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City Council Agenda

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

October 5, 2010
6:00 PM

City Manager: Norton N. Bonaparte, Jr.

Mayor: William W. Bunten

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:

"National 4-H Week"
"Fire Prevention Week"
"Energy Star Awareness Week"

2. PRESENTATIONS:

"Update on Potholes and Winter Preparation"

3. ROLL CALL:

4. CONSENT AGENDA:

A. Board Appointment - Topeka Planning Commission



[ATTACHMENTS](#)

BOARD APPOINTMENT recommending the appointment of June Burks Ewing to the Topeka Planning Commission for a term ending October 31, 2013. *(Council District No. 1)*

B. Resolution - Joletta's - Noise Exception



[ATTACHMENTS](#)

A RESOLUTION introduced by Councilmember John Alcala, granting Joletta's an exception to the provisions of City of Topeka Code Section 9.45.170 concerning noise prohibitions. *(Council District No. 2)*

(A Veteran's Aid Benefit will take place during the hours of 12:00 noon and 11:59 p.m. on October 10, 2010 in the parking lot of 600 NW Paramore.)

C. Resolution - Melinda Cuevas - Noise Exception



[ATTACHMENTS](#)

A RESOLUTION introduced by Councilmember Bob Archer, granting Melinda Cuevas an exception to the provisions of City of Topeka Code Section 9.45.170 concerning noise prohibitions. *(Council District No. 7)*

(A Neighborhood Block Party will take place during the hours of 7:00 p.m. and 11:00 p.m. on October 16, 2010 on Sunset Road between 28th & 29th Streets.)

D. Resolution - Shara Monhollon - Noise Exception



[ATTACHMENTS](#)

A RESOLUTION introduced by Councilmember Deborah Swank, granting Shara Monhollon an exception to the provisions of City of Topeka Code Section 9.45.170 concerning noise prohibitions. *(Council District No. 6)*

(A Halloween Party will take place during the hours of 8:00 p.m. and 11:59 p.m. on October 30, 2010 at 1733 SW Seabrook Avenue.)

E. MINUTES of the regular meeting of September 28, 2010

F. APPLICATIONS:

5. UNFINISHED BUSINESS:

A. Ordinance - Accessory Uses Amendment (ACZR10/1)



[ATTACHMENTS](#)

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., concerning accessory uses for various zoning districts, amending Section 18.210.020 and specifically repealing said original section. Final Reading. *(ACZR10/1)*

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

(Approval would amend the Accessory Use requirements in the Comprehensive Zoning Regulations including: restrictions on utilizing truck bodies and cargo containers in residential

zoning districts; modifying storage and parking restrictions of large vehicles, boats, machinery, materials, and equipment in residential zoning districts; and clarifying permitted accessory uses in the industrial zoning districts.)

B. Ordinance - Accessory Uses Definitions Amendment (ACZR10/2)

 [ATTACHMENTS](#)

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., amending City of Topeka Code Sections 18.55.030 and 18.55.160, concerning definitions for zoning regulations and specifically repealing said original sections. Final Reading. (ACZR10/2)

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

(Approval would indirectly amend the Accessory Uses section of our Zoning Regulations by clarifying that cargo containers are not allowed as accessory uses but can be temporary uses in residential neighborhoods while the other three definitions all relate to the parking of commercial vehicles in residential neighborhoods.)

6. NEW BUSINESS:

A. Applications - Retail Cereal Malt Beverage License

APPROVAL of Retail Cereal Malt Beverage License Applications.

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

(Pursuant to K.S.A. 41-2702 application for license must be approved by the Governing Body prior to the issuance of the license.)

B. Ordinance - Weekly Expenditures - September 13-19, 2010

 [ATTACHMENTS](#)

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., allowing and approving City expenditures for the period of September 13, 2010, through September 19, 2010, and enumerating said expenditures therein. First and Final Reading.

7. MISCELLANEOUS:

-

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

-

9. PUBLIC COMMENT:

-

10. ADJOURNMENT:

-



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

September 8, 2010

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DATE: October 5, 2010

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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STAFF RECOMMENDATION:

BACKGROUND:

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SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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CATEGORY/SUBCATEGORY

CIP PROJECT: No

ACTION OF COUNCIL:

JOURNAL #:

PAGE #:

DOCUMENT DESCRIPTION:

"National 4-H Week"

"Fire Prevention Week"

"Energy Star Awareness Week"

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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CIP PROJECT: No

ACTION OF COUNCIL:

JOURNAL #:

PAGE #:

DOCUMENT DESCRIPTION:

"Update on Potholes and Winter Preparation"

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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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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September 16, 2010

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DATE: October 5, 2010
CONTACT PERSON: Mayor Bunten
SECOND PARTY/SUBJECT: Topeka Planning Commission
CATEGORY/SUBCATEGORY 006 Communication / 003 Requests
CIP PROJECT: No
ACTION OF COUNCIL:
DOCUMENT #:
PROJECT #:
JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

BOARD APPOINTMENT recommending the appointment of June Burks Ewing to the Topeka Planning Commission for a term ending October 31, 2013. *(Council District No. 1)*

POLICY ISSUE:

N/A

STAFF RECOMMENDATION:

Councilwoman Hiller nominates and Mayor Bunten recommends the appointment of June Burks Ewing to the Topeka Planning Commission for a term that will end October 31, 2013. A bio is attached for review.

BACKGROUND:

Ordinance 18442. The Topeka Planning Commission assumes all powers, duties, responsibilities and functions provided by the laws of the state and resolutions and ordinances of the city. All ordinances, to the greatest extent practical, including, but not limited to, ordinances adopting the comprehensive land use plan, subdivision regulations and comprehensive zoning codes, resolutions, policies, rules and regulations now in force and effect within the City of Topeka and its extraterritorial jurisdiction at the time of the ordinance, which are not inconsistent with the provisions of KSA 12-744 and amendments thereto.

BUDGETARY IMPACT:

N/A

SOURCE OF FUNDING:

N/A

ATTACHMENTS:

[Ewing Bio - Planning Commission](#)

Item #6

PROFILE

Seeking to follow God under the Rule of Love through relationships with others.

EXPERIENCE

Pastor, Westminster Presbyterian Church Topeka KS; 300 members; Small town, February 2010 to Present

Pastor; First Presbyterian; Ste. Genevieve MO; 107 members; Village: July 2006 – January 2010

Volunteer Preacher; Downtown Presbyterian; Nashville TN; 100 members; Inner City; Lent: 2006

Consultant; Vanderbilt T-Act Grant; Nashville TN; (part-time): Winter 06

Consultant; Baptist Healing Trust; Nashville TN; (part-time): Fall 05

Part-time Pastor; Harpeth Presbyterian; Nashville TN; 200 members; Suburban: Fall 2004

Pastor Intern; Second Presbyterian; Nashville TN; 400 members; City: Summer 2004 (full-time)

Chaplain Intern; Saint Thomas Hospital; Nashville TN; 600+ patients; City: Fall 03 – Spring 04

Administrative Director; Pediatric Network; Nashville TN; (VUMC); City: March 1995 – Aug 2002

Financial and Pharmaceutical Sales; Charlotte NC, AL, MS: 1975 – 1988

EDUCATION

Vanderbilt University, Nashville TN	M.Div.
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Vanderbilt University, Nashville TN	Ed.D.
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Winthrop College, Rock Hill SC	M.A.T.
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Ball State University, Muncie ID	M.A.
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University of North Carolina, Chapel Hill	B.A.
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SKILLS

Preaching and teaching, leadership and spiritual development as well as pastoral care and hospital emergency visitation. Administrative, financial and computer skills (i.e., maintaining church website and uploading sermons as mp4 files on my Mac). Group process and strategic planning skills. Community outreach, mission, and ecumenical experiences (i.e., 2007–2009 Community Services Forum Secretary then Vice Chair working in 2009 to create a local federal food pantry; 2007–2008 Ste. Genevieve County Community Center Foundation board member; and 1999–2001 board member as strategic planning leader of Siloam Healthcare Clinic in Nashville, TN.)



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DATE: October 5, 2010
CONTACT PERSON: John Alcala
SECOND PARTY/SUBJECT: Trisha Mark
CATEGORY/SUBCATEGORY 020 Resolutions / 005 Miscellaneous
CIP PROJECT: No
ACTION OF COUNCIL:
DOCUMENT #:
PROJECT #:
JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

A RESOLUTION introduced by Councilmember John Alcala, granting Joletta's an exception to the provisions of City of Topeka Code Section 9.45.170 concerning noise prohibitions. (Council District No. 2)

(A Veteran's Aid Benefit will take place during the hours of 12:00 noon and 11:59 p.m. on October 10, 2010 in the parking lot of 600 NW Paramore.)

POLICY ISSUE:

Whether or not to grant a noise exception.

STAFF RECOMMENDATION:

None

BACKGROUND:

Noise exception for live bands and amplified music and sound during specified date and time.

BUDGETARY IMPACT:

None

SOURCE OF FUNDING:

None

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION introduced by Councilmember John Alcala, granting Joletta's an exception to the provisions of City of Topeka Code § 9.45.170 concerning noise prohibitions.

WHEREAS, City of Topeka Code § 9.45.170 makes it unlawful for any person to make, continue or cause to be made or continued any loud, unnecessary or unusual noise or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health or safety or others within the limits of the city; and

WHEREAS, City of Topeka Code § 9.45.170 authorizes the City Council to grant exceptions to the prohibitions of this code section upon request and a showing that the proposed activity does not offend the spirit of the findings of City of Topeka Code § 9.45.150; and

WHEREAS, Joletta's has requested that they be granted an exception to the provisions of City of Topeka Code § 9.45.170 for the purposes, dates and times described herein; and

WHEREAS, upon review of the application, the Council of the City of Topeka does hereby find that the requested activity does not offend the spirit of the findings of City of Topeka Code § 9.45.150.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Topeka that Joletta's is hereby granted an exception from the provisions of City of Topeka Code § 9.45.170 for live bands and amplified music and sound during the Veteran's Aid Benefit to be located at 600 NW Paramore on October 10, 2010 between the hours of 12:00 noon and 11:59 p.m.

The event will be held in the parking lot.

ADOPTED and APPROVED by the City Council _____.

CITY OF TOPEKA, KANSAS

William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk



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DATE: October 5, 2010
CONTACT PERSON: Bob Archer **DOCUMENT #:**
SECOND PARTY/SUBJECT: Melinda Cuevas **PROJECT #:**
CATEGORY/SUBCATEGORY 020 Resolutions / 005 Miscellaneous
CIP PROJECT: No
ACTION OF COUNCIL: **JOURNAL #:**
PAGE #:

DOCUMENT DESCRIPTION:

A RESOLUTION introduced by Councilmember Bob Archer, granting Melinda Cuevas an exception to the provisions of City of Topeka Code Section 9.45.170 concerning noise prohibitions. *(Council District No. 7)*

(A Neighborhood Block Party will take place during the hours of 7:00 p.m. and 11:00 p.m. on October 16, 2010 on Sunset Road between 28th & 29th Streets.)

POLICY ISSUE:

Whether or not to grant a noise exception.

STAFF RECOMMENDATION:

None

BACKGROUND:

Noise exception for amplified music and sound during specified date and time.

BUDGETARY IMPACT:

None

SOURCE OF FUNDING:

None

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION introduced by Councilmember Bob Archer, granting Melinda Cuevas an exception to the provisions of City of Topeka Code § 9.45.170 concerning noise prohibitions.

WHEREAS, City of Topeka Code § 9.45.170 makes it unlawful for any person to make, continue or cause to be made or continued any loud, unnecessary or unusual noise or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health or safety or others within the limits of the city; and

WHEREAS, City of Topeka Code § 9.45.170 authorizes the City Council to grant exceptions to the prohibitions of this code section upon request and a showing that the proposed activity does not offend the spirit of the findings of City of Topeka Code § 9.45.150; and

WHEREAS, Melinda Cuevas has requested that she be granted an exception to the provisions of City of Topeka Code § 9.45.170 for the purposes, dates and times described herein; and

WHEREAS, upon review of the application, the Council of the City of Topeka does hereby find that the requested activity does not offend the spirit of the findings of City of Topeka Code § 9.45.150.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Topeka that Melinda Cuevas is hereby granted an exception from the provisions of City of Topeka Code § 9.45.170 for amplified outdoor music during the Neighborhood Block Party to be located on SW Sunset Road between 28th & 29th Street on October 16, 2010 between the hours of 7:00 p.m. and 11:00 p.m.

ADOPTED and APPROVED by the City Council _____.

CITY OF TOPEKA, KANSAS

William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk



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DATE: October 5, 2010
CONTACT PERSON: Deborah Swank
SECOND PARTY/SUBJECT: Shara Monhollon
CATEGORY/SUBCATEGORY 020 Resolutions / 005 Miscellaneous
CIP PROJECT: No
ACTION OF COUNCIL:
DOCUMENT #:
PROJECT #:
JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

A RESOLUTION introduced by Councilmember Deborah Swank, granting Shara Monhollon an exception to the provisions of City of Topeka Code Section 9.45.170 concerning noise prohibitions. *(Council District No. 6)*

(A Halloween Party will take place during the hours of 8:00 p.m. and 11:59 p.m. on October 30, 2010 at 1733 SW Seabrook Avenue.)

POLICY ISSUE:

Whether or not to grant a noise exception.

STAFF RECOMMENDATION:

None

BACKGROUND:

Noise exception for amplified music during specified date and time.

BUDGETARY IMPACT:

None

SOURCE OF FUNDING:

None

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION introduced by Councilmember Deborah Swank, granting Shara Monhollon an exception to the provisions of City of Topeka Code § 9.45.170 concerning noise prohibitions.

WHEREAS, City of Topeka Code § 9.45.170 makes it unlawful for any person to make, continue or cause to be made or continued any loud, unnecessary or unusual noise or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health or safety or others within the limits of the city; and

WHEREAS, City of Topeka Code § 9.45.170 authorizes the City Council to grant exceptions to the prohibitions of this code section upon request and a showing that the proposed activity does not offend the spirit of the findings of City of Topeka Code § 9.45.150; and

WHEREAS, Shara Monhollon has requested that she be granted an exception to the provisions of City of Topeka Code § 9.45.170 for the purposes, dates and times described herein; and

WHEREAS, upon review of the application, the Council of the City of Topeka does hereby find that the requested activity does not offend the spirit of the findings of City of Topeka Code § 9.45.150.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Topeka that Shara Monhollon is hereby granted an exception from the provisions of City of Topeka Code § 9.45.170 for amplified outdoor music during a Halloween Party to be located at 1733 SW Seabrook Avenue on October 30, 2010 between the hours of 8:00 p.m. and 11:59 p.m.

ADOPTED and APPROVED by the City Council _____.

CITY OF TOPEKA, KANSAS

William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk



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PROJECT #:

CATEGORY/SUBCATEGORY

CIP PROJECT: No

ACTION OF COUNCIL:

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POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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PROJECT #:

CATEGORY/SUBCATEGORY

CIP PROJECT: No

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POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available

The Planning Commission recommended **APPROVAL** by a 6-1-0 vote of the amendment at its **August 16, 2010** meeting, subject to changing Line 73 from "5 tons" to "6 tons" and changing Line 75 by adding the words **item #12** in front of "commercial vehicles".

BACKGROUND:

- See staff report for the August 16, 2010 Planning Commission public hearing.
- See staff report for the June 28, 2010 Planning Commission Policy Meeting.
- See table showing commercial vehicle parking in other communities
- See public comment letters
- Governing Body options:
- **Adopt** the recommendation of the Planning Commission by Ordinance;
- **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:

[Staff Report for 8-16-10 PC](#)

[Staff Report for 6-28-10 PC Policy Mtg](#)

[Table of Other Communities' Comm. Vehicle Standards](#)

[Ordinance](#)

[Planning Commission Minutes](#)

[Public Comment Letters](#)

Amendment to Accessory Uses Section – ACZR10/1

August 16, 2010 Planning Commission

Purpose: Attached is a proposed draft ordinance that would amend Section 18.210.020, Permitted uses within the Accessory Uses section of our Zoning Regulations. The proposed amendments involve: restrictions on utilizing truck bodies and cargo containers in residential zoning districts; modifying storage and parking restrictions of large vehicles, boats, machinery, materials, and equipment in residential zoning districts; and clarifying permitted accessory uses in the industrial zoning districts.

History: At the May 24, 2010 and June 28, 2010 Planning Commission Policy Meetings, changes to accessory uses and applicable definitions relating to those changes were discussed in detail. These related definitions are covered under a separate Zoning Ordinance Amendment (ACZR10/2).

At these Policy Meetings, the Planning Commissioners focused on the difficult issue of parking commercial vehicles in residential neighborhoods. In a nutshell, it was how to potentially balance the desires of trades and service personnel who are furnished a truck to drive home in order to respond to service calls during the evening or weekend hours while other neighborhood residents' desire that some or all of those vehicles should not be parked in residential districts. Based on numerous detailed discussions, the Planning Commission felt it was reasonable to accommodate businesses and their employees in this manner until a commercial vehicle crossed thresholds where the vehicle's impact on a residential neighborhood became too great. These impacts could be related to a vehicle's large size, unaesthetic appearance that may resemble a small billboard setting in the midst of a neighborhood, or excessive noise created by a large diesel engine. The draft ordinance on pages 3 – 4 (lines 67 – 74) reflects the most recent changes regarding this matter.

The key parameters below summarize where we originally were on the limits of commercial vehicle parking in residential districts, what was passed by the governing body on March 16, 2010, and what is currently proposed.

