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City Council Agenda

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

October 25, 2011
6:00 PM

Mayor: William W. Bunten

Councilmembers

Karen A. Hiller	District No. 1	Chad Manspeaker	District No. 6
John Alcala	District No. 2	Robert E. Archer	District No. 7
Sylvia E. Ortiz	District No. 3	Andrew P. Gray	District No. 8
Denise Everhart	District No. 4	Richard Harmon	District No. 9
Larry Wolgast	District No. 5		

Interim City Manager: Daniel R. Stanley

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) consecutive 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

INVOCATION:

PLEDGE OF ALLEGIANCE:

1. PROCLAMATIONS:

"None scheduled at this time."

2. PRESENTATIONS:

"None scheduled at this time."

3. ROLL CALL:

4. CONSENT AGENDA:

A. Resolution - Shara Monhollon - Noise Exception

 [ATTACHMENTS](#)

A RESOLUTION introduced by Councilmember Chad Manspeaker, 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 7:00 p.m. and 11:59 p.m. on October 29, 2011 at 1733 SW Seabrook Avenue.)

B. MINUTES of the regular meeting of October 18, 2011

C. APPLICATIONS:

5. UNFINISHED BUSINESS:

A. Ordinance - ERC Event

 [ATTACHMENTS](#)

AN ORDINANCE introduced by Councilmember Karen Hiller, designating the Big Gage Shelter House as temporarily exempt from the provisions of K.S.A. 41-719(c) and TMC 9.15.020(d). Final Reading. (*Council District No. 1*)

(Approval would exempt the Big Gage Shelter House from the prohibition of K.S.A. 41-719(c) and TMC 9.15.020(d) for an event to be held November 3, 2011, between the hours of 6:30 p.m. and 8:00 p.m.)

B. Ordinance - Pond Repair Improvement Project No. T-151011.00 - Condemnation Proceedings

 [ATTACHMENTS](#)

AN ORDINANCE introduced by Interim City Manager Daniel R. Stanley, authorizing the initiation of condemnation proceedings to acquire permanent public easement interests for the following public purposes: pedestrian and public access easement and fee simple interest to repair the existing pond at Lauren's Bay Villas Subdivision and Laurens' Bay Estates, Project No. T151011.00. Final Reading.

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

(Approval would authorize property acquisition in the approximate amount of \$168,600 for repair of the existing pond at Lauren's Bay Villas Subdivision.)

C. Rescind Action to Table Resolution - Executive Search Firm Request for Proposal

RESCINDING action taken at the July 26, 2011 Council meeting, wherein the Council voted to table for six months the Resolution introduced by Deputy Mayor John Alcala authorizing staff to issue a Request for Proposal for an executive search firm to assist the City in attracting and hiring a city manager.

(In accordance with Roberts Rules of Order, Article VI Section 35.)

D. Resolution - Request for Proposal - City Manager Position



[ATTACHMENTS](#)

A RESOLUTION introduced by Deputy Mayor John Alcala authorizing City administration to issue a request for proposal as more specifically described herein. *(The resolution was tabled for six months at the July 26, 2011 Council meeting.)*

(Approval would authorize City administration to issue a Request for Proposal for an executive search firm to assist the City of Topeka in attracting and hiring a city manager.)

6. NEW BUSINESS:

A. Supplemental Agreement - AFT Local No. 6406



[ATTACHMENTS](#)

APPROVAL of a Supplemental Agreement to City of Topeka Contract No. 39722 which governs the terms and conditions of the employment relationship between the City of Topeka and AFT Kansas Local 6406.

(Approval would clarify the options of Parks and Recreation employees under consolidation with the County's Parks and Recreation department.)

B. Parks and Recreation Consolidation Agreement - Amendment No. 2



[ATTACHMENTS](#)

APPROVAL of an amendment to Shawnee County Contract No. C304-2011 and City Of Topeka Contract No. 41460 consolidating the operations, functions, and programs of the City of Topeka Parks and Recreation Department and Cypress Ridge Golf Course with the Shawnee County Parks and Recreation Department (the "Consolidation Agreement"), and amending the Consolidation Agreement provisions regarding accrued benefits of transferring employees.

(Approval would amend the Consolidation Agreement provisions regarding transferring employees.)

C. Resolution - Community Improvement District Policy



[ATTACHMENTS](#)

A RESOLUTION introduced by Interim City Manager Daniel R. Stanley, establishing a process for considering a petition for the creation of a community improvement district and establishing a policy on the criteria approving such a district.

(Approval would create a community improvement district ("CID") for projects related to amenities and improvements as provided in the Community Improvement District Act from certain revenues generated within the district.)

D. Ordinance - Weekly Expenditures - October 3-9, 2011



[ATTACHMENTS](#)

AN ORDINANCE introduced by Interim City Manager Daniel R. Stanley, allowing and approving City expenditures for the period of October 3, 2011 through

October 9, 2011, and enumerating said expenditures therein. First and Final Reading.

E. 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.)

F. Resolution - 2012 Employee Group Health Insurance Plan

 [ATTACHMENTS](#)

A RESOLUTION introduced by Councilmember Bob Archer authorizing the allocation of \$1,000,000 from the City's 2011 year end fund balance in order to offset employee contributions to the employee group health insurance plan for 2012.

This item was added at the meeting.

7. ZONING:

A. Ordinance - Topeka Planning Commission (Z11/15)

 [ATTACHMENTS](#)

AN ORDINANCE introduced by Interim City Manager Daniel R. Stanley, amending the "District Map" referred to and made a part of the Zoning Ordinances by Section 18.50.050 of the Topeka Municipal Code (TMC) by providing for certain changes in zoning on property located on the west side of SW Clay Street, approximately 230 feet south of the intersection of SW Clay Street and SW 10th Avenue from "E" Multiple Family Dwelling District TO "R-2" Single Family Dwelling District. Final Reading. (Z11/15) (Council District No. 1)

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

(Approval would allow the vacant property to be reclassified from its out-dated zoning district to a new zoning district that coincides with the surrounding area and implements recommendations of the Tennessee Town Neighborhood Plan.)

