by Cory Higginbotham



Z09/8 by Cory Higginbotham



Z09/8 by Cory Higginbotham



Zoning Application Form

(including PUDs and CUPs)

City of Topeka Planning Department
620 SE Madison, 3rd Floor (Unit #11)
Topeka, KS 66607-1118
Phone 785-368-3728 Fax 785-368-2535
www.topeka.org/planning

209
1236 SW
Banfield Ave

Attachment number 8
Page 1 of 5

Applicant Information

Property Owner(s): Cory Higginbotham

Street Address: 3733 se truman ave

City: ks State: ks Zip: 66609 E-mail: clhigginbotham@cox.net

Work phone: 7852716444 Home phone: 7852248667 Fax: _____

Authorized Owner Representative (if any): none

Street Address: _____

City: _____ State: _____ Zip: _____ E-mail: _____

Work phone: _____ Home phone: _____ Fax: _____

Authorized Professional Agent (Engineer, Architect, Attorney, etc.) – if different from above

none

Street Address: _____

City: _____ State: _____ Zip: _____ E-mail: _____

Work phone: _____ Home phone: _____ Fax: _____

Authorization

I (we) am (are) the owner(s) of record for the subject property and hereby authorize filing of this application and any agent listed in this application to represent the owner(s). I (we) allow posting of signage on the property by the City of Topeka for the requested zoning change. I (we) declare that all submitted information is complete and accurate. I (we) hereby acknowledge that all zoning application procedures have been reviewed and understood as part of this submittal.

Owner 1 Name: Cory Higginbotham

Owner 1 Signature: _____

Date: 9/1/2009

Owner 2 Name: _____

Owner 2 Signature: _____

Date: _____

Requested Action and Site Information

Address or Location of Property to be Re-Zoned: 1236 sw garfield ave

topeka, ks 66604

Legal Description of Property*: lot(s) 512 + N 1/2 of 514 block subdivision elmhurst

lot(s) block subdivision

*if unplatted, attach metes and bounds description

Total Area (acres/square feet): 38x103/2400 - 3862 Sq. Ft.

Type of Application:

1. Re-zoning from: r2 to: m1

2. Planned Unit Development (PUD) zoning use group(s): single family

3. Conditional Use Permit (CUP) proposed use: multi family

Existing Use(s) on the property: single family

How long has the existing use been active on the property? 10 years

Proposed Use(s), if known (please describe to ensure conformity to the proposed zoning):

multi family, duplex

Was a Pre-Application Meeting or Zoning Inquiry completed with Staff? yes If Yes, when? 8/18/2009

FOR OFFICE USE ONLY

Date submitted: 9/4/09

Date notice sent: 9/25/09

Application no.: 70918

Date advertised: 9/25/09

Filing fee: 650⁰⁰ Receipt no.: 11961

Date of hearing: 10/19/09

Council district: #6

NIA/NA: Elmhurst NA

Items Missing? Yes ___ No ___ List any incomplete items:

Applicant Justification

This section is intended to provide you with the opportunity to present information in support of your request. It is important to bear in mind that the presumption of validity rests with the present zoning and use of the property. It is the burden of the applicant to demonstrate that the proposed change in zoning or proposed conditional use is appropriate. Please attach additional sheets if necessary.

1. How is the land more suitable for the uses allowed under your proposed zoning vs. the uses allowed under the current zoning?

1236 Garfield is already set up to be a duplex, it is a 3 story house with a first floor kitchen and a second floor kitchen. It has 2 heaters and two hot water heaters. It also has 2 1/2 baths, one on each floor. It is my understanding that the city of topeka owned it ten years ago. At that time the back stairs was rotten, so instead of spending the money to replace it, the stairs were torn off and the unit was rezoned and sold as a single family dwelling. Any owner who bought this house would have had to run two heaters in order to heat the entire house. This is not economically feasible unless your going to rent out the second floor apartment. New home owners would not be happy once they found this out. There also exists rear alley way parking for the second floor apartment. It does not make any sense for this house to be a single family home.

2. What effect would the proposed zoning have on the character of the neighborhood and surrounding properties?

An empty house carries a negative impact on any neighborhood. Property owners create the character of the neighborhood by maintaining their homes and adding their on personal touches. I have a proven track record as I am remodeling my second home on Truman ave here in Topeka. I have brought life back to 1236 Garfield, a house that was in disrepair and would have been a very hard sell as a single family home with 2 heaters to operate, 28 broken water pipes, faucets on every sink and tub needed replaced, an inoperable dishwasher, screens and storm windows missing. I have already spent thousands of dollars repairing and replacing. I have tenants renting the house right now but by renting out the second apartment I will have sufficient income to continue to upgrade, creating an even more positive impact on the community. My plans are to reinstall the rear stairs and reestablish the unit to its former glory. The unit directly to the south is a multi family unit. The houses across the street are rentals. This will not be a big change for the neighborhood.