Commercial Vehicle Parking Limits Prior to Early 2010

- Trucks with a payload over 1 ½ tons must be parked in a garage or screened from view from abutting properties and streets
- Vehicles, boats, and tractors with a gross vehicle weight rating of 5 tons or more shall not be parked on residential properties

Revisions by Planning Commission and Governing Body in February/March 2010

- Non-commercial trucks, boats, trailers, buses, and tractors with a weight of 7 ½ tons or more are not allowed on residential properties
- Commercial vehicles with a height or width of 7.5' or more are not allowed
- Commercial vehicles with a length of 25' or more are not allowed

Commercial Vehicle Parking as Now Proposed

- Pickup trucks are allowed on residential properties
- Trucks (excluding pickups), boats, trailers, buses, and tractors with a curb weight or gross vehicle weight rating over 5 tons are not allowed
- Commercial vehicles with a height of 9' or more, a width of 7.5' or more, and/or length of 24' or more are not allowed

The Planning Commission also discussed at the May 24, 2010 Planning Commission Policy Meeting, cargo containers (aka “storage containers”) and truck bodies and issues with residents utilizing those for storage purposes in residential neighborhoods. The Planning Commission directed staff to not allow truck bodies to be used for storage purposes and to only allow cargo containers as a temporary accessory use for up to 30 days in any calendar year. The temporary use of these would allow residents a place to store their personal goods on-site while remodeling and moving. These revisions can be seen in the draft ordinance on page 3 (lines 64 – 66).

Permitted accessory uses in the industrial zoning districts were modified based on the request of the company assisting in codifying our new Topeka Municipal Code. Essentially, they requested that we consider revising the text to clarify some of our accessory uses for the industrial zoning districts. These changes can be seen on page 6 (lines 119 – 133) of the draft ordinance.

Recommendation: Planning staff recommends approval of the attached ordinance amending portions of the Accessory Uses section of our Zoning Regulations.

Enclosures: Previous staff report for 6-28-10 Policy Meeting
Proposed Ordinance
Letters from interested parties

Commercial Vehicle Parking – ACZR10/1

June 28, 2010 Planning Commission Policy Meeting

Purpose: The issue of commercial vehicle parking in residentially-zoned neighborhoods was discussed at the May 24, 2010 Planning Commission Policy Meeting and the Planning Commission asked staff to research how other communities deal with this issue and then at a later Planning Commission meeting summarize the research data with updated suggestions to the Planning Commission. More specifically the planning staff was requested to look at other communities' criteria for commercial vehicle parking on improved residential property and on public streets in residentially-zoned neighborhoods.

Research Methodology: Numerous communities' regulations were reviewed regarding commercial vehicle parking. The attached table titled, "Commercial Vehicle Parking in Residential Areas in other Communities" is a summary of this research. It shows communities who have commercial vehicle parking standards for residential lots and/or along public streets in residentially-zoned neighborhoods. About 80% of the time that a community had commercial vehicle parking standards on public residential streets these standards were not located within the Zoning Ordinance or Land Development Code but rather within their Traffic Code. The commercial vehicle parking standards on residential lots were generally located in 1 of 3 areas of communities' zoning regulations including: the accessory use section, parking section, or in a section for supplemental or additional regulations.

Before reviewing the attached table in detail it should be pointed out what is frequently meant by vehicles referred to as a "half-ton", "3/4 ton" or "one-ton" vehicle or chassis. A good clarification of this was found online from Wikipedia, after a Google search for "Pickup Trucks" on 6-11-10.

"Full-size pickups in North America are sold in four size ranges - ½ Ton, ¾ Ton, 1 Ton, and now 1 1/2 ton. These size ranges originally indicated the maximum payload of the vehicle, however modern pickups can typically carry far more than that. For example, the 2006 model Ford F-150 (a "½ Ton" pickup) has a payload of between 1,400 lb (640 kg) and 3,060 lb (1,390 kg), depending on configuration. Likewise, the 2006 model F-350 (a "1 Ton" pickup) has a payload of between 4,000 lb (1,800 kg) and 5,800 lb (2,600 kg) depending on configuration."

Hence, when looking at the attached table a 1-ton truck could have: a curb or empty weight of 6,500 pounds, a payload of 4,500 pounds and a GVWR (gross vehicle weight rating) of 11,000 pounds and different communities use any of these 3 criteria for their parking thresholds. (The formula for rating or measuring trucks is empty weight + maximum payload = GVWR.) Until the last 10 to 20 years most trucks over 10,000 pounds GVWR would have referred to something larger than a 1-ton truck, which is likely why some communities are using the 10,000 pounds GVWR as their standard while other communities are using a more current standard of 12,000 pounds GVWR.

Assistant City Attorney Braxton Copley has advised the Planning Department staff that any commercial vehicle parking standards on public roadways within residential neighborhoods should preferably not be located within our zoning regulations but rather in the City Code under our traffic regulations. He further said items outside the zoning regulations are outside the Planning Commission's customary area of responsibility but they could pass a resolution to formally ask the City Manager, a City department head, or a City Councilmember to sponsor an amendment to our Traffic Code for the City Council/Mayor to consider. Currently, our Traffic Code has the following parking restriction on public roadways.

10.60.100 Parking more than 48 hours.

It shall be unlawful for any person to park or permit the parking, storing or standing of any vehicle upon any public street or street parking in the city for any continuous period of more than 48 hours. Any motor vehicle which shall have been found to have remained parked, stored or located upon any of the public streets or parkings of the city for a continuous period of more than 48 hours shall be deemed a public nuisance and such nuisance may be abated in the manner provided in this article. (Code 1981 § 43-388. Code 1995 § 142-353.)

Based on Braxton Copley's recommendation, we wanted to primarily focus the balance of this staff report on commercial vehicle parking on residentially-zoned properties and if the Planning Commission did want to do something on the on-street parking on residential streets, those parking criteria would likely be similar with any changes the Planning Commission recommends for commercial vehicle parking on residential property.

Research Findings: Two-thirds of the communities listed on the table had zoning requirements that limited the parking of commercial vehicles on residentially-zoned properties. Most of the time these standards matched or were coordinated with any traffic requirements regarding the parking of commercial vehicles on public residential streets.

The following data can be summarized from the table under the column titled, "Prohibited Parking on Residentially-Zoned Properties": 1) Only two communities have criteria utilizing the maximum height, width and length of commercial vehicles. 2) Four communities use maximum length of trucks as a criteria and 20 feet was typically the threshold used. 3) A majority of the communities used the threshold of "one-ton" vehicles (trucks with a GVWR up to 10,000 lbs. or 12,000 lbs, an empty weight of 7,000 lbs. or a payload of 2 tons) as their threshold in one manner or another, where if the vehicle's weight exceeded that they were not permitted. 4) Three of the communities excluded all pickup trucks and another (Overland Park, KS) excluded pickups that were not modified, from being prohibited from parking on residential lots. 5) Only two communities have standards that would be considered more liberal than what the Planning Commission suggested to staff at the last Policy Meeting. This would be Carbondale, CO which prohibits vehicles having a cargo capacity (payload) of 5 tons and Shawnee, KS which only prohibits trucks over 16,000 lbs. GVWR, 8' wide, 8' high, or

over 24' long. 6) The strictest standards were Manhattan, KS, which prohibits the overnight parking of all trucks.

Staff has also researched the specifications of the Dodge Sprinter and Ford Transit vans, which were briefly discussed at the last Policy Meeting. The Ford Transit van is considerably smaller than the Dodge Sprinter and the Transit has approximately the following key specifications: width (including mirrors) of 6'11", height of 6'7", empty weight of 3,400 lbs., payload of 1,600 lbs., and GVWR of 5,000 lbs. The Dodge Sprinter is available in both "3/4 ton" and "1-ton" versions (2500 and 3500 models), in lengths of 19'4" and 22'9", and heights of just over 8' (96.3") and just under 9' (107.5"). The Sprinter's other specifications are roughly: width of 6'8" (excluding mirrors), empty weight of 5,000 lbs., payload of 3,550 lbs., and a GVWR of 8,550 lbs.

Recommendation: Planning staff recommends that the Planning Commission consider modifying the Accessory Uses section (chapter 18.55 of the TMC) and amending/adding the definitions shown below so the following would be accomplished for commercial vehicle parking on residentially-zoned property.

- Pickup trucks would automatically be allowed to park on residential lots.
- Most commercial vehicles not exceeding any of the following: up to 10,000 lbs. GVWR, 8' in height, 7.5' in width, and 20' in length; would be allowed to park on residential driveways.
- Most commercial vehicles meeting all of the following: between 10,001 to 15,000 lbs. GVWR, 9' in height or less, 7.5' in width or less, and 25' or less in length; would be allowed to be parked only within a garage on residential lots.

Commercial equipment: Any equipment or machinery used in a business trade or industry, including: liquid storage tanks exceeding one hundred (100) gallons, earth-moving equipment, trenching or pipe-laying equipment, landscaping equipment, spools of wiring/cable, portable pumps, portable generators, portable air compressors, pipes, pool cleaning equipment and supplies, and any other equipment or machinery similar in design or function. However, equipment and machinery for business use kept within an enclosed pickup truck or van; ladders or pvc pipe attached to a truck or van via a ladder rack; or equipment and machinery solely for personal residential use are not included.

Commercial vehicle: Any vehicle, excluding pickup trucks, used for a business that has a height of eight (8) feet or higher (excluding antennas and ladder racks and items attached thereto), ~~or~~ width (excluding ~~antennas and~~ mirrors) of seven and one-half (7.5) feet or ~~larger~~ wider, or has a length of ~~twenty-five (25)~~ (20) feet or longer. Additionally, the following types of vehicles shall all be considered commercial vehicles: step vans, box vans, box trucks, flatbed or stake-bed trucks, buses, semi-trailers or tractor-trailers, dump trucks, cement mixers, wreckers, trailers loaded with any commercial equipment or construction materials, and any other motor vehicle or trailer (except for recreational vehicles) having a manufacturer's rating exceeding 15,000 pounds of gross vehicle weight. Additionally, vehicles with any of the following exterior modifications shall be considered commercial vehicles: liquid storage tanks exceeding

one hundred (100) gallons, aerial buckets or platforms, welding equipment, or mechanical lifts or arms for loading and unloading materials/equipment, ~~or any vehicles or trailers with over twenty-five (25) square feet of total sign area advertising a business.~~ Vehicles for transferring passengers and their personal luggage/cargo for churches, non-profit agencies, nursing homes, retirement communities, and other similar facilities shall not be considered commercial vehicles. Recreational vehicles are not considered commercial vehicles unless used for business purposes.

Pickup Truck: A light motor vehicle manufactured with a cab for passengers and an open-top rear cargo area (bed) of between four (4) to eight (8) feet in length, with low sides along the bed, and a rear tailgate.

Enclosure: Table Showing Other Communities' Commercial Vehicle Parking Standards

Commercial Vehicle Parking in Residential Areas in Other Communities

June 21, 2010

<u>Community</u>	<u>Unlawful Parking on Residential Streets/ROWS*</u>	<u>Prohibited Parking on Residentially-Zoned Properties*</u>
Lawrence, KS	Vehicles over 8' wide, 8' high or 20' in length, exceeding 2 hours. No unattached trailers.	Vehicles over 1-ton manufacturer's rated capacity
Leavenworth, KS	Vehicles over ¾ ton capacity that are used for business purposes	
Manhattan, KS		No overnight parking of trucks as an accessory use
Olathe, KS	Commercial trucks (chassis of 1-ton or more; over 20' long, 8' wide, or 7' high) & commercial hauling trailers with a 1-ton chassis or more & a box or bed over 8' long.	Commercial trucks (chassis of 1-ton or more; over 20' long, 8' wide, or 7' high) & commercial hauling trailers with a 1-ton chassis or more & a box or bed over 8' long.
Osage City, KS	Any vehicle wider or longer than a pickup truck, or any detached trailer, or any vehicle with an attached trailer.	
Overland Park, KS	Vehicles over 8' wide, 7' high or 20' in length, exceeding 2 hours	Commercial vehicles (externally modified pickups/vans and heavier trucks) exceeding 1 parking occurrence (up to 24 hours) in any 30-day period
Salina, KS and Saline County, KS	Trucks, except for pickups, for night-time parking	
Shawnee, KS	Commercial vehicles (truck with bus. markings or GVWR** exceeding 16,000 lbs., 8' wide, 8' high, or 24' long)	Commercial vehicles (truck with bus. markings or GVWR** exceeding 16,000 lbs., 8' wide, 8' high, or 24' long) but excludes those parked within garages
Wichita/Sedgwick County, KS	Trucks over ¾ ton rated capacity, exceeding 2 hours	
Wyandotte County/Kansas City, KS	Trucks over 10,000 lbs. GVWR excluding pickup trucks not used for commercial purposes	Trucks over 10,000 lbs. GVWR exceeding 48 hours in any 30-day time period
Little Rock, Arkansas	No truck or trailer with manufacturer's rated capacity in excess of 1-ton	No commercial vehicle (large truck, a cargo trailer; or any van with a manufacturer's rated capacity of 1-ton or more)
Des Moines, Iowa	No truck having a freight capacity over one-ton	
Aurora, Colorado		Commercial truck/vehicle whose empty weight exceeds 7,000 lbs.
Carbondale, Colorado		Vehicles over 5 tons cargo capacity

Denver, Colorado	Trucks exceeding 6,000 lbs. empty weight or 22' long, exceeding 2 hours	Trucks exceeding 6,000 lbs. empty weight
Englewood, Colorado	Commercial vehicles over 7,000 lbs. empty weight	Commercial vehicles over 7,000 lbs. empty weight
Durango, Colorado	Commercial vehicles exceeding 2 ton carrying capacity	Commercial vehicles exceeding 2-ton carrying capacity
Federal Heights, Colorado	No truck or van with a carrying capacity rated in excess of 1 ton	Commercial vehicles with a GVWR over 10,000 lbs. (excludes all pickup trucks)
Wheat Ridge, Colorado	Any commercial truck or van with over a 1-ton chassis or more than 1 commercial truck or van with a 1-ton chassis or less and no commercial trailers or detached trailers.	Any commercial truck or van with over a 1-ton chassis or more than 1 commercial truck or van with a 1-ton chassis or less.
Eagan, Minnesota	Any vehicle in excess of 9,000 lbs. GVWR for over 6 continuous hours or any detached trailer over 24 continuous hours	
Minneapolis, Minnesota	Any commercial vehicle over 6,000 lbs. empty or with a GVWR over 9,000 lbs.	Any commercial vehicle over 6,000 lbs. empty weight or with a GVWR over 9,000 lbs.
South St. Paul, Minnesota	Any truck that is not a pickup whose GVWR exceeds 10,000 lbs.	Any truck that is not a pickup whose GVWR exceeds 10,000 lbs.
Independence, Missouri	Trucks with a GVWR over 12,000 lbs. or over 20' long, exceeding 2 hours	Trucks with a GVWR over 12,000 lbs. or over 20' long & not used primarily as the owner's personal means of transportation
St. Louis, Missouri	Commercial vehicle having a GVWR over 12,000 lbs., parked between Midnight and 6:00 AM. No semi-trailers anytime.	
Omaha, Nebraska	Any truck or trailer with a payload capacity over 4 tons, or any vehicle including its trailer over 21' long or 7' wide, exceeding 1 hour. No detached trailers.	Commercial vehicles (does not include pickups and vans) and trailers 20' or longer.
Oklahoma City, Oklahoma	Any truck exceeding 2 axles, cab height of 82", overall height of 90", 25' length, or 12,000 lbs. GVWR	
Salt Lake City, Utah	Any commercial vehicle over ¾ ton capacity or any truck over ¾ ton capacity, exceeding 3 hours.	

*Nearly always excludes commercial vehicles that are being actively loaded/unloaded or parked while servicing residential homes/properties. Inoperable or unlicensed vehicles are unlawful under other regulations.

**GVWR refers to Gross Vehicle Weight Rating (empty weight of truck plus its carrying capacity or payload).

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., amending City of Topeka Code § 18.210.020, concerning permitted accessory uses and specifically repealing said original section.

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

Section 1. That section 18.210.020, Permitted uses, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Permitted uses.

The accessory uses, buildings and other structures permitted in each zone may include the following:

(a) In the RA-1 and the RR-1 districts:

(1) Open or enclosed storage of farm materials and equipment.

(2) Farm buildings, including barns, stables, sheds, toolrooms, shops, tanks, bins and silos.

(3) Fuel storage tanks and dispensing equipment for fuels used solely for farming operations. No wholesale/retail sales of such fuels shall be allowed as an accessory use.

(4) Wholesale and retail sales of agricultural products grown or raised upon the premises.

(5) Roadside stands for the sale of produce grown on the premises; provided, that such a stand shall not contain more than 600 square feet of floor area, the stand is located no closer than 20 feet from the right-of-way, and access to the stand is from an entrance to the farm or residence.

(6) Private, noncommercial antenna and supporting structure when used for amateur radio service; citizens band radio; a telecommunication device that receives only a radio frequency signal; a sole-source emitter with more than one kilowatt average output; and satellite receiving devices, provided they shall not be located in the area between the street and principal building nor within the required side yard.

(7) Fences as regulated by TMC [18.210.040](#).

(8) Gazebos, enclosed patios and similar buildings for passive recreational use.

(9) Home occupations as regulated by TMC [18.210.035](#).

(10) Private garages and carports.

(11) Private greenhouses or conservatories.

(12) Private recreational uses and facilities including but not limited to swimming pools and tennis courts, if the use of such facilities is restricted to occupants of the principal use and guests for whom no admission or membership fees are charged.

(13) Private or public utility transmission, distribution and/or collection systems; and not, however, including substations and distribution substations, pump stations, reservoirs, towers, transmission equipment buildings and similar facilitating structures.

(14) Residential accessory storage buildings for the storage of wood, lumber, lawn or gardening equipment and other materials and equipment,

exclusively for the personal use of the residents of the premises, but not including a storage building for commercial purposes.

(15) Signs as regulated by Chapter [18.20](#) TMC.

(16) Statuary, arbors, trellises, flagpoles, and barbecue stoves.

(17) Structures for the shelter of household pets except kennels.

(18) Temporary construction buildings for on-site construction purposes for a period not to exceed the duration of the construction project.

(b) In the R-1, R-2, R-3, R-4, M-1 and M-1a districts: in addition to the accessory uses included in subsections (a)(6) through (a)(18) of this section, the following shall be permitted:

(1) Storage buildings and garages for the storage of wood, lumber, lawn or gardening equipment and other materials and equipment, exclusively for the personal use of the residents of the premises, but not including storage for commercial purposes. Truck bodies and cargo containers are not allowed as accessory uses. However, cargo containers may be used on a temporary basis for up to thirty (30) days within a calendar year.