B. Ordinance - Topeka Planning Commission (Z11/18)

 [ATTACHMENTS](#)

AN ORDINANCE introduced by Interim City Manager Daniel R. Stanley, amending the "District Map" referred to and made a part of the Zoning Ordinances by Section 18.50.050 of the Topeka Municipal Code (TMC) by providing for certain changes in zoning on property located on the northwest corner of SW Hillsdale Street and SW 15th Street from "E" Multiple Family Dwelling District TO "M-1" Two Family Dwelling District. Final Reading. (Z11/18) (Council District No. 9)

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

(Approval would allow the vacant property to be reclassified from its out-dated zoning district to a new zoning district that coincides with the surrounding area.)

8. FIRST READINGS:

A. Charter Ordinance - Abandoned Cemeteries

 [ATTACHMENTS](#)

A CHARTER ORDINANCE introduced by Interim City Manager Daniel R. Stanley, repealing City of Topeka Code Sections A5-16, A5-17, A5-18, and A5-19, as established by Charter Ordinance No. 1, all concerning abandoned cemeteries. First Reading.

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

(Approval would repeal portions of Charter Ordinance No. 1 concerning abandoned cemeteries.)

B. Charter Ordinance - Alcoholic Liquor

 [ATTACHMENTS](#)

A CHARTER ORDINANCE introduced by Interim City Manager Daniel R. Stanley, repealing City of Topeka Code Section A3-1, as established by Charter Ordinance No. 58, concerning consumption of alcoholic liquor on certain municipal property. First Reading.

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

(Approval would repeal a portion of Charter Ordinance No. 58 concerning the consumption of alcoholic liquor on certain property owned by the City including the Municipal Auditorium, Topeka Zoological Park, Ward Meade Home and Gardens, Helen Hocker and Performing Arts Center.)

C. Charter Ordinance - Cash Basis Law

 [ATTACHMENTS](#)

A CHARTER ORDINANCE introduced by Interim City Manager Daniel R. Stanley, repealing City of Topeka Code Section A15-4, as established by Charter Ordinance No. 28, concerning the cash basis law. First Reading.

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

(Approval would repeal a portion of Charter Ordinance No. 28 concerning the cash basis law.)

9. MISCELLANEOUS:

-

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

-

11. PUBLIC COMMENT:

-

12. ADJOURNMENT:

-



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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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BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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DOCUMENT DESCRIPTION:

"None scheduled at this time."

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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		PAGE #:

DOCUMENT DESCRIPTION:

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POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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October 12, 2011

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DATE: October 25, 2011
CONTACT PERSON: Chad Manspeaker DOCUMENT #:
SECOND PARTY/SUBJECT: Shara Monhollon PROJECT #:
CATEGORY/SUBCATEGORY 020 Resolutions / 005 Miscellaneous
CIP PROJECT: No
ACTION OF COUNCIL: JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

A RESOLUTION introduced by Councilmember Chad Manspeaker, 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 7:00 p.m. and 11:59 p.m. on October 29, 2011 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](#)

Item #6

1 RESOLUTION NO.

2
3 A RESOLUTION introduced by Councilmember Chad Manspeaker, granting Shara
4 Monhollon an exception to the provisions of City of Topeka Code §
5 9.45.170 concerning noise prohibitions.
6

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

11 WHEREAS, City of Topeka Code § 9.45.170 authorizes the City Council to grant
12 exceptions to the prohibitions of this code section upon request and a showing that the
13 proposed activity does not offend the spirit of the findings of City of Topeka Code §
14 9.45.150; and

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

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

21 NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Topeka
22 that Shara Monhollon is hereby granted an exception from the provisions of City of
23 Topeka Code § 9.45.170 for amplified outdoor music during a Halloween Party to be
24 located at 1733 SW Seabrook Avenue on October 29, 2011 between the hours of 7:00
25 p.m. and 11:59 p.m.
26

ADOPTED and APPROVED by the City Council _____.

CITY OF TOPEKA, KANSAS

William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk



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CIP PROJECT:	No	
ACTION OF COUNCIL:		JOURNAL #:
		PAGE #:

DOCUMENT DESCRIPTION:

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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CIP PROJECT:	No	
ACTION OF COUNCIL:		JOURNAL #:
		PAGE #:

DOCUMENT DESCRIPTION:

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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DATE:	October 25, 2011	
CONTACT PERSON:	Karen Hiller, Councilmember	DOCUMENT #:
SECOND PARTY/SUBJECT:	ERC	PROJECT #:
CATEGORY/SUBCATEGORY	014 Ordinances – Non-Codified / 005 Miscellaneous	
CIP PROJECT:	No	
ACTION OF COUNCIL:	10-18-11 First Reading	JOURNAL #: 11
		PAGE #:

DOCUMENT DESCRIPTION:

AN ORDINANCE introduced by Councilmember Karen Hiller, designating the Big Gage Shelter House as temporarily exempt from the provisions of K.S.A. 41-719(c) and TMC 9.15.020(d). Final Reading.
(Council District No. 1)

(Approval would exempt the Big Gage Shelter House from the prohibition of K.S.A. 41-719(c) and TMC 9.15.020(d) for an event to be held November 3, 2011, between the hours of 6:30 p.m. and 8:00 p.m.)

POLICY ISSUE:

Whether or not to pass and approve the ordinance

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

None

SOURCE OF FUNDING:

N/A

ATTACHMENTS:

[Ordinance](#)

Item #9

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by Councilmember Karen Hiller designating the Big Gage Shelter House as temporarily exempt from the provisions of K.S.A. 41-719(c) and TMC 9.15.020(d).

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

Section 1. Pursuant to K.S.A. 41-719(d) and TMC 9.15.020(d)(5), the City Council may exempt public property from the prohibitions concerning drinking or consuming alcoholic liquor on public property.

Section 2. That, in accordance with such authority, the City exempts Big Gage Shelter House, from the prohibition of K.S.A. 41-719(c) and TMC 9.15.020(d). Such exemption is conditioned upon the following:

A. The occurrence of an event conducted under the auspices of the ERC to be held on November 3, 2011, between the hours of 6:30 p.m. and 8 p.m.; and

B. ERC has complied with all the applicable state laws and municipal ordinances concerning alcoholic liquor.

Section 3. This Ordinance shall be null and void at 8 p.m. on November 3, 2011.