3. If known, how does the proposed zoning conform to the City's Comprehensive Plan?

I do not know what the city's comprehensive plan is but I would assume that the city promotes maintaining a home and the surrounding property, following city codes and not letting the structure go into disrepair.

Real Property Tax Status

As part of the official application for a zoning amendment, the Zoning Regulations of the City of Topeka require:

"Proof that all real property taxes are paid to date and are current for the subject property. In the event real property taxes including any special assessments are delinquent, the application shall not be scheduled for public hearing until such time all taxes are paid or satisfactory escrow arrangements for the payment of such taxes or special assessment have been made and presented to the City Attorney's Office for approval."

There are two ways to provide proof with this application:

1. Submit a copy of the property's tax status found on-line at the Shawnee County Appraiser's web-site (<http://www.co.shawnee.ks.us/As/>). Click on "residential search" or "commercial search", input the address, and follow the links to the property's tax information. Print off the Shawnee County Treasurer's page indicating the amount of any unpaid property tax.

OR

2. Complete the information below at the Shawnee County Register of Deeds and the Shawnee County Treasurer for verification of real property tax/special assessment status. Both offices must sign the form below for it to be complete. The Register of Deeds and Treasurer of Shawnee County, Kansas, are located in the Shawnee County Courthouse, 200 S.E. 7th Street, Topeka, Kansas, Rooms 108 and 101, respectively

Applicant

Property Address: 1236 sw garfield ave

Owner of Record Name(s): Cory Higginbotham

Legal Description: single family home

Shawnee County Register of Deeds

Property Identification Number (PIN): paid in full parcel id 0973603032012000

X
Shawnee County Register of Deeds

Date

Shawnee County Treasurer

As of this date, I hereby certify that the real property tax liabilities and special assessments applicable to the property described and identified above, to be of the following status:

Paid in Full _____ Current _____ Delinquent _____ In Dispute _____ Exempt _____

X
Shawnee County Treasurer

Date

not current as of 9/4/09
Planning

Infrastructure Availability (optional)

Please consult the Engineering Division of Topeka Public Works Department for information below (368-3842)

1. Water

- a. Location and size of water main serving site:
south and 6 inch pipe
- b. Does the current system have adequate capacity?
City engineers say it does

2. Sanitary Sewer

- a. Location and size of sewer main serving site:
East and 8 inch pipe
- b. Does the current system have adequate capacity? If not, are improvements anticipated?
City engineers say it does

3. Storm Drainage

- a. How will storm water run-off be handled on site?
Guttering and natural run off
- b. Does the current storm sewer system have adequate capacity for proposed use?
yes

4. Traffic Circulation

- a. What are the site's existing and proposed access points?
Alley way, and Huntoon street
- b. Are any street or traffic control improvements proposed?
unknown

DRAFT

**Minutes of the
Topeka Planning Commission
October 19, 2009**

Z09/8 by Cory Higginbotham requesting to amend the District Zoning Classification from “R-2” Single-Family Dwelling District **TO** “M-1” Two Family Dwelling District on property located at 1236 SW Garfield Avenue. **(Diediker)** Dean Diediker summarized the staff report.

Opponents:

Marc Galbraith, 1230 College, President of the Elmhurst Neighborhood Association, spoke in opposition to the proposal. He said he is speaking on behalf of many members of the NA. He said there are many in the audience (approximately 25 people stood in support) and many others that could not come to the meeting tonight. He stated the Elmhurst neighborhood was down-zoned in 2001. He said many houses in this area were showing serious blight and it was considered a high crime area. There were many drug houses in this area and throughout the Elmhurst neighborhood. All of this affected everyone in the neighborhood and aided in destabilizing the area. We have worked hard to turn the neighborhood around. The down-zoning was the foundation for the progress of cleaning up our neighborhood and has made a huge difference. There are homeowners and renters in this neighborhood that have worked hard to clean up and invest in their homes. All of the work has given property owners some assurance that this is a good area to invest and live in. He requested the commission vote against the rezoning because there is no justification for it. Mr. Galbraith gave the commission two letters of opposition from neighbors.

Mark Boyd asked if the house is being used as a single family home currently? Mr. Galbraith said he thinks it is single family. Several members of the commission stated they think the house is currently vacant. Mr. Boyd said there will be some construction to convert this to a two family home? Mr. Galbraith said he thinks so.

Doug Bassett said he would like to know what the applicant's intention is. Mr. Galbraith said he thinks he just wants to split it up.