(2) (a) No farming equipment or farming machinery shall be parked or stored on a lot or tract of land unless within an enclosed lawful structure, or screened from view from any abutting property or street. No ~~noncommercial~~ truck excluding a pickup truck, trailer, boat, bus, tractor, or similar vehicle, machinery, or equipment with a curb weight (unloaded vehicle weight) or manufacturer's gross vehicle weight rating exceeding

~~seven and one-half~~six (6) tons shall be parked or stored any place on a lot or tract of land within an R, M-1 or M-1a district.

(b) No heavy commercial vehicles or commercial equipment, machinery or materials of any kind shall be stored any place on a lot or tract of land, except if such vehicles, equipment, machinery or materials are in temporary usage to actively accomplish permitted temporary activities on the premises such as construction, repair, moving, and other similar activities. In such case they shall be removed from the lot or tract of land within 48 hours of completion of said activity.

(3) Off-street parking as regulated by Chapter [18.240](#) TMC.

(4) A child's playhouse, provided it shall not be more than 120 square feet in area.

(c) In the M-2, M-3 and M-4 districts: in addition to the accessory uses included in subsection (b) of this section, the following shall be permitted:

(1) A maintenance storage building incidental to a permitted use, provided no such structure shall exceed 160 square feet in gross floor area, and shall be in keeping with the principal structure.

(2) A facility for leasing, managing and/or maintenance of a multiple-family dwelling or planned unit development, provided such facility is of such size and scale which is in keeping with, and is accessory in nature to, said multiple-family dwelling or planned unit development, all as determined by the planning director.

(d) In the O&I-1, O&I-2 and O&I-3 districts:

(1) For residential uses, the accessory uses included in subsection (c) of this section shall be permitted.

(2) Off-street parking as regulated by Chapter [18.240](#) TMC.

(3) A storage building incidental to a permitted use, provided no such structure shall exceed 200 square feet in gross floor area, and shall be in keeping with the principal structure.

(4) Employee restaurants and cafeterias, when located in a principal structure.

(5) Signs as regulated by Chapter [18.20](#) TMC.

(6) Fences as regulated by TMC [18.210.040](#).

(7) Flagpoles and statuary.

(8) Private garages and carports.

(e) In the C-1, C-2, C-3, C-4 and C-5 districts: in addition to the accessory uses included in subsection (d) of this section, the following shall be permitted:

(1) Restaurants, drugstores, gift shops, clubs, lounges, newsstands, and travel agencies when located in a permitted hotel or motel.

(2) One independent, freestanding commercial structure of 400 square feet or less shall be permitted on a zoning lot. Such accessory structure shall not be required to provide off-street parking, but shall be located as to not interfere with or reduce the amount of required parking for the principal use. The location of such accessory structure shall be reviewed and approved by the planning director at the time of building permit application, provided such location does not conflict or interfere with site access and interior vehicular circulation.

(f) In the I-1 and I-2 districts, the following shall be permitted: ~~there may be any accessory use including but not limited to printing, publishing, design, development, fabrication, assemblage, storage and warehousing, and child care facilities; provided, that:~~

- (1) Fences as regulated by TMC [18.210.040](#).
- (2) Off-street parking as regulated by Chapter [18.240](#) TMC.
- (3) Signs as regulated by Chapter [18.20](#) TMC.
- (4) Gatehouse ~~and/or residence of a night watchman~~.
- (5) Employee recreational facilities.
- (6) Flagpoles and statuary.
- (7) Employee restaurants and cafeterias when located in the principal building of the use served.
- (8) Employee child care facilities.
- (9) Storage and warehousing.
- (10) Caretaker's or night watchmen's quarters.

(g) In the U-1 district: the accessory uses included in subsection (c) of this section.

(h) In the MS-1 district: the accessory uses included in subsection (d) of this section.

(i) In the X-1, X-2 and X-3 districts: the accessory uses included in subsections (b), (c), (d) and (e) of this section

Section 2. That original § 18.210.020 of The Code of the City of Topeka, Kansas, is hereby specifically repealed.

Brenda Younger, City Clerk

**Minutes of the
Topeka Planning Commission
Monday, August 16, 2010**

Bill Hoover summarized items G-1 & G-2 together. Voting will be separate.

ACZR10/1 The Topeka Planning Commission will consider amendments to Section 18.210.020 Permitted uses of the Topeka Municipal Code relating to **accessory uses** contained in the Zoning Regulations. The proposed amendments involve: restrictions on utilizing truck bodies and cargo containers in residential zoning districts; modifying storage and parking restrictions of large vehicles, boats, machinery, materials, and equipment in residential zoning districts; and adding additional permitted accessory uses in industrial zoning districts. A copy of the proposed changes is available at the Topeka Planning Department, 620 SE Madison, 3rd Floor, Topeka, Kansas. **(Hoover)**

Discussion by members:

Doug Bassett asked Braxton Copley if everyone must disclose exparte communications? Mr. Copley replied no, these are legislative items not quasi judicial.

Mr. Bassett announced the reason for the amendment is to lessen the restriction on height and weight. If we take no action the current rules will stay in place. He stated we want to do something tonight to be sure we are doing what is right for everyone.

Dawn Wright stated she thought the last meeting 25 feet in length was decided but the staff report states 24 feet. She said we were at 12,000 pounds and now it shows we are back to 10,000, how did that happen? Mr. Hoover said there really aren't any trucks remaining that weigh between 10,000 and 12,000 pounds after pickup trucks are excluded. He stated over 10,000 pounds they are pretty much commercial vehicles. He said box vans and box trucks are the types of vehicles we are here to discuss as part of the threshold. Mr. Bassett said he also remembers the length being 25 feet.

Mr. Hoover showed the commission pictures of a box van (cut away van) that was 9 feet tall, with a single rear axle. He stated this is van is probably under 10,000 pounds. Peter Hancock asked if this truck would be legal to park on a residential street? Mr. Hoover replied commercial vehicles are not allowed by definition therefore a box van would not be allowed there.

Charlie Campbell, McElroy, stated there has been several meetings regarding this topic. He said the main issues, it seems, is the parking (in residential neighborhoods) of semi trucks, lawn mowing trucks/trailers and businesses being ran in residential neighborhoods. Mr. Campbell made a proposal of anything up to 12,000 pounds would be allowed in residential neighborhoods but anything 12,001 pounds or higher would be considered a commercial vehicle. He said he agreed that a truck with a 100 gallon tank would be a commercial vehicle. He said he also agrees with what has been described as commercial uses. We suggest 12,000 GVW (gross vehicle weight) and under for non-commercial vehicles, anything over are commercial. Mr. Campbell passed out a petition of small businesses that were in support of his proposal.

Rich Beardmore stated your proposal does not address height, width or length of the vehicle.

Mr. Campbell replied, no this proposal is easier to enforce. It will make it so we have our trucks with us in case there is an emergency.

Doug Bassett asked if signage is addressed in Mr. Campbell's proposal? Mr. Campbell replied no.

Mike Pressgrove, PDQ Construction, spoke in favor of Mr. Campbell's proposal. He stated his company also has the cut away vans. He said we have an area on-site for the vans to be locked up but it is not safe. With all the vans in the lot they all could get broken into. If the employees take the vans home, theft is much less of an issue. He said his vans are heavier than 10,000 pounds.

John Federico said we want to take into account the needs of the businesses. He said the question is how to respond to the resident that doesn't like the trucks parked in their neighborhood. Mr. Pressgrove said I would ask them what they would do if they were in our shoes. I am sure they wouldn't want their tools stolen in a lot like we have had troubles with. He added, plus it is a convenience for the public for us to have our trucks right there and can be at their houses a lot faster. I don't see them as that big of an eyesore.

Mike Lackey asked if this amendment addresses regulations for campers, motor homes, etc. Mr. Hoover replied no. Mr. Lackey stated he would like to look at those regulations in the future.

Mr. Hoover asked Mr. Pressgrove how tall the cut away vans are? Mr. Pressgrove replied 9 to 9 ½ feet. Dawn Wright stated that is becoming the standard.

Von Coffman, Blue Dot, spoke in favor of the 12,000lb limit. He said we are like public servants. It is a convenience for the public for us to be ready for a call. The cut away vehicles are becoming popular because we are carrying more parts, etc. and need bigger vehicles. He said the vans with signage are better than unmarked vehicles sitting in the neighborhoods. He said unmarked seems unsafe to him. He suggested each neighborhood take on the signage issues.

Peter Hancock said Lawrence has stricter rules than this. He stated their standards are 8 feet high/wide, 20 feet length and a 1 ton weight limit. Would that ordinance in Topeka affect your business? Mr. Coffman stated the price for service type jobs are higher in Lawrence. He said he thinks that is in part to the employees not taking their trucks home or they have to unload their tools into the warehouse every day.

Mr. Federico said the customer who may complain about the truck being parked in the neighborhood also doesn't want to wait for service. Plus they want the service provider to have the necessary parts on their truck.

Rich Beardmore asked if the cut away vans have ladder racks? Mr. Campbell replied, yes. Mr. Beardmore said any height limits we have talked about do not include the ladder racks.

Kurk Miller, Local 441, stated this affects all service providers. Lots with trucks loaded with equipment are not a good idea. Customers want service now. The men will be losing money if they have to park their vehicles anywhere other than their homes.

Ms. Wright asked Mr. Miller how many men the union represents? Mr. Muller replied about 300.

Jeff Hewitt, Teamsters Union, stated he supports the proposal. He said safety of the workers is an issue. The time it takes for a repairman to arrive is crucial if heating or air goes out. People need immediate service. The economy is tough and the businesses have to be more efficient and be available to the public. He said he thinks a cement truck is an eyesore but not these box trucks.

Chad Manspeaker, representative for Teamsters, stated these guys need support. He said he agrees with Charlie Campbell. Time is an issue for all that use these service businesses. Fernando Harms, Teamsters Union, stated we have members that drive these box trucks. It is part of their wage package. If they have to park in a lot it will cost the businesses more when the guys have to go trade out their own vehicles for their trucks.

Mr. Hancock asked Mr. Harms if he is for or against the proposal? Mr. Harms replied in favor of the 12,000 pounds and would like the neighborhoods to iron out the smaller details. Mr. Hancock asked what about the neighborhoods that do not have a neighborhood association? Mr. Harms replied they could create one.

Mr. Bassett stated, everyone correct me if I am wrong, but I think they are all speaking in favor of Charlie Campbell's proposal of 12,000 pounds with no height, weight or length limit.

Jeff Kohan, owns a vehicle signage business, stated our customers are the smaller businesses. We have a small vehicle with large signage and it does work. I encourage you to continue to allow the signage on the vehicles.

Larry Warner, Warner Electric, stated he agrees with the 12,000 lb limit. He said it is important to have all supplies with us to service the customers.

Mr. Federico asked what about bucket trucks? Mr. Bassett replied they are considered commercial trucks.

Mr. Hoover asked are we still excluding pick-up trucks? Mr. Bassett said Mr. Campbell's proposal states except pick-up trucks. Mr. Hoover stated if we go with the 12,000 pound limit that would still allow step vans, box trucks and box vans less than 12,000 pounds. Line 59 in the Definitions Ordinance would have to be changed to read 12000 pounds or less. Mr. Blackmon asked is this for enclosed vehicles only? Mr. Warner stated we need to leave the door open to all enclosed vehicles. If they are over 12,000 pounds they are out.

Mr. Beardmore asked if trucks that weigh 12,000 pounds or more have different licensing requirements? Mr. Hoover replied he wasn't sure.

Mr. Hancock stated he lives on a narrow street and if there are box trucks parked on both sides of the road a car can't get through. Mr. Warner stated we are talking about parking at the residence not on street. Mr. Hoover added we will let the police department handle on-street parking issues. David Thurbon stated whatever we approve here will be allowed on the street as well. Mr. Blackmon said I thought everything on the street wasn't handled by us, it is up to the council and police. Mr. Thurbon said we can state what is allowed but not where to park it. Whatever we adopt will be allowed anywhere in that district unless another entity comes through

and designates some vehicles can't park on the street.

Mr. Blackmon said it is hard to make a living now. We are trying to do the right thing to help the service workers out.

Mr. Hancock stated there is a long list of cities that have more restrictive ordinances than what we currently have. He said he has not heard of people going out of business in areas where they have parking restrictions. The crime issue to me is a police issue not a planning issue. Degrading quality of residential areas due to crime in other areas is not right. Lawrence is more restrictive than what is being proposed tonight. He said it is the loss of residents within our city why we have problems. We need to protect quality residential areas. Code Compliance has had a lot of calls regarding commercial vehicles in residential areas.

Mr. Lackey stated there are other cities that permit 12,000 pounds. He stated he doesn't mind the service vans in his neighborhood. He said there are other vehicles that look much worse. He stated he is in favor of the 12,000 lb proposal. He said he finds it interesting no one is here to speak in opposition to this. He said he hasn't seen any statistics from Code Compliance regarding complaint calls about commercial vehicles in residential areas.

Dawn Wright said she agrees with Mr. Lackey. She said the biggest issue she has is how many employees this affects driving their vehicles home. There are neighborhoods proud to have these service trucks in their neighborhoods. This is difficult to balance the wants of all people. They can go to or create a neighborhood association to fight against this. She added newer subdivisions have covenants to handle this.

Dawn Wright moved to allow 12,000 lb. vehicles taking out all reference to height, weight and length. She stated this will change page 4, line 73 of the Accessory Uses Ordinance from 5 to 6 tons. The motion was seconded by Howard Blackmon. **APPROVAL. (6-1-0) Commissioner Hancock voted no.**

ACZR10/2 The Topeka Planning Commission will consider amendments to Section 18.55.030 "C" definitions and Section 18.55.160 "P" definitions of the Topeka Municipal Code contained in the Zoning Regulations. The proposals include amendments to the following defined words or terms: "Commercial equipment" and "Commercial vehicle"; and additions of the following defined words or terms: "Cargo container" and "Pickup truck". A copy of the proposed changes is available at the Topeka Planning Department, 620 SE Madison, 3rd Floor, Topeka, Kansas. **(Hoover)**

Dawn Wright moved to approve striking any reference to vehicles, excluding pick-up trucks, used for a business by removing all references to height, width or length. On page 3, line 55 of the Definitions Ordinance delete everything after "business" through line 58, delete only the first two words of line 58, and delete "step vans", "box trucks", and "box vans" from line 59. Change page 3, line 63 to 12,000 pounds. The motion was seconded by Howard Blackmon. **APPROVAL. (5-2-0) Commissioners Beardmore and Hancock voted no.**

John Federico asked that legal review wording to be sure it is correct. Braxton Copley, Deputy City Attorney, replied as long as we are close conceptually staff can work on the grammatical and technical portions of the changes.

Peter Hancock asked for clarification; a step van that has a gross weight of 11,999 pounds is not a commercial vehicle? Doug Bassett replied no.

Mr. Hoover suggested defining vehicles of 12,000 pounds or above be called “commercial vehicle, heavy” and that may make sense for any future amendments.

Doug Bassett said this is a difficult topic for all. He said he is comfortable with the 12,000 pound limit.

John Federico said he agrees. There needs to be a balance. He said he feels for the people who live in the cul-de-sac. I will support the motion.

Dawn Wright amended her motion to include the wording of anything 12,000 or more to reference a “commercial vehicle-heavy”. Howard Blackmon agreed to the amendment.

Rich Beardmore said there were residents at previous meetings against the large commercial trucks in their neighborhoods. They stated this town isn’t that big and it wouldn’t be a problem for workers to go to a lot to pick up a truck. Critical businesses, i.e. hospitals, etc. usually have staff on-site to handle emergencies. Mr. Beardmore said his concern is with the size and billboard signage on the trucks. He said he would like to see a restriction on the size of truck allowed.

Restated motion including amended:

Dawn Wright moved to approve striking any reference to vehicles, excluding pick-up trucks, used for a business and removing all references to height, width or length. On page 3, line 55 of the Definitions Ordinance delete everything after “business” through line 58, delete only the first two words of line 58, and delete “step vans”, “box trucks” and “box vans” from line 59. Change page 3, line 63 to 12,000 pounds. Also adding, anything 12,000 pounds or above be referenced a “commercial vehicle, heavy” where needed throughout the Definitions Ordinance. The motion was seconded by Howard Blackmon. **APPROVAL. (5-2-0) Commissioners Beardmore and Hancock voted no.**

ACZR10/1 – Dawn Wright made a motion to re-open the Accessory Uses Ordinance in order to change the defined words “commercial vehicles” to “commercial vehicles, heavy” so it would match what was just approved in the Definitions Ordinance. Howard Blackmon seconded this. Dawn Wright made a motion to approve adding the word “heavy” in front of the word “commercial vehicles” in line 75 and Howard Balckmon seconded. **APPROVAL. (6-1-0) Commissioner Hancock voted no.**

**Spring Hill Property Owners Association, Inc.
Topeka, KS 66614**

June 3, 2010

To Members of:

The City of Topeka Planning Commission

Doug Bassett, Richard Beardmore, Howard Blackmon, Mark Boyd, John Federico,
Michelle Hoferer, Mike Lackey, Lee Williams, Dawn Wright

City Planning Director

David Thurbon

City Manager

Norton Bonaparte

The Topeka City Council

Mayor Bill Buntin, Deputy Mayor Deborah Swank, Karen Hiller, John Alcala, Sylvia
Ortiz, Jack Woelfel, Larry Wolgast, Bob Archer, Jeff Preisner, Richard Harmon

Attachment number 5
Page 1 of 8

As board members of the Spring Hill Property Owners Association, a duly recorded Kansas corporation, we object to any action that would reverse the prohibition of parking commercial vehicles overnight in residential districts.

Evidently you have received complaints from small business owners about a previous decision to ban the same, however we believe you should rather take into consideration the wishes of the many residents of Topeka. Having large commercial vehicles parked in residential neighborhoods are unsightly, unsafe, and are nothing more than planned advertising for their companies. This is in itself contradictory with a city ordinance that prohibit residents from even posting garage sale signs on a frontage area of their home. Why should home owners be forced to see 8-10 foot high vehicles covered in signage parked next door to them or across the street, with the intended purpose of advertising a company?