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

PASSED AND APPROVED by the City Council _____.

CITY OF TOPEKA, KANSAS

William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk



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October 11, 2011

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DATE:	October 25, 2011		
CONTACT PERSON:	Robert Kennedy	DOCUMENT #:	
SECOND PARTY/SUBJECT:		PROJECT #:	T-151011.00
CATEGORY/SUBCATEGORY	014 Ordinances – Non-Codified / 002 Condemnations		
CIP PROJECT:	No		
ACTION OF COUNCIL:	10-18-11 First Reading.	JOURNAL #:	11
		PAGE #:	

DOCUMENT DESCRIPTION:

AN ORDINANCE introduced by Interim City Manager Daniel R. Stanley, authorizing the initiation of condemnation proceedings to acquire permanent public easement interests for the following public purposes: pedestrian and public access easement and fee simple interest to repair the existing pond at Lauren's Bay Villas Subdivision and Laurens' Bay Estates, Project No. T151011.00. Final Reading.

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

(Approval would authorize property acquisition in the approximate amount of \$168,600 for repair of the existing pond at Lauren's Bay Villas Subdivision.)

POLICY ISSUE:

Whether to authorize condemnation.

STAFF RECOMMENDATION:

Approve ordinance

BACKGROUND:

This is the companion piece to the Resolution authorizing initiation of condemnation proceedings with regard to Lauren's Bay.

BUDGETARY IMPACT:

Property acquisition costs are approximately \$168,600.

SOURCE OF FUNDING:

General obligation bonds. Property owners in benefit district will pay debt service.

ATTACHMENTS:

[Ordinance](#)

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by Interim City Manager Daniel R. Stanley authorizing the initiation of condemnation proceedings to acquire permanent public easement interests for the following public purposes: pedestrian and public access easement and fee simple interest to repair the existing pond at Lauren's Bay Villas Subdivision and Laurens' Bay Estates, Project No. T151011.00.

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

Section 1. That it is hereby declared necessary to condemn and appropriate for the use of the City of Topeka certain lands within the corporate limits of the City of Topeka to repair the existing pond at Lauren's Bay Villas Subdivision and Laurens' Bay Estates, and for other public purposes, said land being described as follows:

Parcel No. 1

Owner of Record: Lauren's Bay Lake, LLC
c/o J. D. Pritchard, Member
6325 SW 43rd Court
Topeka, Kansas 66614

Contract Purchaser: NONE

Lienholder of Record: NONE

Party in Possession: vacant land

Party of Interest: Shawnee County District Court Clerk
Case Nos. 08-C-348; 08-C-894; 08-C-1703; 08-U-502;
09-C-125; 09-C-361; 09-C-405; 09-C-455

Tax liens of record:

1. U.S. Federal Government (Book 4608, Page 88)
2. U.S. Federal Government (Book 4693, Page 88)
3. U.S. Federal Government (Book 4669, Page 226)

4. State of Kansas (Case no. 08-ST-2071)

5. State of Kansas (Case no. 09-ST-1211)

PROPERTY TO BE ACQUIRED:

Fee Simple:

ALL THAT PART OF LOT 6, BLOCK A, LAUREN'S BAY VILLAS, A SUBDIVISION IN THE CITY OF TOPEKA, SHAWNEE COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF LAUREN'S BAY VILLAS, SAID CORNER ALSO BEING A COMMON CORNER TO THE SOUTHEAST CORNER OF LOT 25, BLOCK C, LAUREN'S BAY SUBDIVISION; THENCE THE NEXT NINE(9) DESCRIBED COURSES ARE ALONG THE WEST LINE OF THE GREENSPACE EASEMENT AS PLATTED ON SAID LAUREN'S BAY VILLAS, SAID WEST LINE ALSO BEING THE EAST LINE OF LOTS 17 THROUGH 25, BLOCK C, SAID LAUREN'S BAY SUBDIVISION; (1) THENCE, ON THE PLATTED BEARING, NORTH 09 DEGREES 36 MINUTES 04 SECONDS WEST, 112.00 FEET; (2) THENCE NORTH 21 DEGREES 34 MINUTES 16 SECONDS EAST, 55.32 FEET; (3) THENCE NORTH 39 DEGREES 05 MINUTES 06 SECONDS EAST, 74.79 FEET; (4) THENCE NORTH 01 DEGREE 21 MINUTES 58 SECONDS WEST, 110.05 FEET; (5) THENCE NORTH 31 DEGREES 23 MINUTES 34 SECONDS EAST, 128.28 FEET; (6) THENCE NORTH 13 DEGREES 43 MINUTES 34 SECONDS WEST, 238.51 FEET; (7) THENCE NORTH 07 DEGREES 25 MINUTES 58 SECONDS WEST, 100.14 FEET; (8) THENCE NORTH 21 DEGREES 10 MINUTES 22 SECONDS WEST, 99.11 FEET; (9) THENCE NORTH 01 DEGREE 56 MINUTES 51 SECONDS WEST, 127.71 FEET TO THE SOUTHWEST CORNER OF LOT 15, BLOCK A, SAID LAUREN'S BAY VILLAS, ALSO BEING THE NORTHEAST CORNER OF LOT 17, BLOCK C, SAID LAUREN'S BAY SUBDIVISION; THENCE NORTH 56 DEGREES 26 MINUTES 30 SECONDS EAST, ALONG THE SOUTH LINE OF SAID LOT 15, BLOCK A, LAUREN'S BAY VILLAS, 41.21 FEET; THENCE SOUTH 40 DEGREES 56 MINUTES 37 SECONDS EAST, 52.04 FEET; THENCE SOUTH 60 DEGREES 57 MINUTES 31 SECONDS EAST, 57.88 FEET; THENCE NORTH 16 DEGREES 40 MINUTES 31 SECONDS EAST, 59.93 FEET TO THE SOUTHEAST CORNER OF LOT 15, BLOCK A, SAID LAUREN'S BAY VILLAS, ALSO BEING THE SOUTHWEST CORNER OF LOT 7, BLOCK C, SAID LAUREN'S BAY SUBDIVISION; THENCE SOUTH 79 DEGREES 19 MINUTES 50 SECONDS EAST ALONG THE SOUTH LINE OF SAID LOT 7, 127.63 FEET; THENCE SOUTH 26 DEGREES 11 MINUTES 39 SECONDS WEST, ALONG THE WESTERLY LINE OF THE STREAM BUFFER ZONE AS PLATTED ON SAID LAUREN'S BAY VILLAS, 80.01 FEET; THENCE SOUTH 53 DEGREES 10 MINUTES 49 SECONDS EAST, ALONG THE SOUTHERLY LINE OF SAID STREAM BUFFER ZONE, 228.60 FEET TO A POINT BEING THE MOST WESTERLY CORNER OF LOT 9, BLOCK A,