Melissa Ekland 1240 SW Garfield, spoke in opposition to the proposal. She said she lives right next door and the house has been vacant for about a week. She said the previous tenants would park on her property. She said in this area everyone parks in their backyard via the alley. She said the house currently has an exterior door on the second floor that e would need to build a staircase to. She said the police have been diligent about cleaning up drug dealers in this area. This house was a known drug house and that was with it as a single family home. If it is a duplex it will invite more problems. Ms. Ekland said she doesn't want trash, crime and parking problems right next door.

Duane Polmeroy, President of the Central Topeka Turnaround Team, spoke in opposition to the proposal. He said he was also speaking on behalf of the Turnaround Team. He said he moved to the 1100 block of Fillmore in 1992 and as a council member helped review and update/correct the zoning in Topeka. He said it was a very lengthy process to downzone a neighborhood. He said every piece of property was grandfathered in at the time with whatever use was in place. This is clearly a case that where the requested zoning won't work. He said there were many blocks in this area where they put multiplexes were put amongst single family homes. This was all before they had council representation. He said the main problem is the Fire Department doesn't know what to expect in homes that have been converted from single family. They don't know how many units,

etc.

Karen Ritter, Vice President College Hill Neighborhood Association, spoke in opposition to the proposal. She said College Hill N.A. is in support of Elmhurst N.A. opposition. The down-zoning in this area has helped this neighborhood. There are many homes that were multifamily in the past and been turned into single family. This helps stabilize the neighborhood and gives the owners more pride. When I bought my home there were many homes that were multifamily but my realtor helped me understand the down-zoning and I bought in the area. She said we would like all neighborhoods to support each other.

Debra Swank, Councilwoman District #6, spoke in opposition to the proposal. She stated this is a wonderful area. The down-zoning has been successful in cleaning up and bring the neighborhood back. She said the property owner should have done his homework to know what he was purchasing. This neighborhood has pride and are our eyes in the area. The central part of the city property values have gone up because there is more home ownership. She said even if this was multifamily in the past it has been single family for the last five years so it should remain single family.

Michelle Hoferer said, as a realtor, are the potential owners of the property told the zoning of the property? Ms. Swank said she does disclose the zoning but it is not required. She added this property was bought as an investment and he should have checked the zoning.

Tom Beneka, Vice-President Chesney Park NIA, spoke in opposition to the proposal. He said this would be spot zoning if approved. He requested the commission deny the rezoning.

Frank Hogue, homeowner in Chesney Park, spoke in opposition to the proposal. He said his area is just coming out of some of the problems the Elmhurst area has escaped from. We are in the process of cleaning up the drugs, prostitutes and multifamily home. We are trying to rebuild the central part of the city. He asked the commission not to break up the single family homes. There is no way to keep law and order in areas with multiple family homes.

Jeff McKeiver, homeowner in Elmhurst area, spoke in opposition to the proposal. He said his family has watched the transformation of this area. He said we have raised our children here. Many of the houses have been converted back to single family and we have seen nothing but improvement since. Our neighborhood recently celebrated 100 years. This rezoning would take away from our neighborhood.

Chairman Boyd said it is great to see all the neighborhoods work together and come to the meeting to speak. Ms. Hoferer echoed his appreciation.

Michelle Ekland, 1240 SW Garfield, spoke in opposition to the proposal. She said she lives next door. She said overall Elmhurst and College Hill areas have done a great job in cleaning up and improving their neighborhoods. She said our block isn't as safe as others but if this rezoning goes through it would further deteriorate our area. She said the police and code compliance are in the area all the time. The problem homes we have right now are rentals with multiple people living in them. She said she doesn't want to see the area go down further. The house has been vacant for about 3 weeks. The last renters were told it is a duplex and could only rent the bottom half. It is being advertised as a duplex. There are many code issues with this house that the property owner won't address.

Doug Bassett said they can only have one family in a single family home, correct? Mr. Thurbon

said they can have up to five unrelated people living in a house.

Darrell Eklund, 1186 Miffland Court, spoke in opposition to the proposal. He said he is the former president of the Landlord Association. He urged the commission to support planning process and reject this request for rezoning.

John Federico asked if Mr. Galbraith's opposition is a blanket opposition in the rezoning of the property and not against the property owner? Mr. Galbraith replied there have been two code violations with this property for the short time he has owned it. We are concerned with the property owner's maintenance of the property and lack of background check in tenants. Mr. Federico asked if it was a different owner would it make a difference? Mr. Galbraith replied no, we are all against the zone change. The detriment to the neighborhood would be horrible.

No one spoke in favor of the proposal.

Exparte communications – none

Michelle Hoferer moved disapproval of the proposal (following staff's recommendations), seconded by Mike Lackey. **DISPPROVAL. (8-0-0)**



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