Further, we would ask that the Planning Commission and/or City Council take into consideration potential safety issues with commercial vehicles being parked in residential areas. These vehicles potentially keep flammable or toxic items that could be extremely dangerous if access to such a vehicle was gained by children or adolescents who might use them unwisely. Further, in areas of Topeka with narrow streets or cul de sacs, the presence of larger service vans could prohibit fire trucks and other emergency vehicles from reaching certain locations.

It is our request that the ordinance as adopted by the City of Topeka in March 2010 which bans the parking of commercial vehicles in residential areas be allowed to remain in effect. We would welcome the opportunity to speak with you further about this issue.



Dana Cole, Secretary

Spring Hill Property Owners Association
785/272-5580 or 785/640-3751

-----Original Message-----

From: Arlene [mailto:ahene@cox.net]

Sent: Thursday, June 03, 2010 9:54 PM

To: Gaylene Epke

Cc: thurbon@topeka.org; Bill Fiander; City Council

Subject: Commerical Vehicle Parking Ordinance

Dear Gaylene,

In reference to your letter received on Wednesday, June 2, 2010, regarding my work vehicle stating that as of today, Thursday, June 3, 2010, my vehicle will be ticketed if it remains at my home, due to the fact that it has signage over 25 square feet and is over 7 feet tall. Attachment number 5
Page 2 of 8

First of all, this is not my vehicle - it belongs to Plumbing by Carlson, where I have been employed for 30 years - having been a licensed plumber in Topeka for 42 years. I am on-call 24/7, and because of the parking ordinance I now am required to leave my vehicle at the shop at 1820 SW VanBuren, and when called, take the time to drive over 15 minutes to the shop, get my truck, and drive to the emergency, drive back to the shop, and then drive home, thus creating a minimum of 45 minutes of my time, for which I am not reimbursed.

My concern is the fact that this ordinance is all encompassing and all vehicles, as of tonight, will be ticketed if parked in neighborhoods, that is, those that are over 25 square foot of signage and/or over 7 feet tall. I no longer have my plumbing truck at home; however, in an hour tonight, I have found the following vehicles in violation of this ordinance:

Violating Signage:

5732 SW 13th St - Topeka Heating & Coaling 5700 SW Drury Ln - Blue Dot
5654 SW 34th Pl - Blue Dot
3101 SW Crest Dr - Lower Plumbing & Heating
3104 SW Crest Dr - P1 Group
5401 or 5413 SW 14th St - Blue Dot
2826 SW Gainsboro Cr - Protection One

Signage & Size:

1701 SW Village Dr - Terry's Plumbing

I didn't realize that the ordinance was a "pick and choose" or whoever complained the longest and loudest concerning a vehicle would be the "targeted" vehicle by the planning commission and/or the City Council.

Just the fact that you have created an ordinance that takes an honest, working man's livelihood and turned it into a total inconvenience for both his job and his customers is almost beyond comprehension, especially in this day and age when customer service has gone by the wayside.

I will continue to note any violations and turn those in to you as I see them. My goal in sending this letter is to ask the question - does the ordinance state that you get to discriminate? As I saw tonight - evidently you do.

I can be reached at (785) 925-1621.

Sincerely,

Tom Heere
5600 SW Glendale Ct
Topeka KS 66606

From: Commercial Vehicles [mailto:commercialvehicles@rocketmail.com]
Sent: Thursday, August 12, 2010 2:28 PM
To: Norton Bonaparte; David Thurbon; Braxton Copley
Subject: New city ordinance concerning commercial vehicles in residential neighborhoods

Thank you for taking the time to review this information, I would be happy to speak to you regarding any questions.

The current proposal regarding commercial vehicles seems somewhat over complicated. **Passing this ordinance as it is written is unfair and too restrictive to local business.** The Commercial Motor Vehicle Safety Act of 1986 was designed to improve highway safety. The Act established three separate classes of commercial driver's licenses. Every state issues licenses in these categories:

Attachment number 5
Page 4 of 8

o **Class A:** Any combination of vehicles with a gross vehicle weight rating (GVWR) of 26,001 or more pounds, provided the GVWR of the vehicle(s) being towed is in excess of 10,000 pounds.

o **Class B:** Any single vehicle with a GVWR of 26,001 or more pounds, or any such vehicle towing a vehicle not in excess of 10,000 pounds GVWR.

o **Class C:** Any single vehicle or combination of vehicles, that does not meet the definition of Class A or Class B, but is either designed to transport 16 or more passengers, including the driver, or is placarded for hazardous materials. Kansas requires a special driver's license for "commercial vehicles". It also has a simple flow chart for the determination of a "commercial vehicle" – (see flow chart attached)

If Topeka were to adopt a similar "simple" standard enforcement would be much easier for the governing body and it would be unilaterally fair. There are also additional benefits;

- No tape measure required for inspections
- No unfair separation of business types
- No grey area

Opponents would be free to enact regulations for their specific neighborhood for those areas where a specific look is "desired".

The State of Kansas drivers licensing division has a simple definition of commercial vehicles. (See flow chart attached). **As a group of businesses and organizations here in Topeka we propose the same "simplicity" to the Topeka ordinance,** keeping in mind this is a blanket ordinance for the entire City of Topeka. One councilperson pointed out that in some neighborhoods it is a "point of honor" to drive a commercial truck home, and that some citizens are simply "glad their neighbor has a job".

We would agree with a reduction from the licensing standard of 26,000lbs., to a "Not To Exceed 12,000 GVWR" rating on the vehicle for the classification "Non Commercial Vehicle". 12,000 pounds GVWR and smaller was chosen based upon

City research that a more current standard threshold is 12,000 pounds GVWR and is also a typical tagging method for pickup trucks. Then, follow a simple flow chart like the one attached.

We also agree that boom trucks, flatbed or stake trucks (except those that are pick-up trucks), buses, semi-trailers, dump trucks, cement mixers, wreckers, would also qualify

as "Commercial Vehicles". We would also concede that liquid storage tanks in excess of 100 gallons, aerial buckets or platforms, earth moving equipment, trenching or pipe laying equipment, landscaping equipment, and mechanical lifts or arms would also be considered "commercial vehicles".

We do not agree with the width, height, and length specifics or the remaining equipment restrictions. As one city official stated, "If we reduce the allowance for the height of the vehicle to 8' not including ladder racks etc. contractors will then purchase 8' tall trucks and pile 3' of stuff on the top. With a measurement specific ordinance, enforcement officials must carry tape measure and then be susceptible to the issue of "from what point is the measurement taken"? What if someone poured a driveway with a 6" entrenchment for the tires? Now the 8' 3" truck doesn't stand any taller in observance than the 7' 9" truck beside it.

By enacting a simpler ordinance enforcement isn't difficult. Look at the rating plate for the vehicle; is it over the 12,000 standard weight? The only gray area remaining is the issue of storage tanks, earth moving or landscaping equipment and bucket lifts. Those things are simple to see, and if they are a significant issue, exclude them. This suggestion to eliminate size and work from a 12,001GVW and larger standard for a vehicle to be considered "Commercial" is made and supported by a significant number of Topeka businesses and organizations including UA Local 441, IBEW LU 226, Laborers 1290, Teamsters 696, Modern Air of Topeka, McElroy's Inc. of Topeka, & Lower Mechanical of Topeka. A complete list of supporters will be provided to the Topeka Planning Commission by email on Monday at 3pm as well as brought to the public hearing on Monday evening.

Attachment number 5
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Best,

Luke

To: [redacted] From: [redacted]			
Company	Contact Name		Email
All About Your Home, Inc.	Lenny	Beck	allaboutyourhome@sbcglobal.net
Castlewood Construction, Inc.	Chuck	Hogan	chuck@cwctopeka.com
Champion Builders, LLC	Greg	Murray	greg.murray@sbcglobal.net
Dillard Construction, Inc.	Larry M.	Dillard	edillard2@cox.net
Frank A. Wietharn Homes, LLC	Frank	Wietharn	wietharnf@sbcglobal.net
Garner Remodeling, Inc.	Kevin	Garner	kevin@garnerremodeling.com
Gary Pashman Construction, Inc.	Gary	Pashman	gpashman@cox.net
HandyMasters, Inc.	Mike	Grollmes	handymasters@cox.net
Heritage Homes of Kansas, LLC	Craig	Lutz	heritage_homes@hotmail.com
Loeffler Homes & Remodeling, LLC	Stephen	Loeffler	stephenloeffler@yahoo.com
Mark Ediger Builder	Mark	Ediger	mbediger@sbcglobal.net
McElroy's Inc. - Charlie Campbell	Jerry	McElroy	charliecampbell@mcelroys.com
McElroy Electric	Gary	Smith	gsmith@mcelroys.com
Modern Air	Justin	Brandt	brandtjb@hotmail.com
North Star Homes, Inc.	Paul	Muxlow	pmuxlow@gmail.com
Pat The Plumber	Pat	Grogan	pat@pattheplumber.com
PDQ Construction, Inc.	Mike	Pressgrove	pdq@pdqconstruction.biz
Pierce Custom Homes, Inc.	Kyle	Pierce	piercecustomhomes@yahoo.com
Plumbing by Carlson	Kris	Carlson	kris@plumbingbycarlson.com
Robinson Building Corp.	Terry	Robinson	tlrbuilder@hotmail.com
Schnacker Construction, LLC	Marty	Schnacker	tschnacker@schnackerconstruction.com
Solomon Homes, LLC	Greg	Brownlee	greg@solomon-homes.com
Blue Dot Services Company of Kansas/IAQ Solutions	Von	Kopfman	von@bluedot.kscoxmail.com
DeBacker's, Inc.	Jack	DeBacker	debackerhvac@aol.com
H & R Plumbing, Inc.	Bryan	Thornton	
Lower Heating & A/C, Inc.	Chuck	Lower	chucklower@hotmail.com
Ace Electric - The Jones Co.	Steve	Jones	
QT, Inc.	Justin	Banks	qteinc@aol.com
Warner Electric	Larry	Warner	warner_electric@yahoo.com
Ace Plumbing	Dave	Cobler	
B&T Painting	Steve	Schwartz	steveschwartz10@yahoo.com
SAMCO	Dale	Warren	Dale.samco18@yahoo.com
SAMCO	Drew	Torkelson	samcodrew@yahoo.com
SAMCO	Cindi	Bramledge	Samco18@yahoo.com
Waugh Law Offices	Bruce	Waugh	bwaugh@gh-kc.com
Teamsters Union	Fernando	Harms	fharms.teamsters696@yahoo.com
Painters Local	Kevin	Bayless	kbayless@iupatdc3.com
Local 441	Kirk	Miller	kwmillersr@yahoo.com
Local 441	Richard	Taylor	
Teamsters Union	Jeff	Hewitt	

From: Norton Bonaparte
Sent: Tuesday, August 17, 2010 2:33 PM
To: Randy Speaker; David Thurbon
Subject: FW: Proposed Ordinance Changes

FYI

Norton N. Bonaparte, Jr.
City Manager & CEO
City of Topeka
215 South East 7th Street
Topeka, KS 66603
O 785.368-3725
F 785.368-3909
www.topeka.org
nbonaparte@topeka.org

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CONFIDENTIALITY NOTICE: This communication is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, or exempt from disclosure under applicable law. If you are not the intended recipient of this information, you are notified that any use, dissemination, distribution, or copying of the communication is strictly prohibited, and requested to reply hereto or notify sender by other immediate means of the misdelivery.

From: Helen and Gerald Miller [mailto:himgam@cox.net]
Sent: Tuesday, August 17, 2010 2:27 PM
To: Bob Archer; Karen A. Hiller; Bill Bunten; John Alcala; Sylvia Ortiz; Jack Woelfel; Deb Swank; Jeff Preisner; Richard Harmon; Norton Bonaparte
Subject: Proposed Ordinance Changes

To the City Council Members:

We urge you to reject the proposed amendments to your previously approved ordinance regarding parking commercial vehicles in residential neighborhoods. Evidently the planning commission's decision in this matter was influenced by local businesses, but we trust *you* will listen to the concerns of citizens in your community.

A large commercial vehicle, even 12,000 pounds or less, is still a nuisance in a residential area. Our city has a reason for residential zoning and business zoning – to keep them separate! From our experience of 50+ years in Topeka, we have seen what were once very nice, well-kept residential areas deteriorate into blighted areas due to other nuisance activities: such things as amateur mechanical work in garages, spare parts left on lawns, less pride taken in exterior surfaces and lawns, and a growing disregard for neighbors who try to keep their property looking nice. In the long run this causes the city's total assessed valuation to decline, meaning increased taxes are necessary to maintain current and future budgets.

Why should we as homeowners be forced to see these **LARGE MOVING BILLBOARDS** parked every day in our neighborhoods? It seems quite ironic that you would implement an ordinance to prohibit even small garage sale signs in residential areas – which are put out at the most for three days once or twice a year – but you would now consider approving these large trucks with full signage to be parked every day of the year in the same residential areas.

These trucks are noisy, they impede views of traffic on neighborhood streets when they are parked in a driveway, children playing around them cannot be seen by other vehicles, they may contain flammable or toxic items, and they are unsightly to those who must see them from their homes every day. While the spokesman for McElroy's quoted in today's paper evidently thinks it is unfair to the business to prohibit them, it amazes us that even before you approved this ordinance last March, we had never seen a McElroy's truck parked in the *business owner's* driveway!! Why would the business owners not want them in their residential areas, but have no problem allowing them in other residential areas of town?

Please reject the proposed amendments to this city code. **These vehicles are nothing but unsightly advertising vehicles and no matter their size they should not be allowed to be parked daily in residential neighborhoods.**

Gerald and Helen Miller
5918 S.W. 35th Street
Topeka, KS 66614

Item #13

- Governing Body options:
- **Adopt** the recommendation of the Planning Commission by Ordinance;
- **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:

[Staff Report](#)

[Ordinance](#)

[Planning Commission Minutes](#)

Amendment to Definitions Section – ACZR10/2

August 16, 2010 Planning Commission

Purpose: Attached is a proposed draft ordinance amending Sections 18.55.030 and 18.55.160 within the Definitions section of our Zoning Regulations. Two definitions are proposed for being amended, “Commercial equipment” and “Commercial vehicle” and two new definitions are proposed to be added, “Cargo container” and “Pickup truck”. These changes and additions to the Definitions section all relate to changes proposed via a separate Zoning Ordinance Amendment (ACZR10/1) relating to the Accessory Uses section.

Current Regulations: At the May 24, 2010 and June 28, 2010 Planning Commission Policy Meetings, changes to accessory uses and applicable definitions relating to those changes were thoroughly discussed. The public was invited to those meetings and attendance was much higher than normal.

At these two Policy Meetings, the Planning Commissioners discussed in detail the parking of commercial vehicles in residential neighborhoods. The Planning Commission directed staff to modify the definitions for “Commercial equipment” and “Commercial vehicle” and add a definition for “Pickup truck”.

The Planning Commission also discussed in detail at the May 24, 2010 Planning Commission Policy Meeting, cargo containers and issues with using those in residential neighborhoods. A definition for “Cargo container” was discussed and planning staff was given guidance to add this as a definition.

Recommendation: Planning staff recommends approval of the attached ordinance amending portions of the Definitions section of our Zoning Regulations.

Enclosure: Proposed Ordinance

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., amending City of Topeka Code § 18.55.030 and §18.55.160, concerning definitions for zoning regulations and specifically repealing said original sections.

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

Section 1. That section 18.55.030, “C” definitions, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

“C” definitions.

“Cargo container” means any portable, weather-resistant receptacle, container or other structure that is designed or used for the storage or shipment of household goods, commodities, building materials, furniture, or merchandise. A cargo container is typically rented for temporary use, and is delivered and removed from the property via truck.

“Carport” means a roofed structure intended for the storage of motor vehicles and enclosed on not more than two sides by walls.

“Cemetery” means property used for the interring of the dead.

“Certificate of occupancy” means official certification that a premises conforms to provisions of the zoning ordinance (and building code) and may be used or occupied.

“Class A club” means a premises which is owned or leased by a corporation, partnership, business trust or association and which is operated thereby as a bona fide nonprofit social, fraternal or war veteran’s club, as determined by the state of Kansas, for the exclusive use of the corporate stockholders, partners, trust beneficiaries or

29 associates (hereinafter referred to as members), and their families and guests
30 accompanying them.

31 “Class B club” means a premises operated for profit by a corporation, partnership
32 or individual, to which members of such club may resort for the consumption of food or
33 alcoholic beverages and for entertainment.

34 “Classification” means: (1) division of uses or activities into groups or subgroups
35 for regulatory purposes; (2) the process of deciding what uses should be permitted in
36 what zoning districts; and (3) the zone requirements imposed on a particular piece of
37 property. A subsequent change in a classification is called a reclassification.

38 “Clinic” means an establishment where patients are admitted for examination and
39 treatment by one or more physicians, dentists, psychologists or social workers and
40 where patients are not usually lodged overnight.

41 “Club or lodge, private” means a building and facilities owned, leased or operated
42 by a corporation, association, person, or persons for a social, educational or
43 recreational purpose; but not primarily for profit or to render a service which is
44 customarily carried on as a business; and shall not include or be construed as a class A
45 or class B club.

46 “Commercial equipment” means any equipment or machinery used in a business
47 trade or industry, including liquid storage tanks exceeding 100 gallons, earth-moving
48 equipment, trenching or pipe-laying equipment, landscaping equipment, spools of
49 wiring/cable, portable pumps, portable generators, portable air compressors, pipes, pool
50 cleaning equipment and supplies, and any other equipment or machinery similar in
51 design or function. However, equipment and machinery for business use kept within an

enclosed pickup truck or van; ladders, PVC pipe, or conduit attached to a truck or van via a rack; or equipment and machinery solely for personal residential use are not included.