SAID LAUREN'S BAY VILLAS; THENCE THE NEXT SIX (6) DESCRIBED COURSES ARE ALONG THE EAST LINE OF SAID GREENSPACE EASEMENT, ALSO BEING THE WEST LINE OF LOTS 1 AND 2, BLOCK A, SAID LAUREN'S BAY VILLAS, AND THE WEST LINE OF LOTS 1 THROUGH 4, BLOCK A, LAUREN'S BAY VILLAS NO. 3, AND THE WEST LINE OF A 20.00 FOOT UTILITY EASEMENT THROUGH LOT 6, BLOCK A, SAID LAUREN'S BAY VILLAS, AND THE WEST LINE OF LOTS 7 THROUGH 9, BLOCK A, SAID LAUREN'S BAY VILLAS; (1) THENCE SOUTH 43 DEGREES 43 MINUTES 14 SECONDS EAST, 204.14 FEET; (2) THENCE SOUTH 18 DEGREES 36 MINUTES 02 SECONDS EAST, 72.47 FEET; (3) THENCE SOUTH 30 DEGREES 22 MINUTES 30 SECONDS WEST, 144.84 FEET; (4) THENCE SOUTH 38 DEGREES 36 MINUTES 32 SECONDS WEST, 180.87 FEET; (5) THENCE SOUTH 09 DEGREES 35 MINUTES 25 SECONDS WEST, 125.65 FEET; (6) THENCE SOUTH 16 DEGREES 53 MINUTES 23 SECONDS WEST, 177.78 FEET TO A POINT THAT IS ON THE SOUTH LINE OF SAID LAUREN'S BAY VILLAS, BEING THE SOUTHWEST CORNER OF LOT 1, BLOCK A, LAUREN'S BAY VILLAS; THENCE NORTH 88 DEGREES 59 MINUTES 07 SECONDS WEST, ALONG THE SOUTH LINE OF SAID LAUREN'S BAY VILLAS, 318.24 FEET TO THE POINT OF BEGINNING.

The above-described property to be acquired contains 367,422 square feet or 8.43 acres more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

Parcel No. 2

Owner of Record: CoreFirst Bank & Trust
3035 S. Topeka Blvd
Topeka, Kansas 66611

Contract Purchaser: NONE

Lienholder of Record: NONE

Party in Possession: Vacant Land

PROPERTY TO BE ACQUIRED:

Fee Simple:

LOT 9, BLOCK F, LAUREN'S BAY ESTATES SUBDIVISION, IN THE CITY OF TOPEKA, SHAWNEE COUNTY, KANSAS, EXCEPT THE NORTH 15.00 FEET OF THE WEST 78.16 FEET OF SAID LOT 9. CONTAINING 330,623.19 SQUARE FEET OR 7.59 ACRES, MORE OR LESS.

The above-described property to be acquired contains 330,623.19 square feet or 7.59 acres more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

Parcel No. 3

Owner of Record: McGivern Realty, Inc.
3333 SE 21st St.
Topeka, Kansas 66610

Contract Purchaser: NONE

Lienholder of Record: NONE

Party in Possession: Vacant land

PROPERTY TO BE ACQUIRED:

Permanent Pedestrian and Public Access Easement:

Tract 1:

THE SOUTH 10 FEET OF LOT 9, BLOCK A, LAUREN'S BAY VILLAS, A SUBDIVISION IN THE CITY OF TOPEKA, SHAWNEE COUNTY, KANSAS.

The above-described property to be acquired contains 2,574 square feet or 0.059 acres, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

Tract 2:

ALSO, THE NORTH 6 FEET OF LOT 8, BLOCK A, LAUREN'S BAY VILLAS, A SUBDIVISION IN THE CITY OF TOPEKA, SHAWNEE COUNTY, KANSAS.

The above-described property to be acquired contains 1508.51 square feet or 0.035 acres, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

Section 2. That the City Attorney of the City of Topeka, Kansas, on behalf of the

Council of the City of Topeka, Kansas shall present a written application to the District Court of Shawnee County, Kansas, for the appointment of appraisers to make the appraisal and assessment required by law when land is taken for public purposes, and said

173 City Attorney shall do all things necessary for the condemnation of said land completing the
174 appropriation of the same for public purposes.

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

177 PASSED and APPROVED by the Governing Body _____.

178 CITY OF TOPEKA, KANSAS

179

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William W. Bunten, Mayor

183 ATTEST:

184

185

186

187 _____
Brenda Younger, City Clerk



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

October 13, 2011

+ Back Print

DATE: October 25, 2011
CONTACT PERSON: Councilmember Harmon DOCUMENT #:
SECOND PARTY/SUBJECT: Executive Search Firm PROJECT #:
for City Manager
Position
CATEGORY/SUBCATEGORY 006 Communication / 003 Requests
CIP PROJECT: No
ACTION OF COUNCIL: JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

RESCINDING action taken at the July 26, 2011 Council meeting, wherein the Council voted to table for six months the Resolution introduced by Deputy Mayor John Alcala authorizing staff to issue a Request for Proposal for an executive search firm to assist the City in attracting and hiring a city manager.

(In accordance with Roberts Rules of Order, Article VI Section 35.)