“Commercial vehicle, heavy” means any vehicle, excluding pickup trucks, used for a business that has a ~~height or width (excluding antennas and mirrors) of seven and one-half feet or larger or has a length of 25 feet or longer~~ manufacturer’s rating exceeding 12,000 pounds of gross vehicle weight. Additionally, the following types of vehicles shall all be considered heavy commercial vehicles: ~~step vans, box vans, flatbed or stake-bed trucks except those that are pickup trucks, buses, semi-trailers or tractor-trailers, dump trucks, cement mixers, wreckers, and trailers loaded with any commercial equipment or construction materials, and any other motor vehicle or trailer (except for recreational vehicles) having a manufacturer’s rating exceeding 15,000 pounds of gross vehicle weight.~~ Additionally, any vehicles including pickup trucks, with any of the following exterior modifications shall be considered heavy commercial vehicles: liquid storage tanks exceeding 100 gallons, aerial buckets or platforms, welding equipment, or mechanical lifts or arms for loading and unloading materials/equipment, ~~or any vehicles or trailers with over 25 square feet of total sign area advertising a business.~~ Vehicles for transferring passengers and their personal luggage/cargo for churches, nonprofit agencies, nursing homes, retirement communities, and other similar facilities shall not be considered heavy commercial vehicles. Recreational vehicles are not considered heavy commercial vehicles unless used for business purposes.

“Common open space” means a parcel of land, an area of water, or a combination of land and water within a development which is designed for, and

75 designated as space for the use and enjoyment of residents of the development.
76 Common open space may contain landscaping and such recreational improvements as
77 are necessary for the benefit and enjoyment of the residents, such as swimming pools,
78 tennis courts, etc. Parking lots and storage areas shall not be considered as open
79 space.

80 “Communication antenna” means an antenna or array of antennas at one
81 location intended to broadcast and receive signals as part of a wide-area
82 communication system such as cellular telephone systems, pager systems or wireless
83 computer networks, but excluding short-wave radio antennas operated primarily as a
84 hobby.

85 “Communication tower” means a ground-mounted guyed, monopole or self-
86 supporting tower, constructed as a freestanding structure or in association with a
87 building, other permanent structure or equipment, containing one or more antennas
88 intended for transmitting or receiving television, AM/FM radio, digital, microwave,
89 cellular, telephone, or similar forms of electronic communication. Not included in this
90 definition are towers which are held, used or controlled exclusively for public purposes
91 by any department or branch of government. Such towers are defined as a “public use
92 facility” and regulated accordingly.

93 “Community center” means a building, together with lawful accessory buildings
94 and uses, used for recreational and cultural activities and usually not operated for profit.
95 Membership may be restricted to persons living in a specific geographical area.

96 “Community facilities” means public or privately owned facilities used by the
97 public, such as streets, schools, libraries, parks and playgrounds; also facilities owned

98 and operated by nonprofit private agencies such as churches, settlement houses and
99 neighborhood associations.

100 “Community living facility, type I” means a dwelling building or portion thereof,
101 and premises other than a hospital, operated and licensed in accordance with any and
102 all applicable state and local requirements, in which short-term residential care for profit
103 or not-for-profit is provided as well as supportive programs which assist or train the
104 recipients to address or improve their living skills relative to chemical dependency,
105 behavioral modification, domestic abuse, mental illness, economic recovery, job
106 training, emergency shelter, and similar such physical, economic, or social reintegration
107 programs. Although recipients do not require intensive treatment or secure environment,
108 structured programs often include individual and group counseling, recreational and
109 social activities, milieu therapy and individual work therapies designed to provide a
110 transition and reentry into society, gainful employment, and sustained welfare upon
111 leaving the facility. Residents are not in need of acute medical or psychiatric care and
112 the facility is operated on a 24-hour basis. “Community living facility, type I” does not
113 include correctional placement residence or facility.

114 “Community living facility, type II” means a dwelling building or portion thereof,
115 and premises other than a hospital, operated and licensed in accordance with any and
116 all applicable state and local requirements, in which residential care for profit or not-for-
117 profit is provided; intermediate treatment programs in a therapeutic setting for diagnostic
118 and primary treatment environment relative to chemical dependency, behavioral
119 modification, and mental illness and similar such physical and social treatment
120 programs may be provided. Residents are not in need of acute medical or psychiatric

care and the facility is operated on a 24-hour basis and may be operated as a secure facility. "Community living facility, type II" does not include correctional placement residence or facility.

"Community service organization" means an organization, group or association formed for the single purpose of providing a philanthropic service for the community, but not to include any use which provides social or physical entertainment, except as a part of the philanthropic services.

"Compatibility" means the characteristics of different uses or activities that permit them to be located near each other in harmony and without conflict.

"Comprehensive plan" means a plan intended to guide the growth and development of a community or region and one that includes analysis, recommendations and proposals for the community's population, economy, housing, transportation, community facilities and land use.

"Conditional use" means a use permitted in a particular zoning district only upon showing that such use in a specified location will comply with all the conditions and standards for the location or operation of such use as specified in a zoning ordinance and authorized by the governing body.

"Condominium" means the legal arrangement in which a dwelling unit in an apartment building or residential development or a retail or office unit in a commercial building or commercial development is individually owned but in which the common areas are owned, controlled and maintained through an organization consisting of all the individual owners.

“Construction and demolition waste” means waste building materials and rubble resulting from construction, remodeling, repair or demolition operations on houses, commercial buildings, other structures and pavements.

“Conversion” means the change of the use of an existing building into another use.

“Correctional facility” means a public use facility providing housing and care for individuals confined for violations of law. Typical uses include jails, prisons, and juvenile detention centers. A correctional facility does not include a correctional placement residence or facility, general, or a correctional placement residence or facility, limited.

“Correctional placement residence or facility” means a facility for individuals or offenders that provides residential and/or rehabilitation services for those who reside or have been placed in such facilities due to any one of the following situations: (1) prior to, or instead of, being sent to prison; (2) received a conditional release prior to a hearing; (3) as a part of a local sentence of not more than one year; (4) at or near the end of a prison sentence, such as a state-operated or franchised work release program, or a privately operated facility housing parolees; or (5) received a deferred sentence and placed in a facility operated by community corrections. Such facilities will comply with the regulatory requirements of a federal, state or local government agency; and if such facilities are not directly operated by a unit of government they will meet licensure requirements that further specify minimum service standards.

“Correctional placement residence or facility, general” means a facility occupied by more than 15 individuals, including staff members who may reside there.

“Correctional placement residence or facility, limited” means a facility occupied by three to 15 individuals, including staff members who may reside there.

“Country club” means a land use consisting of both a golf course and a clubhouse building for social assembly, food and beverage preparation/service, pro shop, club office, recreational and physical exercise facilities including fitness center, spa, swimming pool, court games, locker and shower facilities; and vehicle parking areas and drives. Country club facilities are open to members and their guests for a membership fee.

“Court” means an open space which may or may not have street access, and around which is arranged a single building or group of related buildings.

“Court, inner” means that portion of a lot unoccupied by any part of a building, surrounded on all sides by walls, or by walls and a lot line.

“Court, outer” means that portion of a lot unoccupied by any part of a building, opening onto a street, alley, or yard.

“Crisis center, type I” means a facility or portion thereof and premises, which is used for purposes of emergency shelter, crisis intervention, including counseling, referral, hotline response, and similar human social service functions. Said facility shall not include meal preparation, except for residents of the center, distribution, or service; merchandise distribution; or shelter, including boarding, lodging, or residential care.

“Crisis center, type II” means a facility or portion thereof and premises, which is used for purposes of emergency shelter, crisis intervention, including counseling, referral, hotline response, and similar human social service functions; meal preparation,

distribution, and service; merchandise distribution; and temporary and/or transient shelter, including boarding and lodging facilities.

“Cultural facilities” means establishments such as museums, libraries, art galleries, botanical and zoological gardens of a historic, educational or cultural interest which are not operated commercially.

Section 3. That section 18.55.160, “P” definitions, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

“P” definitions.

“Parcel” means a lot, or contiguous group of lots in single ownership or under single control, and usually considered a unit for purposes of development.

“Park” means a tract of land designated and used by the public for active and passive recreation.

“Parking aisle” means a paved surface which is connected directly to a parking space and designated to permit ingress or egress of a vehicle to or from the parking space. In no case can a parking aisle be a driveway.

“Parking lot” means an off-street, ground-level area, surfaced in accordance with the standards and specifications of the city of Topeka for the temporary storage of motor vehicles.

“Parking space” means a paved surface, exclusive of an aisle, which is intended for off-street vehicular parking.

“Performance standards” means specific criteria limiting the operations of certain industries, land uses, and buildings to acceptable levels of noise, air pollution

emissions, odors, vibration, dust, dirt, glare, heat, fire hazards, wastes, traffic generation and visual impact.

“Permitted use” means any use authorized in a particular zoning district.

“Person” means a corporation, company, association, society, firm, partnership or joint stock company as well as an individual, a state and all political subdivisions of a state or any agency or instrumentality thereof.

“Personal care” means protective care with or without watchful oversight of a resident who does not have an illness or a condition which requires chronic or convalescent medical or nursing care with a 24-hour responsibility for the safety of the resident when in the building.

“Personal services” means establishments primarily engaged in providing services involving the care of a person and his or her apparel.

“Pharmacy” means a place where drugs, prosthesis, rehabilitation equipment and medicines are prepared and dispensed.

“Pickup truck” means a motor vehicle manufactured with a cab for passengers and an open-top rear cargo area (bed) of four (4) to eight (8) feet in length, with low sides along the bed, and a rear tailgate or a motor vehicle not exceeding 15,000 pounds gross vehicle weight manufactured with a cab for passengers, having a flat or stake bed up to seven (7) feet in width and up to nine (9) feet in length.

“Planned unit development (PUD)” means a form of development characterized by a unified site design for a number of housing units, clustering buildings and providing common open space, density increases, and a mix of building types and land uses.

“Planning commission” means the Topeka planning commission.

232 “Plat of a subdivision” means a plan or map prepared in accordance with the
233 provisions of applicable subdivision regulations.

234 Platting. Whenever the term “platting” or “platted” is used within these zoning
235 regulations it shall refer to the process established by the subdivision regulations of the
236 city of Topeka, Kansas (Division 3 of this title).

237 “Porch, open” means a roof partially supported by columns or wall sections.

238 “Preapplication conference” means discussions held between developers and
239 public officials, usually members of the planning staff, before formal submission of an
240 application for a permit or for subdivision plat approval.

241 “Premises” means any lot or tract, or combination of contiguous lots or tracts of
242 land held in single ownership, together with the improvements thereon; a condominium
243 complex constitutes one premises.

244 “Principal use” means the main use of land or structures as distinguished from a
245 secondary or accessory use.

246 “Professional office” means the office of a person engaged in any occupation,
247 vocation, or calling, not purely commercial, mechanical, or agricultural, in which a
248 professed knowledge or skill in some department of science or learning is used by its
249 practical application to the affairs of others, either advising or guiding them in serving
250 their interest or welfare through the practice of an act found thereon.

251 “Provisional use” means a principal use which is allowed in the zone in which
252 listed, provided it complies with the additional regulations listed for the use and all other
253 dimensional and special (if any) requirements of the zone in which listed.

254 “Public or private educational facility” means a public elementary, secondary,
255 high school and private schools with curricula equivalent to that of a public elementary,
256 secondary or high school.

257 “Public use facility” means any building, structure, utility, or land held, used, or
258 controlled exclusively for public purposes by any department or branch of government:
259 federal, state, county, municipal or subdivision thereof.

260 “Public utility” means any business or enterprise which furnishes the general
261 public telephone, cable, electric, Internet, natural gas, water, or sewer service, and is
262 subject to supervision or regulation by an agency of the state or federal government.

263 “Public utility facilities” means telephone, electric and cable television lines,
264 poles, equipment and structures; water or gas pipes, mains, valves or structures; sewer
265 pipes, valves or structures; pumping stations; telephone exchanges and repeater
266 stations; and all other equipment and structures necessary for providing these services
267 by a government or a public utility.

268 “Public way” means any sidewalk, street, alley, highway or other thoroughfare
269 dedicated for public use.

270 Section 3. That original § 18.55.030 and § 18.55.160 of The Code of the City
271 of Topeka, Kansas, is hereby specifically repealed.

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

274 Section 5. All ordinances, resolutions or rules, or portions thereof, inconsistent
275 with the provisions of this ordinance are hereby rescinded or repealed.

Section 6. Should any section, clause or phrase of this ordinance be declared
invalid by a court of competent jurisdiction, the same shall not affect the validity of this
ordinance as a whole, or any part thereof, other than the part so declared to be invalid.

PASSED AND APPROVED by the Governing Body _____.

CITY OF TOPEKA, KANSAS

William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk

**Minutes of the
Topeka Planning Commission
Monday, August 16, 2010**

Bill Hoover summarized items G-1 & G-2 together. Voting will be separate.

ACZR10/1 The Topeka Planning Commission will consider amendments to Section 18.210.020 Permitted uses of the Topeka Municipal Code relating to **accessory uses** contained in the Zoning Regulations. The proposed amendments involve: restrictions on utilizing truck bodies and cargo containers in residential zoning districts; modifying storage and parking restrictions of large vehicles, boats, machinery, materials, and equipment in residential zoning districts; and adding additional permitted accessory uses in industrial zoning districts. A copy of the proposed changes is available at the Topeka Planning Department, 620 SE Madison, 3rd Floor, Topeka, Kansas. **(Hoover)**

Discussion by members:

Doug Bassett asked Braxton Copley if everyone must disclose exparte communications? Mr. Copley replied no, these are legislative items not quasi judicial.

Mr. Bassett announced the reason for the amendment is to lessen the restriction on height and weight. If we take no action the current rules will stay in place. He stated we want to do something tonight to be sure we are doing what is right for everyone.

Dawn Wright stated she thought the last meeting 25 feet in length was decided but the staff report states 24 feet. She said we were at 12,000 pounds and now it shows we are back to 10,000, how did that happen? Mr. Hoover said there really aren't any trucks remaining that weigh between 10,000 and 12,000 pounds after pickup trucks are excluded. He stated over 10,000 pounds they are pretty much commercial vehicles. He said box vans and box trucks are the types of vehicles we are here to discuss as part of the threshold. Mr. Bassett said he also remembers the length being 25 feet.

Mr. Hoover showed the commission pictures of a box van (cut away van) that was 9 feet tall, with a single rear axle. He stated this is van is probably under 10,000 pounds. Peter Hancock asked if this truck would be legal to park on a residential street? Mr. Hoover replied commercial vehicles are not allowed by definition therefore a box van would not be allowed there.

Charlie Campbell, McElroy, stated there has been several meetings regarding this topic. He said the main issues, it seems, is the parking (in residential neighborhoods) of semi trucks, lawn mowing trucks/trailers and businesses being ran in residential neighborhoods. Mr. Campbell made a proposal of anything up to 12,000 pounds would be allowed in residential neighborhoods but anything 12,001 pounds or higher would be considered a commercial vehicle. He said he agreed that a truck with a 100 gallon tank would be a commercial vehicle. He said he also agrees with what has been described as commercial uses. We suggest 12,000 GVW (gross vehicle weight) and under for non-commercial vehicles, anything over are commercial. Mr. Campbell passed out a petition of small businesses that were in support of his proposal.

Rich Beardmore stated your proposal does not address height, width or length of the vehicle.

Mr. Campbell replied, no this proposal is easier to enforce. It will make it so we have our trucks with us in case there is an emergency.

Doug Bassett asked if signage is addressed in Mr. Campbell's proposal? Mr. Campbell replied no.

Mike Pressgrove, PDQ Construction, spoke in favor of Mr. Campbell's proposal. He stated his company also has the cut away vans. He said we have an area on-site for the vans to be locked up but it is not safe. With all the vans in the lot they all could get broken into. If the employees take the vans home, theft is much less of an issue. He said his vans are heavier than 10,000 pounds.

John Federico said we want to take into account the needs of the businesses. He said the question is how to respond to the resident that doesn't like the trucks parked in their neighborhood. Mr. Pressgrove said I would ask them what they would do if they were in our shoes. I am sure they wouldn't want their tools stolen in a lot like we have had troubles with. He added, plus it is a convenience for the public for us to have our trucks right there and can be at their houses a lot faster. I don't see them as that big of an eyesore.

Mike Lackey asked if this amendment addresses regulations for campers, motor homes, etc. Mr. Hoover replied no. Mr. Lackey stated he would like to look at those regulations in the future.

Mr. Hoover asked Mr. Pressgrove how tall the cut away vans are? Mr. Pressgrove replied 9 to 9 ½ feet. Dawn Wright stated that is becoming the standard.

Von Coffman, Blue Dot, spoke in favor of the 12,000lb limit. He said we are like public servants. It is a convenience for the public for us to be ready for a call. The cut away vehicles are becoming popular because we are carrying more parts, etc. and need bigger vehicles. He said the vans with signage are better than unmarked vehicles sitting in the neighborhoods. He said unmarked seems unsafe to him. He suggested each neighborhood take on the signage issues.

Peter Hancock said Lawrence has stricter rules than this. He stated their standards are 8 feet high/wide, 20 feet length and a 1 ton weight limit. Would that ordinance in Topeka affect your business? Mr. Coffman stated the price for service type jobs are higher in Lawrence. He said he thinks that is in part to the employees not taking their trucks home or they have to unload their tools into the warehouse every day.

Mr. Federico said the customer who may complain about the truck being parked in the neighborhood also doesn't want to wait for service. Plus they want the service provider to have the necessary parts on their truck.

Rich Beardmore asked if the cut away vans have ladder racks? Mr. Campbell replied, yes. Mr. Beardmore said any height limits we have talked about do not include the ladder racks.

Kurk Miller, Local 441, stated this affects all service providers. Lots with trucks loaded with equipment are not a good idea. Customers want service now. The men will be losing money if they have to park their vehicles anywhere other than their homes.

Ms. Wright asked Mr. Miller how many men the union represents? Mr. Muller replied about 300.

Jeff Hewitt, Teamsters Union, stated he supports the proposal. He said safety of the workers is an issue. The time it takes for a repairman to arrive is crucial if heating or air goes out. People need immediate service. The economy is tough and the businesses have to be more efficient and be available to the public. He said he thinks a cement truck is an eyesore but not these box trucks.

Chad Manspeaker, representative for Teamsters, stated these guys need support. He said he agrees with Charlie Campbell. Time is an issue for all that use these service businesses.

Fernando Harms, Teamsters Union, stated we have members that drive these box trucks. It is part of their wage package. If they have to park in a lot it will cost the businesses more when the guys have to go trade out their own vehicles for their trucks.