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

October 13, 2011

+ Back Print

DATE:	October 25, 2011	
CONTACT PERSON:	Councilmember Richard Harmon	DOCUMENT #:
SECOND PARTY/SUBJECT:	RFP - City Manager position	PROJECT #:
CATEGORY/SUBCATEGORY	020 Resolutions / 005 Miscellaneous	
CIP PROJECT:	No	
ACTION OF COUNCIL:		JOURNAL #:
		PAGE #:

DOCUMENT DESCRIPTION:

A RESOLUTION introduced by Deputy Mayor John Alcala authorizing City administration to issue a request for proposal as more specifically described herein. *(The resolution was tabled for six months at the July 26, 2011 Council meeting.)*

(Approval would authorize City administration to issue a Request for Proposal for an executive search firm to assist the City of Topeka in attracting and hiring a city manager.)

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

[Resolution](#)

Item #12

1 RESOLUTION NO. _____

2
3 A RESOLUTION introduced by Deputy Mayor John Alcala authorizing City
4 administration to issue a request for proposal as more
5 specifically described herein.
6

7 WHEREAS, City of Topeka Charter Ordinance No. 94, as codified at TMC
8 Section A2-51, requires the City Council to employ a city manager; and

9 WHEREAS, the City Council has determined that it is in the best interest
10 of the City of Topeka to employ the services of an executive search firm to assist
11 in this task.

12 NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE
13 CITY OF TOPEKA, KANSAS, the City administration is hereby authorized to
14 issue a Request for Proposal for an executive search firm to assist the City of
15 Topeka in attracting and hiring a city manager.

16 ADOPTED and APPROVED by the City Council _____.

17
18
19
20 _____
21 William W. Bunten, Mayor

22
23 _____
24 Brenda Younger, City Clerk
25



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

October 19, 2011

+ Back Print

DATE: October 25, 2011
CONTACT PERSON: Catherine Walter, Acting City Attorney DOCUMENT #:
SECOND PARTY/SUBJECT: AFT Kansas Local 6406 PROJECT #:
CATEGORY/SUBCATEGORY 007 Contracts and Amendments / 020 Employee Agreements
CIP PROJECT: No
ACTION OF COUNCIL: JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

APPROVAL of a Supplemental Agreement to City of Topeka Contract No. 39722 which governs the terms and conditions of the employment relationship between the City of Topeka and AFT Kansas Local 6406.

(Approval would clarify the options of Parks and Recreation employees under consolidation with the County's Parks and Recreation department.)

POLICY ISSUE:

STAFF RECOMMENDATION:

Approve.

BACKGROUND:

It is in the best interest of both parties to agree upon additional conditions due to the consolidation of the City and County's parks and recreation departments.

BUDGETARY IMPACT:

Unknown at this time.

SOURCE OF FUNDING:

ATTACHMENTS:

[Supplemental Agreement](#)

CITY OF TOPEKA CONTRACT NO. _____

SUPPLEMENTAL AGREEMENT TO CITY OF TOPEKA CONTRACT NO. 39722

THIS SUPPLEMENTAL AGREEMENT to City of Topeka Contract No. 39722 is entered into this _____ day of October, 2011, by and between the City of Topeka, a duly organized municipal corporation hereinafter referred to as "City" and AFT Kansas Local 6406, hereinafter referred to as "Union."

WHEREAS, the City and the Union have previously entered into City of Topeka Contract No. 39722 on January 1, 2009, which governs terms and conditions of the employment relationship between the Employer and the Union; and

WHEREAS, it is in the best interest of both parties to agree upon additional conditions due to the consolidation of the City and County's parks and recreation departments.

NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS CONTAINED HEREIN, THE PARTIES AGREE AS FOLLOWS:

1. Parks and Recreation Consolidation; Agreement Regarding Article 8 Rights.

The parties agree that City of Topeka Parks and Recreation employees impacted by the consolidation of the City's Parks and Recreation Department with Shawnee County's Parks and Recreation Department will be entitled to rights under Article 8 of the current Memorandum of Agreement (MOA), except the following provisions shall not apply:

- a. the right to severance pay within Article 8, Section 2 and Section 1.F.2.b;
- b. the notice provisions of Article 8, Section 1C;
- c. the lay-off notifications of Article 8, Section 1.E;

d. benefits described within Section 1.G.2 and H.1 to the extent it conflicts with this agreement.

The parties agree that the purpose of Article 8 severance pay is to provide “temporary relief” to employees who have lost jobs due to layoff, reallocation, or reorganization. The parties further agree that because impacted employees have the option to go directly from employment with the City to employment with Shawnee County, temporary relief is not required and the severance pay provision shall be considered inoperable for impacted employees.

This agreement does not change or modify the provision in City of Topeka Resolution #8357 and section 3(e) of City of Topeka Contract #41460 granting severance pay to any transferring employee not retained by the County for at least three years following January 1, 2012.

The City agrees to provide seniority lists, excluding classifications identified as part of the consolidation, to impacted employees no later than October 25, 2011. Employees wishing to consider bumping must notify the City’s human resources department (HR) in writing no later than 4:30 p.m. on November 7, 2011. Upon such notification, HR will provide individualized bump lists to include positions for which the employee meets minimum qualifications. Employees will have until no later than 12:00 p.m. on November 22, 2011, to elect to transfer to the County or to exercise bumping rights. Employees electing to exercise bumping rights will sign a waiver of transfer to County employment. Employees who transfer and do not or cannot--due to qualifications or seniority--exercise bumping rights will be placed on a recall list as of December 31, 2011, either until recalled or until December 31, 2014, unless an employee forfeits the right to recall.

Employees who transfer may opt to either have their vacation paid out as a lump sum on their paycheck of December 16, 2011, or transfer their vacation accruals to the County. Should any employee who receives a vacation accrual payout be recalled, the City shall restore the employee's seniority and vacation shall accrue based on that seniority. For recalled employees whose vacation accrual was transferred to the County, the employees shall commence to accrue vacation based on seniority and shall be credited with any existing vacation accruals remaining as a result of their tenure at the County. Any sick leave accumulated and not utilized during the transferred employee's tenure at the County will be reinstated at the time of recall.

2. Parks and Recreation Consolidation; Employee Contact.

Under City Contract 39722, the agreement between the City of Topeka and AFT Kansas Local 6406, the City has recognized AFT Kansas Local 6406 as the exclusive representative for employees in the bargaining unit.

The parties recognize that some Parks and Recreation employees impacted by the consolidation of the City's Parks and Recreation Department with Shawnee County's Parks and Recreation Department are part of the bargaining unit and are represented by Local 6406. The parties agree that the Union, as exclusive bargaining representative, is entitled to be present in any meeting that concerns the terms and conditions of employment of bargaining unit employees.

Accordingly, the City agrees to provide the Union with twenty-four hour advance notice (to include time, place, and subject matter) of any meeting related to the Parks and Recreation consolidation which will involve one or more bargaining unit employees. As at this point all employees are still City employees, this provision shall apply regardless of

whether the meeting is being conducted by the City or by Shawnee County.

3. Parks and Recreation Consolidation; Work Preservation.

City of Topeka Resolution No. 8357 and Section 3 of City of Topeka Contract No. 41460 address personnel provisions related to the consolidation of the City of Topeka's Parks and Recreation Department with Shawnee County's Parks and Recreation Department. The City and the Union agree that verbal representations have been made to employees which are not committed to writing as part of this personnel section. The City acknowledges it has made statements indicating that it is the intent of the City and the County that this be a seamless transition and that all Parks and Recreation programming continue despite the transition.

Accordingly, the City and the Union agree the City shall seek adoption of an addendum to City of Topeka Contract No. 41460 to codify the following:

- a. No employee transferred to Shawnee County Parks and Recreation from City of Topeka Parks and Recreation shall be dismissed from employment, except pursuant to a legitimate disciplinary reason, prior to July 1, 2012.
- b. No employee transferred to Shawnee County Parks and Recreation from City of Topeka Parks and Recreation shall receive a reduction in regular working hours prior to July 1, 2012.
- c. The City of Topeka and Shawnee County intend and agree that all City and County Parks and Recreation core services shall continue without substantive change or interruption through July 1, 2012.

4. All other terms and conditions of City of Topeka Contract No. 39722, as amended, not specifically amended herein shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have hereto executed this Amendment as of the day and year first above written.

CITY OF TOPEKA, KANSAS

Daniel R. Stanley, Interim City Manager

ATTEST:

Brenda Younger, City Clerk

APPROVED AS TO FORM AND LEGALITY

DATE _____ BY _____

UNION
AFT KANSAS LOCAL #6406

Lisa Ochs, AFT Kansas President

David Fish, Local #6406 President



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

October 19, 2011

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DATE: October 25, 2011
CONTACT PERSON: Catherine Walter, Acting City Attorney DOCUMENT #:
SECOND PARTY/SUBJECT: Parks and Rec Consolidation/Shawnee County PROJECT #:
CATEGORY/SUBCATEGORY 007 Contracts and Amendments / 018 Other
CIP PROJECT: No
ACTION OF COUNCIL: JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

APPROVAL of an amendment to Shawnee County Contract No. C304-2011 and City Of Topeka Contract No. 41460 consolidating the operations, functions, and programs of the City of Topeka Parks and Recreation Department and Cypress Ridge Golf Course with the Shawnee County Parks and Recreation Department (the "Consolidation Agreement"), and amending the Consolidation Agreement provisions regarding accrued benefits of transferring employees.

(Approval would amend the Consolidation Agreement provisions regarding transferring employees.)

POLICY ISSUE:

STAFF RECOMMENDATION:

Approve.

BACKGROUND:

Supplemental agreement with AFT, if approved, would warrant amendments to the original consolidation agreement between the County and City.

BUDGETARY IMPACT:

Should be no increase from original contract.

SOURCE OF FUNDING:

ATTACHMENTS:

[Agreement Amendment](#)

Item #14

SHAWNEE COUNTY CONTRACT NO. C____-2011

CITY OF TOPEKA CONTRACT NO. _____

SECOND AMENDMENT TO SHAWNEE COUNTY CONTRACT NO. C304-2011

AND CITY OF TOPEKA CONTRACT NO. 41460

THIS AMENDMENT is agreed to this _____ day of _____, 2011, by and between the **CITY OF TOPEKA**, a duly organized municipal corporation hereinafter referred to as “City,” and **THE BOARD OF COUNTY COMMISSIONERS OF SHAWNEE COUNTY, KANSAS**, a municipal corporation, hereinafter referred to as “County.”

WHEREAS, the parties executed Shawnee County Contract No. C304-2011 and City Of Topeka Contract No. 41460 consolidating the operations, functions, and programs of the City of Topeka Parks and Recreation Department and Cypress Ridge Golf Course with the Shawnee County Parks and Recreation Department (the “Consolidation Agreement”), and

WHEREAS, the parties desire to amend the Consolidation Agreement provisions regarding transferring of employees.

NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS CONTAINED HEREIN, THE PARTIES AGREE AS FOLLOWS:

1. Paragraph 3.c. of the Consolidation Agreement is hereby amended to read as follows:

For purposes of this Agreement, a transferred or transferring employee is defined as an employee described in paragraph 3.b above who (i) leaves employment with the City of Topeka effective December 31, 2011, and joins employment with the County effective January 1, 2012; and (ii) does not exercise any rights which may be available to the employee under Article 8 of City of Topeka Contract #39722 and/or City Personnel Code, except the Article 8 rights of AFT bargaining unit employees agreed upon between the City and AFT as set forth within the attached “Agreement Regarding Article 8 Rights.”

2. Paragraph 3.d. of the Consolidation Agreement is hereby amended to read as follows:

Except as provided herein, no transferred City Parks and Recreation employees will receive a reduction in salary or wages, be dismissed from employment or receive a reduction in regular working hours other than pursuant to a legitimate disciplinary reason for at least six (6) months after January 1, 2012. Reductions shall thereafter occur only pursuant to County Personnel Rules and Regulations and any applicable civil service or union contract.