Mr. Hancock asked Mr. Harms if he is for or against the proposal? Mr. Harms replied in favor of the 12,000 pounds and would like the neighborhoods to iron out the smaller details. Mr. Hancock asked what about the neighborhoods that do not have a neighborhood association? Mr. Harms replied they could create one.

Mr. Bassett stated, everyone correct me if I am wrong, but I think they are all speaking in favor of Charlie Campbell's proposal of 12,000 pounds with no height, weight or length limit.

Jeff Kohan, owns a vehicle signage business, stated our customers are the smaller businesses. We have a small vehicle with large signage and it does work. I encourage you to continue to allow the signage on the vehicles.

Larry Warner, Warner Electric, stated he agrees with the 12,000 lb limit. He said it is important to have all supplies with us to service the customers.

Mr. Federico asked what about bucket trucks? Mr. Bassett replied they are considered commercial trucks.

Mr. Hoover asked are we still excluding pick-up trucks? Mr. Bassett said Mr. Campbell's proposal states except pick-up trucks. Mr. Hoover stated if we go with the 12,000 pound limit that would still allow step vans, box trucks and box vans less than 12,000 pounds. Line 59 in the Definitions Ordinance would have to be changed to read 12000 pounds or less. Mr. Blackmon asked is this for enclosed vehicles only? Mr. Warner stated we need to leave the door open to all enclosed vehicles. If they are over 12,000 pounds they are out.

Mr. Beardmore asked if trucks that weigh 12,000 pounds or more have different licensing requirements? Mr. Hoover replied he wasn't sure.

Mr. Hancock stated he lives on a narrow street and if there are box trucks parked on both sides of the road a car can't get through. Mr. Warner stated we are talking about parking at the residence not on street. Mr. Hoover added we will let the police department handle on-street parking issues. David Thurbon stated whatever we approve here will be allowed on the street as well. Mr. Blackmon said I thought everything on the street wasn't handled by us, it is up to the council and police. Mr. Thurbon said we can state what is allowed but not where to park it. Whatever we adopt will be allowed anywhere in that district unless another entity comes through

and designates some vehicles can't park on the street.

Mr. Blackmon said it is hard to make a living now. We are trying to do the right thing to help the service workers out.

Mr. Hancock stated there is a long list of cities that have more restrictive ordinances than what we currently have. He said he has not heard of people going out of business in areas where they have parking restrictions. The crime issue to me is a police issue not a planning issue. Degrading quality of residential areas due to crime in other areas is not right. Lawrence is more restrictive than what is being proposed tonight. He said it is the loss of residents within our city why we have problems. We need to protect quality residential areas. Code Compliance has had a lot of calls regarding commercial vehicles in residential areas.

Mr. Lackey stated there are other cities that permit 12,000 pounds. He stated he doesn't mind the service vans in his neighborhood. He said there are other vehicles that look much worse. He stated he is in favor of the 12,000 lb proposal. He said he finds it interesting no one is here to speak in opposition to this. He said he hasn't seen any statistics from Code Compliance regarding complaint calls about commercial vehicles in residential areas.

Dawn Wright said she agrees with Mr. Lackey. She said the biggest issue she has is how many employees this affects driving their vehicles home. There are neighborhoods proud to have these service trucks in their neighborhoods. This is difficult to balance the wants of all people. They can go to or create a neighborhood association to fight against this. She added newer subdivisions have covenants to handle this.

Dawn Wright moved to allow 12,000 lb. vehicles taking out all reference to height, weight and length. She stated this will change page 4, line 73 of the Accessory Uses Ordinance from 5 to 6 tons. The motion was seconded by Howard Blackmon. **APPROVAL. (6-1-0) Commissioner Hancock voted no.**

ACZR10/2 The Topeka Planning Commission will consider amendments to Section 18.55.030 "C" definitions and Section 18.55.160 "P" definitions of the Topeka Municipal Code contained in the Zoning Regulations. The proposals include amendments to the following defined words or terms: "Commercial equipment" and "Commercial vehicle"; and additions of the following defined words or terms: "Cargo container" and "Pickup truck". A copy of the proposed changes is available at the Topeka Planning Department, 620 SE Madison, 3rd Floor, Topeka, Kansas. **(Hoover)**

Dawn Wright moved to approve striking any reference to vehicles, excluding pick-up trucks, used for a business by removing all references to height, width or length. On page 3, line 55 of the Definitions Ordinance delete everything after "business" through line 58, delete only the first two words of line 58, and delete "step vans", "box trucks", and "box vans" from line 59. Change page 3, line 63 to 12,000 pounds. The motion was seconded by Howard Blackmon. **APPROVAL. (5-2-0) Commissioners Beardmore and Hancock voted no.**

John Federico asked that legal review wording to be sure it is correct. Braxton Copley, Deputy City Attorney, replied as long as we are close conceptually staff can work on the grammatical and technical portions of the changes.

Peter Hancock asked for clarification; a step van that has a gross weight of 11,999 pounds is not a commercial vehicle? Doug Bassett replied no.

Mr. Hoover suggested defining vehicles of 12,000 pounds or above be called “commercial vehicle, heavy” and that may make sense for any future amendments.

Doug Bassett said this is a difficult topic for all. He said he is comfortable with the 12,000 pound limit.

John Federico said he agrees. There needs to be a balance. He said he feels for the people who live in the cul-de-sac. I will support the motion.

Dawn Wright amended her motion to include the wording of anything 12,000 or more to reference a “commercial vehicle-heavy”. Howard Blackmon agreed to the amendment.

Rich Beardmore said there were residents at previous meetings against the large commercial trucks in their neighborhoods. They stated this town isn’t that big and it wouldn’t be a problem for workers to go to a lot to pick up a truck. Critical businesses, i.e. hospitals, etc. usually have staff on-site to handle emergencies. Mr. Beardmore said his concern is with the size and billboard signage on the trucks. He said he would like to see a restriction on the size of truck allowed.

Restated motion including amended:

Dawn Wright moved to approve striking any reference to vehicles, excluding pick-up trucks, used for a business and removing all references to height, width or length. On page 3, line 55 of the Definitions Ordinance delete everything after “business” through line 58, delete only the first two words of line 58, and delete “step vans”, “box trucks” and “box vans” from line 59. Change page 3, line 63 to 12,000 pounds. Also adding, anything 12,000 pounds or above be referenced a “commercial vehicle, heavy” where needed throughout the Definitions Ordinance. The motion was seconded by Howard Blackmon. **APPROVAL. (5-2-0) Commissioners Beardmore and Hancock voted no.**

ACZR10/1 – Dawn Wright made a motion to re-open the Accessory Uses Ordinance in order to change the defined words “commercial vehicles” to “commercial vehicles, heavy” so it would match what was just approved in the Definitions Ordinance. Howard Blackmon seconded this. Dawn Wright made a motion to approve adding the word “heavy” in front of the word “commercial vehicles” in line 75 and Howard Blackmon seconded. **APPROVAL. (6-1-0) Commissioner Hancock voted no.**



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

September 8, 2010

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

DATE: October 5, 2010
CONTACT PERSON: Brenda Younger
SECOND PARTY/SUBJECT: Applications
CATEGORY/SUBCATEGORY 006 Communication / 005 Other
CIP PROJECT: No
ACTION OF COUNCIL:
DOCUMENT #:
PROJECT #:
JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

APPROVAL of Retail Cereal Malt Beverage License Applications.

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

(Pursuant to K.S.A. 41-2702 application for license must be approved by the Governing Body prior to the issuance of the license.)

POLICY ISSUE:

None

STAFF RECOMMENDATION:

Approve the licenses.

BACKGROUND:

Pursuant to K.S.A. 41-2702 as amended, license applications for retail cereal malt beverage must be approved by the governing body prior to issuance of the license.

BUDGETARY IMPACT:

None

SOURCE OF FUNDING:

N/A

ATTACHMENTS:

No Attachments Available



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

September 21, 2010

+ Back Print

DATE: October 5, 2010
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 September 13, 2010, through September 19, 2010, 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 September 13, 2010 through September 19, 2010, in the amount of \$1,833,895.37.

SOURCE OF FUNDING:

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

ATTACHMENTS:

[Weekly Expenditures](#)

[DETAIL REPORT CB55 WEEK ENDING 9/19/10](#)

[DETAIL REPORT AP WEEK ENDING 9/19/10](#)

Item #15

(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 September 13, 2010, through September 19, 2010, 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 of 132 vendor checks written this period	948,148.61
	Total vendor payments voided in this period (net)	(00.00)
	Total of 125 electronic transfers to vendors this period	885,746.76
	Total net payroll to employees this period	000,000.00
	Total payroll related electronic transfers this period	<u>000,000.00</u>
	Total for expenditures in this period	<u>\$1,833,895.37</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

Payment Listing

CB255 Date: 09/21/10
Time: 09:07

JOB SUBMISSION PARAMETERS

User Name: HALL\chartman
Job Name : CB255CH
Step Nbr : 1

Cash Code: 02 OPERATING ACCOUNT
or Cash Code Group:

Transaction Code: SYS AP SYSTEM PAYMENT
Check Date: 091310 - 091910
Check Nbr: -
Company: 1

Transaction Status: All
Report Sequence: C By Transaction Code
Detail Option: Summary

Payment Listing

CB255 Date 09/21/10
Time 09:07

Page 1

Payment Listing
Cash Code 02 OPERATING ACCOUNT
By Transaction Code (Status: All)

Transaction Code SYS AP SYSTEM PAYMENT

Reference Number	Payment Nbr	Co.	Post Date	Pay Date	Void Date	Amount	Status	Payee Name	Pay Group	Proc Grp
COPE LAURA	678263	1	09/01/10	09/17/10		40.00	Historical	LAURA COPE	COT	
HUBBLE AMY	678264	1	09/01/10	09/17/10		80.00	Historical	AMY HUBBLE	COT	
MILLIKEN E	678265	1	09/07/10	09/17/10		34.12	Historical	ERMAGENE MILLIKEN	COT	
Transaction Code SYS Total						154.12				
Cash Code 02 Total						154.12				
Report Total						154.12				

*** REPORT COMPLETED ***

COUNCIL REPORT OF VENDOR PAYMENTS

Between 9/13/2010 and 9/19/2010

Attachment number 3
Page 1 of 21

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
Electronic Payments			
7198	09/13/2010	ARMSTRONG CONSTRUCTION 255	3,575.00
2003	10019		2,375.00
2004	10330		1,200.00
7199	09/13/2010	BARTLETT & WEST ENGINEERS 391	14,849.13
730025388	537926		14,849.13
7200	09/13/2010	COMMUNITY RESOURCES COUNCIL 1056	300.00
732	10549		300.00
7201	09/13/2010	CONCRETE SUPPLY OF TOPEKA 1066	1,884.00
41760	558933		382.50
41914	558933		1,012.50
41990	558933		489.00
7202	09/13/2010	DELTA DENTAL OF KANSAS INC 1323	17,367.55
558705 34	558705		4,287.15
W/E 9/2/10	558705		13,080.40
7203	09/13/2010	DIAMOND INTERNATIONAL INC 1347	41.14
TI52711	558481		41.14
7204	09/13/2010	FASTRAC EXCAVATING LLC 1621	4,757.00
557694 10	557694		4,757.00
7205	09/13/2010	LP S EXCAVATING INC 3125	3,592.00
10464	10464		3,592.00
7206	09/13/2010	MICHAEL & SONS INC 3377	4,490.00
257400	10466		4,490.00
7207	09/13/2010	OMB POLICE SUPPLY 3746	75.58
P018242000020	10473		75.58
7208	09/13/2010	MEDTRAK SERVICES LLC 3330	104,034.47
88146	558706		104,034.47
7209	09/13/2010	DEAN, ROBERT 1290	37.50
9/5/10ASBRD		Adult Softball	37.50
7210	09/13/2010	EDISON, MARY 1486	200.00
559085 8	559085		200.00
7211	09/13/2010	CARY SR, KANONAE S 6803	26.00
8/29/10ASBKC		Adult Softball	26.00
7212	09/13/2010	LUTTERMAN, ERIC 3144	51.00
9/5/10ASBEL		Adult Softball	51.00
7213	09/13/2010	AFSCME MISSOURI STATE COUNCIL 83	1,782.00
83.9/10/10			1,782.00
7214	09/13/2010	ALLSTATE WORKPLACE DIV / SHORT 147	1,989.25
147.9/10/10			1,989.25
7215	09/13/2010	ALLSTATE WORKPLACE DIV/CANCER 148	4,611.30
148.9/10/10			4,611.30
7216	09/13/2010	CITY OF TOPEKA FRIENDSHIP FUND 948	311.20
948.9/10/10			311.20

COUNCIL REPORT OF VENDOR PAYMENTS

Between 9/13/2010 and 9/19/2010

Attachment number 3
Page 2 of 21

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
7217 1676.9/10/10	09/13/2010	FIREMENS OFF DUTY RELIEF FUND 1676	2,656.00 2,656.00
7218 2397.9/10/10 2397.9/10/10A	09/13/2010	ING AETNA FINANCIAL SERVICES 2397	44,435.90 3,187.64 41,248.26
7219 2424.9/10/10 2424.9/10/10A	09/13/2010	INTERNATIONAL ASSOC OF FIREFIG 2424	6,664.38 6,678.12 -13.74
7220 2630.9/10/10	09/13/2010	KANSAS ASSOC OF PUBLIC EMPLOYE 2630	2,373.82 2,373.82
7221 5737.9/10/10	09/13/2010	NATIONAL GUARDIAN LIFE INSURAN 5737	2,907.69 2,907.69
7222 5742.9/10/10 5742.9/10/10A 5742.9/10/10B	09/13/2010	SECURITY BENEFIT GROUP 5742	19,442.64 2,090.45 16,494.19 858.00
7223 10577 1	09/14/2010 10577	GBS LLC 6838	26,777.76 26,777.76
7224 701	09/17/2010 558629	MCVAY LAW OFFICE LLC 3322	2,000.00 2,000.00
7225 40422.3951	09/17/2010	CALHOON, STEVEN C EE-MILEAGE 4/30-6/30/10 751	19.80 19.80
7226 40428.6623	09/17/2010	GINN, TRENTON L GARDEN CITY, KS 8/29-9/1/10 1896	62.10 62.10
7227 40406.7281	09/17/2010	JOHNSON, CRAIG A ADV-GREEN BAY WI 9/19-22/10 2556	109.65 109.65
7228 40431.4591	09/17/2010	MEIER, MARK W HUTCHINSON, KS 8/3/10 CONT ED 6895	9.20 9.20
7229 40406.7277	09/17/2010	MARTINEZ, LEO S ADV-GREEN BAY WI 9/19-22/10 3229	109.65 109.65
7230 40428.6556	09/17/2010	RICHARD G HUNDERTFUND GARDEN CITY, KS 8/29-9/1/10 6284	62.10 62.10
7231 40378.4610	09/17/2010	RIPHAHN, BILL D EE-MILEAGE 4/1-7/13/10 4222	272.11 272.11
7232 40428.6588	09/17/2010	SALAMANCA, RUBEN GARDEN CITY, KS 8/29-9/1/10 4344	62.10 62.10
7233 40430 4634	09/17/2010	TRAHOON, STACY R ADV-MINNEAPOLIS MN 9/19-23 6942	340.80 340.80
7234 40430.4357	09/17/2010	TRACHTA, SCOTT A EE-MILEAGE 1/1-3/31/10 5074	63.20 63.20
7235 40424.6640	09/17/2010	TURNER, BRENDA J EE-SAFETY SHOES (FOP CT SEC) 5107	50.00 50.00

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Check No.	Check Date/PO #	Vendor Name and Number		Check Amount
7236 40407 4143	09/17/2010	WHITLOCK, PETER EE-LICENSE CDL	6612	21.00
7237 40428.6612	09/17/2010	WILKINS JR, WILLIE C GARDEN CITY, KS 8/29-9/1/10	5442	62.10
7238 12360 12362	09/17/2010 559270 559271	A-1 RENTAL INC	20	330.00
7239	09/17/2010	AAA ALLIED GROUP INC	22	1,347.50
256731	558457			38.50
260348	558632			38.50
260594	558457			38.50
261342	558632			38.50
261387	558632			38.50
261394	558632			38.50
261733	558457			38.50
261808	558632			38.50
261809	558632			38.50
261812	558632			38.50
261907	558632			38.50
261723	558632			38.50
261724	558632			38.50
261725	558632			38.50
261728	558632			38.50
261730	558632			38.50
261731	558457			38.50
261615	558457			38.50
261666	558632			38.50
261667	558632			38.50
261668	558632			38.50
261671	558457			38.50
261721	558632			38.50
261566	558457			38.50
261567	558632			38.50
261575	558632			38.50
261609	558457			38.50
261611	558632			38.50
261612	558632			38.50
261424	558632			38.50
261489	558632			38.50
261491	558632			38.50
261525	558632			38.50
261526	558632			38.50
261527	558632			38.50
7240 4310	09/17/2010 10093	ADVENTURETECH GROUP INC	74	600.00
7241 T705419 T705803 T705821 T706419 T706420 T706421 T706422	09/17/2010 558591 10127 558591 10127 10127 10127 10127 10127	AMERIPRIDE	197	367.81
7242	09/17/2010	ANIMAL CLINIC OF NORTH TOPEKA	235	4,125.14