3. Paragraph 4.a.i. of the Consolidation Agreement is hereby amended to read as follows:

The City will pay the financial equivalent of the total accrued vacation leave of transferring employees to the County as of December 31, 2011, based on wage rate on that date, such payment to be in eight (8) equal installments due February 1 and July 1 of 2012, 2013, 2014, and 2015; except, however, should any transferred employee accept recall to a vacant City position between January 1, 2012 and December 31, 2014, installment payments attributable to the recalled employee shall cease and any portion of the vacation leave accruals already paid to the County under this section but not utilized or paid out to the recalled employee shall be returned to the City within thirty (30) days of the employee's reemployment with the City.

4. Paragraph 4.c.i. of the Consolidation Agreement is hereby amended to read as follows:

The City will remit to the County the equivalent of one (1) year sick leave paid to all of the transferring employees based on the average of the last five (5) years, such payment to be in eight (8) equal installments due February 1 and July 1 of 2012, 2013, 2014, and 2015; except, however, should any transferred employee accept recall to a vacant City position between January 1, 2012 and December 31, 2014, installment payments attributable to the recalled employee shall cease and any portion of the sick leave accruals already paid to the County under this section but not utilized or paid out to the recalled employee shall be returned to the City within thirty (30) days of the employee's reemployment with the City.

5. Except as amended herein, all terms and conditions of the Consolidation Agreement shall remain in full force and effect.

CITY OF TOPEKA, KANSAS

 Daniel R. Stanley
 Interim City Manager

ATTEST:

 Brenda Younger, Topeka City Clerk

APPROVED AS TO FORM AND LEGALITY

DATE _____ BY _____

**BOARD OF COUNTY COMMISSIONERS
SHAWNEE COUNTY, KANSAS**

 Michele A. Buhler, Chair

 Theodore D. Ensley, Vice-Chair

 Mary M. Thomas, Member

ATTEST:

 Cynthia A. Beck, Shawnee County Clerk

APPROVED AS TO FORM AND LEGALITY BY THE
 SHAWNEE COUNTY COUNSELOR'S OFFICE

DATE _____ BY _____

City of Topeka / AFT Kansas
Parks and Recreation Consolidation
Agreement Regarding Article 8 Rights

The parties agree that City of Topeka Parks and Recreation employees impacted by the consolidation of the City's Parks and Recreation Department with Shawnee County's Parks and Recreation Department will be entitled to rights under Article 8 of the current Memorandum of Agreement (MOA), except the following provisions shall not apply:

- the right to severance pay within Article 8, Section 2 and Section 1.F.2.b;
- the notice provisions of Article 8, Section 1C;
- the lay-off notifications of Article 8, Section 1.E;
- benefits described within Section 1.G.2 and H.1 to the extent it conflicts with this memo of agreement.

The parties agree that the purpose of Article 8 severance pay is to provide "temporary relief" to employees who have lost jobs due to layoff, reallocation, or reorganization. The parties further agree that because impacted employees have the option to go directly from employment with the City to employment with Shawnee County, temporary relief is not required and the severance pay provision shall be considered inoperable for impacted employees.

This agreement does not change or modify the provision in City of Topeka Resolution #8357 and section 3(e) of City of Topeka Contract #41460 granting severance pay to any transferring employee not retained by the County for at least three years following January 1, 2012.

The City agrees to provide seniority lists (excluding classifications identified as part of the consolidation) to impacted employees no later than October 25, 2011. Employees wishing to consider bumping must notify HR in writing no later than 4:30 p.m. on November 7, 2011. Upon such notification, HR will provide individualized bump lists to include positions for which the employee meets minimum qualifications. Employees will have until no later than 12:00 p.m. on November 22, 2011, to elect to transfer to the county or to exercise bumping rights. Employees electing to exercise bumping rights will sign a waiver of transfer to County employment. Employees who transfer and do not or cannot (due to qualifications or seniority) exercise bumping rights will be placed on a recall list as of December 31, 2011, either until recalled or until December 31, 2014, unless an employee forfeits the right to recall.

Employees who transfer may opt to either have their vacation paid out as a lump sum on their paycheck of December 16, 2011, or transfer their vacation accruals to the county. Should any employee who receives a vacation accrual payout be recalled, the city shall restore the employee's seniority and vacation shall accrue based on that seniority. For recalled employees whose vacation accrual was transferred to the county, the employees shall commence to accrue vacation based on seniority and shall be credited with any existing vacation accruals remaining as a result of their tenure at the county. Any sick leave accumulated and not utilized during the transferred employee's tenure at the county will be reinstated at the time of recall.



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

October 12, 2011

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DATE:	October 25, 2011	
CONTACT PERSON:	Randy Speaker and Mary Feighny	DOCUMENT #:
SECOND PARTY/SUBJECT:		PROJECT #:
CATEGORY/SUBCATEGORY	020 Resolutions / 005 Miscellaneous	
CIP PROJECT:	No	
ACTION OF COUNCIL:		JOURNAL #:
		PAGE #:

DOCUMENT DESCRIPTION:

A RESOLUTION introduced by Interim City Manager Daniel R. Stanley, establishing a process for considering a petition for the creation of a community improvement district and establishing a policy on the criteria approving such a district.

(Approval would create a community improvement district ("CID") for projects related to amenities and improvements as provided in the Community Improvement District Act from certain revenues generated within the district.)

POLICY ISSUE:

Whether to adopt a policy providing guidance to individuals petitioning the governing body to establish a community improvement district (CID).

STAFF RECOMMENDATION:

Approve policy.

BACKGROUND:

The Community Improvement District Act, KSA 12-6a26 et seq. authorizes the establishment of community improvement districts (CIDs) that create new revenue sources to finance real estate development. The CID Act enables a governing body to form a CID to finance the cost of a broad range of development. A CID can use different revenue sources to finance project costs: special assessments, a CID sales tax, G.O. bonds and any other funds appropriated by the city to pay project costs.