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68808	558422		4,125.14
7243 A6427 JULY 2010	09/17/2010 10301	ANSWER TOPEKA 237	94.50 94.50
7244 730025893 730025943 730025944	09/17/2010 557399 554977 560224	BARTLETT & WEST ENGINEERS 391	13,600.00 7,860.00 4,560.00 1,180.00
7245 130206320	09/17/2010 559690	BASF CORPORATION 6538	12,549.60 12,549.60
7246 117183	09/17/2010 10353	BEN SCHREINER CONSTRUCTION 433	3,145.00 3,145.00
7247 W/E 9/14/10	09/17/2010 DE	BLUE CROSS BLUE SHIELD INC 528	57,627.43 57,627.43
7248 113896	09/17/2010 558702	BOBS JANITORIAL SERVICE & SUPP 539	127.00 127.00
7249 645908 1	09/17/2010 558466	BOETTCHER SUPPLY INC 543	0.92 0.92
7250 34465	09/17/2010 560227	CAPITAL INVESTIGATIVE SERVICES 783	1,240.00 1,240.00
7251 601076	09/17/2010 559165	CARTRIDGE KING OF KANSAS 833	988.92 988.92
7252 54989	09/17/2010 10662	CENTRAL MECHANICAL CONST CO IN 863	946.85 946.85
7253 0002149830	09/17/2010 DE	CONSTELLATION NEW ENERGY GAS D 1077	1,079.08 1,079.08
7254 29561	09/17/2010 558035	COOK FLATT & STROBEL ENGINEERS 1089	2,557.21 2,557.21
7255 14962	09/17/2010 559762	CREATIVE LANDSCAPING 1166	982.02 982.02
7256 20140445 20140554	09/17/2010 558477 558477	CROSS MIDWEST TIRE INC 1183	635.43 82.75 552.68
7257 XF2MFCF73 XF2NRC567	09/17/2010 10460 10503	DELL COMPUTER 1319	2,333.57 791.79 1,541.78
7258 73651750 73651751 73651752 73651753	09/17/2010 559648 559507 558988 559182	DELL FINANCIAL SERVICES LP 1320	6,477.02 312.36 3,587.19 2,031.23 546.24
7259 30489	09/17/2010 560051	DIGITAL REPROGRAPHICS LLC 1358	333.03 333.03
7260	09/17/2010	ED ROEHR SAFETY PRODUCTS 1484	376.02

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Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
330375	560048		696.02
330375	560048		-320.00
7261	09/17/2010	EPCO CARBON DIOXIDE PRODUCTS I 1551	1,716.26
68261	560178		1,716.26
7262	09/17/2010	FOLEY EQUIPMENT COMPANY INC 1734	11.37
PCSL0839999	559016		11.37
7263	09/17/2010	HEARTLAND FIRE & SAFETY 6835	1,964.20
31430	10405		1,067.50
31433	10405		896.70
7264	09/17/2010	HERNLY ASSOCIATES INC 2214	2,385.00
9554	10041		695.00
9558	10424		150.00
9559	10591		150.00
9562	10425		695.00
9572	10468		695.00
7265	09/17/2010	HEWLETT-PACKARD FINANCIAL SERV 2227	3,018.00
600257079	544369		3,018.00
7266	09/17/2010	IREY, MARVIN W 2443	24,729.00
559574 4	559574		24,729.00
7267	09/17/2010	ITG CONSULTING INC 2449	5,210.00
2863	558732		5,210.00
7268	09/17/2010	J W LAWN SERVICE 2468	1,306.12
77800	559518		1,306.12
7269	09/17/2010	KAN EQUIPMENT INC 2621	5,026.52
6 163864	558504		29.93
6 163907	558504		83.97
6W111261	558504		1,962.95
6W111398	558504		2,949.67
7270	09/17/2010	KANSAS BUREAU OF INVESTIGATION 2647	5,116.91
559331 5	559331		5,116.91
7271	09/17/2010	KEY STAFFING INC 2849	2,193.96
3010389	559609		406.25
3011096	558895		500.00
3011097	559609		400.00
3011176	10065		887.71
7272	09/17/2010	LIBERTY FRUIT COMPANY INC 3057	1,377.35
422002	559451		209.05
424686	559451		233.75
426753	559451		219.55
428930	559451		226.40
431089	10683		226.20
434945	10683		262.40
7273	09/17/2010	LP S EXCAVATING INC 3125	812.00
10661 1	10661		812.00
7274	09/17/2010	METROPOLITAN TOPEKA AIRPORT 3366	1,236.81
0020656 IN	559330		1,236.81

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7275	09/17/2010	MILLS, RICKY A 3457	346.65
10673	10673		346.65
7276	09/17/2010	MISSISSIPPI LIME CO INC 3471	8,991.16
919392	560180		2,787.48
919516	560180		3,140.12
919746	560180		3,063.56
7277	09/17/2010	O REILLY AUTO PARTS 3714	231.12
0152 160726	DE		-122.21
0152 161241	DE		-256.96
0152 164157	558519		137.46
0191 222973	558519		8.45
0152 169956	558519		9.99
0152 170458	558519		93.24
0152 170680	558519		11.99
0152 170768	558519		107.25
0152 170779	558519		6.99
0191 222818	558519		15.34
0152 168690	558582		170.96
0152 168807	558519		13.49
0152 169070	558519		16.47
0152 169072	558519		93.24
0152 169799	558519		10.91
0152 169825	558519		36.56
0152 166330	558519		3.30
0152 166652	558519		70.58
0152 166654	DE		-133.68
0152 168193	558519		172.84
0152 168405	558519		7.37
0152 168446	558519		11.89
0152 164173	DE		-100.00
0152 164174	DE		-39.99
0152 164176	DE		-75.58
0152 164193	DE		-10.00
0152 165132	DE		-35.00
0152 166049	558519		6.22
7278	09/17/2010	OMB POLICE SUPPLY 3746	75.58
P018369600024	10473		75.58
7279	09/17/2010	PEPSI COLA OF TOPEKA 3887	542.57
16049237	10552		222.75
3043849	559778		319.82
7280	09/17/2010	PERCEPTIVE SOFTWARE INC 6525	4,725.00
14517	559748		4,725.00
7281	09/17/2010	PIONEER JANITORIAL LLC 3943	1,624.85
CT 136	558612		1,624.85
7282	09/17/2010	POTWIN POTTERY 3983	180.00
559814 4	559814		135.00
559814 FINAL	559814		45.00
7283	09/17/2010	PROFESSIONAL ENGINEERING 4018	21,785.31
608115	549325		810.31
608118	558121		20,975.00
7284	09/17/2010	REIN, LINNEA S 4166	1,161.50
388361	558957		3.50

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588336	558957		57.00
588338	558957		160.00
588339	558957		235.00
588340	558957		8.00
588341	558957		48.00
588371	558957		22.00
588372	558957		19.00
588373	558957		28.00
588362	558957		3.50
588364	558957		3.50
588366	558957		9.00
588367	558957		10.50
588368	558957		44.00
588370	558957		12.00
588350	558957		34.00
588351	558957		10.50
588352	558957		38.00
588353	558957		68.50
588356	558957		10.50
588358	558957		26.00
588343	558957		52.00
588344	558957		85.00
588345	558957		132.00
588346	558957		6.00
588347	558957		10.00
588349	558957		26.00
7285	09/17/2010	RINNER CONSTRUCTION CO INC	6581
559942 2	559942		31,538.70
7286	09/17/2010	SANTA FE SIDING COMPANY	4373
1476	560015		3,600.00
7287	09/17/2010	SELLERS EQUIPMENT INC	4470
IC213907	558522		77.56
IC213921	558522		89.56
7288	09/17/2010	SHAWNEE COUNTY DEPARTMENT OF	4502
559191 7	559191		7,951.68
558910 9	558910		90,296.54
7289	09/17/2010	STAPLES CONTRACT & COMMERCIAL	4725
104002580	10349		60.73
104129895	10442		125.30
104203063	10530		10.78
104330212	10560		-14.37
7290	09/17/2010	STIRLING LAWN & LANDSCAPE INC	6542
4941	559711		355.80
4942	559832		160.00
4943	559765		490.56
4944	559775		230.00
7291	09/17/2010	SUNTRUST EQUIPMENT FINANCE &	4824
1353475	DE	Fire Breathing Lease for Sept	8,250.50
1358825	DE	FIRE BREATHING APP LEASE	8,250.50
7292	09/17/2010	SUPERIOR SIGNALS INC	6761
252118	558585		828.70
252319	558526		404.00

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Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
7293	09/17/2010	TRUCK PARTS & EQUIPMENT INC 5102	111.76
267054	558531		111.76
7294	09/17/2010	U S LIME COMPANY - ST CLAIR 5117	5,866.15
125685	558778		2,869.25
125740	558778		2,996.90
7295	09/17/2010	UMB BANK NA 5127	77,969.33
PCARD09102010			25,638.14
PCARD09142010			52,331.19
7296	09/17/2010	VANDERBILT'S NO 6 5199	1,152.96
107582	10185		159.99
110530	10185		124.99
112203	10185		145.00
112472	10185		89.99
112481	10185		130.00
112866	10185		138.00
113186	10185		114.00
113583	10185		119.99
114381	558618		131.00
7297	09/17/2010	VETERINARY MEDICAL & SURGICAL 5222	4,076.27
47141	10106		3,661.62
47977	558883		165.81
47999	558883		248.84
7298	09/17/2010	VICTOR L PHILLIPS COMPANY INC 5225	2,718.56
WT29326	558533		2,718.56
7299	09/17/2010	WALKER TOWEL & UNIFORM SERVICE 5266	788.38
1257421	558927		15.80
1260162	558927		15.80
1261824	558927		94.85
1263003	558927		15.80
1265679	558927		15.80
1285654	10125		27.70
1285655	10125		3.60
1285656	10125		15.00
1285657	10125		11.60
1285662	10125		8.00
1284543	559050		32.35
1284544	559050		12.73
1285133	558620		7.65
1285134	558620		23.90
1285652	10125		16.90
1285653	10125		2.40
1278950	559050		10.35
1281747	559050		28.15
1281748	559050		13.20
1281749	559050		32.35
1281750	559050		10.35
1284541	559050		28.15
1276021	559050		26.95
1276022	559050		13.20
1276023	559050		33.05
1276024	559050		10.35
1278947	559050		28.15
1278949	559050		32.35
1267286	558927		94.85
1267838	558638		21.60

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1268404	558927		15.80
1273387	559050		26.95
1273389	559050		32.35
1273390	559050		10.35
7300	09/17/2010	WINGFOOT COMMERCIAL TIRE 5494	2,494.14
123 1036878	558536		275.64
123 1036880	558589		2,218.50
7301	09/17/2010	BECK, PAUL 415	108.00
9/12/10AVBPB		Adult Volleyball	108.00
7302	09/17/2010	DEAN, ROBERT 1290	168.00
9/12/10ASBRD		Adult Softball	60.00
9/12/10AVBRD		Adult Volleyball	108.00
7303	09/17/2010	KENNEDY, BRIAN 2832	156.00
9/12/10AVBBK		Adult Volleyball	156.00
7304	09/17/2010	LUTTERMAN, ERIC 3144	80.00
9/12/10ASBEL		Adult Softball	68.00
9/12/10AVBEL		Adult Volleyball	12.00
7305	09/17/2010	RUTTER, PAM 4318	48.00
9/12/10AVBPR		Adult Volleyball	48.00
7306	09/17/2010	BETTIS ASPHALT & CONSTRUCTION 470	16,048.70
1008 030	10407		179.69
1008 041	10407		15,869.01
7307	09/17/2010	C-HAWKK CONSTRUCTION INC 911	27,118.95
13871	558436		374.00
13872	558436		943.00
13884	558836		543.75
13885	558836		130.00
13886	558836		67.50
13887	558836		218.75
13989	558436		30.00
14000	10777		5,316.55
14001	10776		2,538.75
14006	10386		14.00
13982	10386		4.20
13983	10386		928.00
13985	558436		22.00
13986	558436		228.00
13987	558436		5.50
13988	558436		130.50
13945	558436		6.00
13946	558436		4.90
13947	558436		2.50
13948	558436		306.00
13971	10632		3,613.50
13981	10386		964.50
13939	558436		732.25
13940	558436		84.00
13941	558436		39.00
13942	558436		168.00
13943	558436		135.00
13944	558436		10.00
13900	558836		300.00
13920	10708		733.25

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13934	10386		26.10
13936	10386		20.00
13937	558436		20.30
13938	558436		576.00
13894	558836		708.90
13895	558836		680.00
13896	558836		25.00
13897	558836		1,148.00
13898	558836		280.00
13899	558836		247.50
13888	558836		378.00
13889	558836		124.00
13890	558836		855.00
13891	558836		1,872.00
13892	558836		596.00
13893	558836		968.75
7308	09/17/2010	CAPITAL BELT & SUPPLY INC 776	7.86
39874	558472		7.86
7309	09/17/2010	CAPITAL CITY OIL CO INC 778	25,371.69
85733	558621		25,371.69
7310	09/17/2010	CHAMPION BRANDS LLC 883	2,711.26
391380	558559		650.41
391381	558559		1,616.57
391382	558559		406.53
391383	558559		37.75
7311	09/17/2010	CLAYTON PAPER & DISTRIBUTION I 965	137.00
015556	10499		137.00
7312	09/17/2010	CONTECH CONSTRUCTION PRODUCTS 1079	4,565.95
80 07 0089	560123		2,549.60
80 08 0213	558444		763.55
80 08 0230	558444		1,252.80
7313	09/17/2010	FLU CON INC 1729	1,185.03
I 70873 0	558569		330.80
P 70595 0	558489		33.45
P 70597 0	558489		514.76
P 70602 0	558489		1.84
P 70620 0	558489		63.73
P 70641 0	558489		81.16
P 70723 0	558489		103.54
P 70917 0	558489		55.75
7314	09/17/2010	JCI INDUSTRIES INC 2507	31,794.00
8019043	560103		31,794.00
7315	09/17/2010	LINWELD INC 3073	189.39
R590100	558608		117.87
R590101	558608		21.38
R590102	558608		50.14
7316	09/17/2010	MCELROY'S INC 3289	2,783.26
0663401 IN	558904		266.25
0663402 IN	558904		217.31
34902	10652		2,299.70
7317	09/17/2010	SALISBURY SUPPLY COMPANY INC 4352	329.51

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00957588	558861		286.07
00959291	558861		43.44
7318	09/17/2010	TAZCO INC 4885	4,514.84
86252	10243		4,514.84
7319	09/17/2010	TOPEKA ELECTRIC MOTOR REPAIR I 5025	1,468.68
30881	558926		465.15
30973	558926		123.73
31048	558926		30.00
31228	10162		549.80
31251	10162		300.00
7320	09/17/2010	TRAFFIC SIGNAL CONTROLS 5079	2,110.00
60262	560211		2,110.00
7321	09/17/2010	WATER PRODUCTS INC 5324	33,042.39
0813434 IN	10249		724.32
0814261 IN	10191		9,068.50
0814640 IN	10191		51.28
0815335 IN	10228		2,155.88
0816255 IN	10249		376.64
0816820 IN	10191		25.64
0817412 IN	10228		171.16
0817520 IN	10249		2,345.40
0817521 IN	10249		4,200.60
0818444 IN	10228		8,866.00
0822052 IN	10539		1,610.61
0822113 IN	10540		3,446.36
7322	09/17/2010	WHITE STAR MACHINERY & SUPPLY 5408	3,822.29
06047739	558535		508.29
06047854	560060		3,314.00
Total for Electronic Payments			885,752.30
Check Payments			
678194	09/17/2010	JEFF COOPER 6498	2,500.00
DUERMEIER KEVII	10642		2,500.00
678195	09/17/2010	STUMBO HANSON LLP 4803	25.00
46873	10074		25.00
678196	09/17/2010	DUSTIN, TERESA K 6753	112.78
716106753		Franchise Fee Refund Claim Yea	112.78
678197	09/17/2010	A & A AUTO AND TRUCK PARTS INC 10	250.00
01295076	558455		250.00
678198	09/17/2010	ACTION SIGNS TO GO 43	1,000.00
42070	558458		200.00
42077	558458		200.00
42098	558458		200.00
42114	558458		200.00
42129	558458		200.00
678199	09/17/2010	ADT SECURITY SERVICES INC 61	139.13
31984863	DE		139.13
678200	09/17/2010	AIR COMPRESSOR ENGINEERING LLC 93	4,702.82
0009587 IN	558828		3,161.02
0009709 IN	558828		1,541.80

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678201 AUG 2010 AUGUST 2010	09/17/2010 10471 DE	AMERICAN PRESORT 177	41,560.48 29,355.80 12,204.68
678202 0738033665 082511 0780773571 082511	09/17/2010 DE DE	AT&T 282	1,067.86 275.13 792.73
678203 2720972 2720973	09/17/2010 DE DE	AT&T CAPITAL SERVICES 284	13,191.48 12,181.81 1,009.67
678204 8229	09/17/2010 560185	ATLANTIC SIGNAL LLC 297	1,341.52 1,341.52
678205 1635992717	09/17/2010 558543	AUTO ZONE INC 310	63.98 63.98
678206 31866	09/17/2010 558568	BDF ENTERPRISES LTD 1660	167.70 167.70
678207 10526	09/17/2010 10526	BENHAM, HEIDI 439	266.00 266.00
678208 125000	09/17/2010 559003	BERRYS ARCTIC ICE LLC 465	54.00 54.00
678209 59325135	09/17/2010 558465	BINSWANGER GLASS INC 493	197.20 197.20
678210 560090 2	09/17/2010 560090	BIRZER, MICHAEL L 500	350.00 350.00
678211 573929 573970 573972 574078	09/17/2010 558467 558467 558467 558467	BOZARTH CHEVROLET 578	185.22 48.92 46.45 9.50 80.35
678212 317470	09/17/2010 559718	BRATWEAR LLC 595	770.00 770.00
678213 15339	09/17/2010 558469	BRIDGESTONE FIRESTONE NORTH 617	247.75 247.75
678214 79188 79454 79575	09/17/2010 558471 558471 558471	BROWNS SUPER SERVICE INC 670	750.00 250.00 250.00 250.00
678215 2261 94601 2261 94833	09/17/2010 558474 558474	CARQUEST OF TOPEKA 814	143.41 53.67 89.74
678216 648411	09/17/2010 558558	CERTIFIED LABORATORIES 875	371.70 371.70
678217 299074 299121	09/17/2010 10341 10341	COLORWORKS PAINT & SUPPLY INC 1036	134.90 84.20 50.70

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Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
678218	09/17/2010	CONRAD FIRE EQUIPMENT INC 1073	534.47
467062	558475		87.37
467075	558475		139.74
467134	558475		272.28
467256	558475		35.08
678219	09/17/2010	COYOTE CANYON 1153	79.12
69799	558832		39.56
69801	558832		39.56
678220	09/17/2010	CUMMINS - ALLISON CORP 1201	507.00
1118121	10706		507.00
678221	09/17/2010	DUFFENS OPTICAL COMPANY 1429	55.85
232735	558839		55.85
678222	09/17/2010	ELECTRONICS SUPPLY CO INC 1505	44.25
1328146	558876		44.25
678223	09/17/2010	ENVISION 1549	59.75
0003101270	558840		17.75
0003105898	558840		42.00
678224	09/17/2010	ESPOSITO, JOHN 1566	3,964.66
PARKS0782010	559712		321.60
PFR732010	559884		250.00
PFR825010	559884		200.00
PSO7082010	559774		48.00
RIGHT OF WAY 07	559763		620.80
RIGHT OF WAY 82	10303		931.20
SUD82010	559774		523.20
VL 825010	559985		769.86
WDM072010	559834		300.00
678225	09/17/2010	EXPERIAN INFORMATION SOLUTIONS 5760	488.68
CD1102006439	559655		42.50
CD1103006596	559655		14.90
CD1103006597	559655		52.00
CD1104006585	559655		23.60
CD1104006586	559655		52.00
CD1105006419	559655		251.68
CD1105006420	559655		52.00
678226	09/17/2010	FACTORY MOTOR PARTS COMPANY 5676	1,865.68
2 2805175	558486		237.36
5 2237238	558565		251.06
8 460114	558486		153.72
8 461968V2	558565		11.81
8 464697	558486		307.49
8 464750	558486		342.68
8 464875	558486		255.43
8 464929	558486		306.13
678227	09/17/2010	FASTSIGNS 1622	1,035.00
304 40042	10209		1,035.00
678228	09/17/2010	FEDERAL SIGNAL CORPORATION 1630	31.20
93919634	558488		31.20
678229	09/17/2010	GRAYBEAL CONSTRUCTION CO INC 1978	126,821.16

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Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
559598 5	559598		126,821.16
678230 10479	09/17/2010 10479	HERRMAN'S EXCAVATING INC 2218	600.00
678231 557813 FINAL	09/17/2010 557813	J WARREN COMPANY INC 2469	100.00
678232 CARNEY JON GRIFFIN DAVID	09/17/2010 10602 10602	KANSAS ARBORISTS ASSOCIATION 2624	400.00
678233 2321670 2322901 2322903 2323014 2323016 2324695 2326271 2326011 2326142 2326205 2326256 2326257 2326262 2325738 2325846 2325864 2325866 2325874 2325885 2325061 2325603 2325604 2325628 2325701 2325724	09/17/2010 558603 558505 558505 558505 558505 558603 558505 558505 558505 558505 558505 558575 558575 558603 558602 558505 558505 558505 558505 558505 558505 558505 558505 558505 558602 558505	KANSAS AUTOMOTIVE INC 2639	347.77
678234 10717	09/17/2010 10717	KANSAS DEPARTMENT OF REVENUE 2666	50.00
678235 0080416	09/17/2010 10525	KANSAS ONE CALL SYSTEM INC 2728	2,070.00
678236 2010 129	09/17/2010 560175	KANSAS RIVER WATER ASSURANCE 2742	6,062.22
678237 SN026855 SN026900	09/17/2010 558745 558745	KANSAS SECURED TITLE/SHAWNEE C 2747	200.00
678238 072210 01	09/17/2010 10115	KENDALL CONSTRUCTION INC 2827	4,605.00
678239 1067258 1067280	09/17/2010 558510 558510	LAIRD NOLLER FORD INC 2939	127.58
678240 025633	09/17/2010 558578	MIGHTY OF NE KANSAS 3422	42.88

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Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
678241 KS08 139198	09/17/2010 558905	MOTION INDUSTRIES INC 3545	379.07 379.07
678242 107414	09/17/2010 10734	PEOPLES/COMMERCIAL INSURANCE 6948	98.00 98.00
678243 329309	09/17/2010 558516	POWERPLAN 5769	75.90 75.90
678244 3803344	09/17/2010 558920	REEVES WIEDEMAN COMPANY INC 4154	34.80 34.80
678245 21042395 21042406 21042908	09/17/2010 558615 558615 558615	SCHENDEL SERVICES INC 4390	136.02 45.34 45.34 45.34
678246 10806	09/17/2010 558523	SHAWNEE AUTO TRIM 4494	125.00 125.00
678247 AUGUST 2010	09/17/2010 DE	SHAWNEE COUNTY DEPT OF PUBLIC 4504	99,420.32 99,420.32
678248 10509 1	09/17/2010 10509	SHAWNEE COUNTY HISTORICAL SOCI 4514	7,002.33 7,002.33
678249 51B0109964	09/17/2010 558616	SHAWNEE COUNTY TREASURER 4521	25.50 25.50
678250 10532 JUL 10	09/17/2010 10532	SHAWNEE COUNTY RURAL WATER 5719	1,488.00 1,488.00
678251 44302 44452	09/17/2010 10186 10186	SIMILAR MODE UNIFORMS INC 4563	66.50 7.00 59.50
678252 R19509 R19542 R19562	09/17/2010 558584 558584 558584	STANDARD BATTERY INC 4718	234.22 126.18 63.09 44.95
678253 53921972 53921974 55246023 59288670 59481608	09/17/2010 558864 558864 558864 558864 558864	THE UPS STORE 4943	1,168.82 231.85 249.86 488.73 126.80 71.58
678254 4855 10HJ	09/17/2010 560059	TOPEKA FOUNDRY & IRON WORKS IN 5029	3,130.00 3,130.00
678255 496604	09/17/2010 558529	TOPEKA HARLEY DAVIDSON 5031	136.95 136.95
678256 183	09/17/2010 10403	TOPEKA INDEPENDENT LIVING 5772	60.00 60.00
678257 JUNE 2010	09/17/2010 10040	BUILDERS RISK PLAN 696	95.97 95.97

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678258	09/17/2010	UNITED PARCEL SERVICE INC 5140	59.17
0000693358350	558433		59.17
678259	09/17/2010	US FOODSERVICE KANSAS CITY 6572	441.37
4028730	10684		363.87
4365871	560085		77.50
678260	09/17/2010	WESTAR ENERGY 5376	127.08
1977020420-9_21_	DE		127.08
678261	09/17/2010	WOLFES CAMERA SHOPS 5519	129.35
491719	558889		129.35
678262	09/17/2010	WRIGHT LINE LLC 5545	90.00
004004919	10105		90.00
678266	09/17/2010	BECK, LOREN 412	120.00
9/12/10AVBLB		Adult Volleyball	120.00
678267	09/17/2010	BROWNE JR, THOMAS P 664	34.00
9/12/10ASBTB		Adult Softball	34.00
678268	09/17/2010	CARTER, VICTOR R 829	64.00
9/12/10AVBVC		Adult Volleyball	64.00
678269	09/17/2010	CLOUSE, PHILLIP J 981	84.00
9/12/10AVBPC		Adult Volleyball	84.00
678270	09/17/2010	DITCH, GREG 1363	34.00
9/12/10ASBGD		Adult Softball	34.00
678271	09/17/2010	EZELL, HARRY 1597	94.00
9/12/10ASBHE		Adult Softball	34.00
9/12/10AVBHE		Adult Volleyball	60.00
678272	09/17/2010	HUNT, RON 6013	60.00
9/12/10AVBRH		Adult Volleyball	60.00
678273	09/17/2010	CARY SR, KANONAE S 6803	39.00
9/12/10ASBKC		Adult Softball	13.00
8/29/10ASBKC		Adult Softball	26.00
678274	09/17/2010	LEWIS, KYLE N 3053	188.00
9/12/10ASBKL			68.00
9/12/10AVBKL			120.00
678275	09/17/2010	LUNA, NARCISO 3138	46.00
9/12/10ASBNL		Adult Softball	34.00
9/12/10AVBNL		Adult Volleyball	12.00
678276	09/17/2010	PERRY, MICHAEL 6147	11.00
9/12/10AVBMP			11.00
678277	09/17/2010	PATTERSON, RICHARD A 3845	63.00
9/12/10AVBRP		Adult Volleyball	63.00
678278	09/17/2010	PAUL WOBUS 6165	12.00
9/12/10AVBPW		Adult Volleyball	12.00
678279	09/17/2010	QUARLES II, NORMAN W 4051	147.00
9/12/10ASBNQ		Adult Softball	75.00

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Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
9/12/10AVBNQ		Adult Volleyball	72.00
678280	09/17/2010	ROSS, THOMAS L	4296
9/12/10AVBTR		Adult Volleyball	48.00
678281	09/17/2010	SMITH, CARL E	4616
9/12/10ASBCS			7.00
678282	09/17/2010	SMITH, ERNEST E	6156
9/12/10ASBES		Adult Softball	51.00
9/12/10AVBES		Adult Volleyball	96.00
678283	09/17/2010	THEIS, KENNY	4947
9/12/10AVBKT		Adult Volleyball	60.00
678284	09/17/2010	WRIGHT, DENNIS	5547
9/12/10AVBDW		Adult Volleyball	60.00
678285	09/17/2010	SMITH, CARL E	4616
9/12/10ASBCS2			3.50
678286	09/17/2010	SMITH, CARL E	4616
9/12/10ASBCS3			1.75
678287	09/17/2010	SMITH, CARL E	4616
9/12/10ASBCS4			1.75
678288	09/17/2010	RESENHOUSE ELECTRIC SUPPLY	4174
8792 492329	10596		325.87
8792 492903	10798		55.23
8792 493076	10592		55.80
8792 493238	10799		214.50
678289	09/17/2010	CUES	1196
331560	10565		1,239.94
678290	09/17/2010	FASTENAL COMPANY	1619
KSTOP140540	558487		20.88
KSTOP140636	558487		8.21
KSTOP140800	558595		18.11
678291	09/17/2010	FTC EQUIPMENT LLC	1808
4456	10398		4,160.14
678292	09/17/2010	GRAINGER	1964
9335873379	10528		231.00
678293	09/17/2010	MCCRAY LUMBER COMPANY	3280
162198	558440		31.31
678294	09/17/2010	MEIERS READY MIX	3338
297798	10406		437.75
678295	09/17/2010	MUELLER COMPANY	3565
2051818	10227		22,429.75
2056175	10227		7,674.30
2056922	10227		5,606.50
2057774	10227		2,447.10
678296	09/17/2010	SAFETY CONSULTING INC	4335
100842	10624		1,200.00

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678297 AUGUST 2010	09/17/2010 DE	SHAWNEE COUNTY REFUSE DEPT 4518	540,370.24 540,370.24
678298 89114 90189	09/17/2010 558925 558441	TFM COMM INC 4914	655.36 425.00 230.36
678299 154246 154697 154725 154744 154750 154835 154952 156118	09/17/2010 10081 10081 10081 10497 10497 10497 10497 10497 10497	TOPEKA BLUE PRINT INC 5015	8,281.18 5,553.77 770.34 65.76 1,032.86 34.72 71.40 714.61 37.72
678300 S4060181 001 S4074675 001 S4101501 001	09/17/2010 558929 558929 558929	WESTERN EXTRALITE COMPANY INC 5382	354.00 59.86 197.24 96.90
678301 28247 28249 28250 28251 28252 28253 28254 28257	09/17/2010	GLENN CORNISH HANSON & KARNs WCCOT2009009289 WCCOT2006008155 WCCOT2008008900 WCCOT2009009218 WCCOT2009009177 WCCOT2008009020 WCCOT2010009430	856.00 76.00 50.00 30.00 30.00 156.00 158.00 30.00 326.00
678302 MED REIMBJH	09/17/2010	HARWOOD, JASON WCCOT2010009447	17.56 17.56
678303 MILEAGELM	09/17/2010	MCBURNEY, LARRY WCCOT2010009430	45.83 45.83
678304 1000389797100831	09/17/2010 10681	MORRIS COMMUNICATIONS 5016	1,418.57 1,418.57
678305 10375	09/17/2010 10685	O J DU PREE COMPANY LLC 3713	462.00 462.00
678306 9306850	09/17/2010 558866	THERMO FISHER SCIENTIFIC LLC 4949	58.54 58.54
678307 1101001991300	09/17/2010	AMERICAN MEDICAL RESPONSE WCCOT2010009447	598.16 598.16
678308 153789X199031 154113X199493 154126X199531 154412X199902 155047X200837 155052X200838 156263X202790 156264X202850 156574X203469	09/17/2010	ATHLETIC AND REHABILITATION CE WCCOT2010009430 WCCOT2010009366 WCCOT2009009339 WCCOT2009009339 WCCOT2010009366 WCCOT2010009430 WCCOT2010009430 WCCOT2009009339 WCCOT2010009366	2,199.07 79.62 87.19 191.48 191.48 89.17 106.59 103.31 191.48 121.41

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156575X203470		WCCOT2010009430	103.31
155057X200866		WCCOT2009009339	191.48
155371X201372		WCCOT2009009339	191.48
155653X201814		WCCOT2010009366	61.52
155660X201852		WCCOT2009009339	191.48
155694X001816		WCCOT2010009430	106.59
155928X202339		WCCOT2009009339	191.48
678309	09/17/2010	BLOOM & ASSOCIATES THERAPY PA	6568
102963 WC10		WCCOT2008009020	194.24
102963 WC11		WCCOT2008009020	226.61
678310	09/17/2010	CARDIOLOGY CONSULTANTS TOPEKA	799
60708		WCCOT2010009418	12.64
678311	09/17/2010	CATALYSTRX COMP	847
10230527510500		WCCOT2010009501	23.70
10230527935700		WCCOT2007008660	34.17
10230528387600		WCCOT2010009430	22.50
10230528835300		30106.014	242.27
10230529237100		39596.011	102.41
10230529631800		WCCOT2007008780	182.81
10230530823300		WCCOT2010009495	9.24
10238390069800		WCCOT2007008607	198.47
10238390276800		WCCOT2007008607	88.86
10238390594400		WCCOT2007008607	283.54
10238391927700		WCCOT2009009339	19.87
10238392381600		WCCOT2010009447	25.57
678312	09/17/2010	DRISKO FEE & PARKINS PC	1422
20576		WCCOT2010009366	347.01
678313	09/17/2010	EMPI INC	1530
39337691413830		WCCOT2009009164	183.13
678314	09/17/2010	KANSAS ORTHOPEDIC & SPORTS MED	2729
6012681183		WCCOT2009009199	48.91
6012750913		WCCOT2010009486	89.47
6012807480		WCCOT2010009481	48.67
6012809239		WCCOT2010009393	48.91
678315	09/17/2010	KNOLL PATIENT SUPPLY INC	6578
15710XK037N0		WCCOT2010009473	61.94
678316	09/17/2010	KSTAR EMERGENCY PHYSICIANS PLL	6545
B1200394389501		WCCOT2010009494	158.44
1200393705501		WCCOT2010009497	84.97
B1200393096701		WCCOT2010009474	158.44
B1200393609001		WCCOT2010009482	332.97
B1200394049101		WCCOT2010009501	84.97
B1200394124801		WCCOT2010009493	158.44
678317	09/17/2010	MIDWEST REHABILITATION PA	3418
MWR73420X11489		WCCOT2010009447	187.50
MWR73694X11488		WCCOT2007008607	60.00
MWR73775X11538		WCCOT2006008291	95.96
678318	09/17/2010	RADIOLOGY & NUCLEAR MEDICINE	4073
4051176723		WCCOT2010009481	105.57
4051181277		WCCOT2010009447	12.23
4051181277A		WCCOT2010009447	12.78

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678319	09/17/2010	SAINT FRANCIS HEALTH CENTER 4338	1,507.78
3957006001A		WCCOT2010009493	13.84
3952855 001A		WCCOT2010009502	45.05
3952855001		WCCOT2010009502	238.44
3953770001		WCCOT2010009481	651.78
3955657 001A		WCCOT2010009514	32.30
3955657001		WCCOT2010009514	24.80
3957006 001		WCCOT2010009493	20.40
3952339 001		WCCOT2010009389	12.75
3952339001A		WCCOT2010009389	95.78
3952533 001C		WCCOT2010009503	20.40
3952533001B		WCCOT2010009503	13.84
3952566 001A		WCCOT2010009510	20.40
3952566001		WCCOT2010009510	13.84
3940491001		WCCOT2010009501	235.68
3940751 001		WCCOT2010009501	20.40
3940751001A		WCCOT2010009501	13.84
3947294 001A		WCCOT2010009510	20.40
3947294001		WCCOT2010009510	13.84
678320	09/17/2010	SAINT FRANCIS PHYSICIAN CLINIC 4341	700.16
375171		WCCOT2010009493	26.32
375171A		WCCOT2010009493	63.83
375171B		WCCOT2010009493	39.48
375193		WCCOT2010009493	26.32
375193A		WCCOT2010009493	39.48
377870		WCCOT2010009493	26.32
380865A		WCCOT2010009393	22.04
SFT384503		WCCOT2010009393	51.33
SFT384503A		WCCOT2010009393	22.04
SFT384521		WCCOT2010009393	51.33
SFT384521A		WCCOT2010009393	10.53
377870A		WCCOT2010009493	65.15
378785		WCCOT2010009493	65.15
378785A		WCCOT2010009493	26.32
379038		WCCOT2010009493	51.33
380844		WCCOT2010009481	61.86
380865		WCCOT2010009393	51.33
678321	09/17/2010	TOPEKA NEUROLOGY ASSOCIATES 5038	765.17
WW26568X35106		WCCOT2009009289	765.17
678322	09/17/2010	UNIVERSITY OF KANSAS HOSPITAL 5164	433.16
4370213301		WCCOT2010009395	433.16
678323	09/17/2010	KANSAS SAND & CONCRETE 2744	2,197.77
171484	558856		1,450.96
172001	558856		746.81
678324	09/17/2010	KIMBALL MIDWEST 2854	680.15
1642530	558576		497.67
1642531	558606		182.48
678325	09/17/2010	TFM COMM INC 4914	762.42
89113	10130		686.17
89735	10130		76.25

Total for Check Payments

948,001.29

COUNCIL REPORT OF VENDOR PAYMENTS

Between 9/13/2010 and 9/19/2010

Attachment number 3
Page 21 of 21

<u>Check No.</u>	<u>Check Date/PO #</u>	<u>Vendor Name and Number</u>	<u>Check Amount</u>
TOTAL OF PAYMENTS			<u>1,833,753.59</u>



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

September 8, 2010

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DATE: October 5, 2010

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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