BUDGETARY IMPACT:

No impact. Just adopting a policy

SOURCE OF FUNDING:

None

ATTACHMENTS:

[Resolution](#)

[Fact Sheet](#)

[CID Policy](#)

1 RESOLUTION NO. _____
2

3 A RESOLUTION introduced by Daniel R. Stanley, Interim City Manger, establishing a
4 process for considering a petition for the creation of a community
5 improvement district and establishing a policy on the criteria
6 approving such a district.
7

8 WHEREAS, the City of Topeka is committed to the encouragement and promotion
9 of the economic health and vitality of the City; and

10 WHEREAS, the Governing Body is authorized by the Community Improvement
11 District Act, K.S.A. 12-6a26 *et seq.* (the "Act"), to create a community improvement district
12 ("CID") for projects related to amenities and improvements as provided in the Act from
13 certain revenues generated within the district; and

14 WHEREAS, these revenues may be derived from a CID sales tax up to 2% that is
15 charged only within the district , special assessments on the property within the district, a
16 combination of sales tax and special assessments or any other funds appropriated by the
17 governing body to pay project costs; and

18 WHEREAS, the creation of a CID is a complex legal and administrative matter
19 requiring clear direction from the Governing Body; and

20 WHEREAS, the Governing Body finds that it is in the best interest of the City to
21 establish certain policies and guidelines for consideration of CID petitions.

22 NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL THAT:

23 It hereby adopts the Community Improvement District policy attached as Exhibit A
24 and incorporated by reference. The City Manager shall prepare and approve procedures
25 necessary to implement the CID policy.
26

2

In a Nutshell: Community Improvement Districts (CIDS)

1. General. In 2009, the Kansas legislature enacted the Community Improvement District Act (CID). The purpose of the Act is to provide cities with an additional tool to encourage economic development through public and private financing.

2. How does a CID work? A developer petitions the city and requests that the city create a district for the purpose of financing a project. The petition notes the type of project, the cost of the project, and the method of financing the project.

3. What are these “projects?” Projects are very broad and include:

- a. Acquisition, construction, demolition of buildings and structures.
- b. Installing sidewalks, streets, and other public infrastructure.
- c. Landscaping
- d. Cultural amenities
- e. Promoting tourism, recreational or cultural activities.
- f. Supporting business activity and economic development.

4. How have other Kansas cities used CIDS? Generally, to support retail development.

5. How are the project costs paid? (1) special assessments imposed on the property owners within the district; (2) a sales tax imposed within the district; (3) proceeds from general obligation bonds; (4) any other funds appropriated by the city to pay the costs; or (5) a combination of the above.

6. What kind of costs are eligible for payment?

- a. preparation of preliminary reports and plans
- b. publication costs (e.g. hearing notices, ordinance publication)
- c. fees/expenses of consultants
- d. amount of reserve fund for bonds
- e. cost of land, materials, and labor incurred in planning and doing the project
- f. a charge not to exceed 5% of the total cost of the project to reimburse the City for administering the project

7. What types of financing tools are available.

1. Special obligation bonds payable solely from CID-generated sources (e.g. special assessments, sales tax).
2. General obligation bonds backed by the full faith and credit of the city as well as CID-generated sources (e.g. special assessments, sales tax).
3. Pay-as-you-go financing. Developer secures private funding and advances costs up front, without public financing. Funds are given to the City to administer and use to pay project costs.

8. How do special assessments work? 100% of the property owners within the district file a petition requesting creation of the district. Property owners pay the assessments

- a. Is there a public hearing?Governing body may or may not hold public hearing.
- b. What happens if governing body approves the project.Governing body issues ordinance authorizing creation of the district, estimated cost, and method of assessment. When project is completed, governing body levies special assessment on property within the district.
- c. How are the special assessments used? Pay project costs through bonds or pay as you go financing.

9. How does the sale tax work?At least 55% of the owners of the property within the proposed district and at least 55% of the owners collectively owning more than 55% by assessed value of the land area within the district petition the City. The owners request creation of the district and the levying of a sales tax on sales within the CID of personal property at retail or services that are subject to tax under the state retailers' sale tax laws.

- a. How much is the sales tax? Increments of .10% or .25% not to exceed 2%. Governing body decides the amount. The CID sales tax is in addition to the city, county, and state retailers' sales tax. However, the CID sales tax applies only to sales/services within the district.
- b. Is there a public hearing? Yes. Notice of the hearing is published in the Metro News and sent to property owners within the proposed district.
- c. How long is the sales tax? If bonds are issued, sales tax expires no later than the date the bonds mature. If financing is "pay as you go," sales tax expires 22 years from the date tax collection is commenced or when the costs have been paid.

10. Can a district be financed by both a special assessment and a sales tax?

Yes.

11. If the City issues special obligation bonds, is it liable if the special assessments or sales tax aren't sufficient to pay off the bonds. No. A special obligation bond is not a general obligation bond which pledges the entire financial resources of the city for payment. A special obligation bond is payable solely from a pledge of the special assessments and/or CID sales tax.

12. If the City issues general obligation bonds, is it liable if the special assessments or sales tax are insufficient to pay off the bonds? Yes.

13. When do the special obligation and general obligation bonds mature? No more than 22 years.

14. Can the voters protest issuance of general obligation bonds. Yes.

CITY OF TOPEKA COMMUNITY IMPROVEMENT DISTRICT ("CID") POLICY

Effective Date: _____

Sections:

- I. OBJECTIVES
 - II. SCOPE
 - III. DEFINITIONS
 - IV. PROVISIONS
 - V. PROCEDURES
 - VI. STATUTORY AMENDMENTS
 - VII. EFFECTIVE DATE
 - VIII. RESPONSIBILITY FOR ENFORCEMENT
-

I. OBJECTIVES.

The proper use of a Community Improvement District (CID) should promote, stimulate and develop the general and economic welfare of and quality of life in the City of Topeka. A CID involves public financing of all or a portion of a "Project" as defined in the Community Improvement District Act ("Act") within a prescribed area (the District). A CID Project should provide public benefit such as strengthening economic development and employment opportunities; enhancing tourism; upgrading older real estate through redevelopment or rehabilitation; or promoting sustainability. Public financing is achieved by levying and collecting special assessments and/or a CID sales tax upon property in the District.

II. SCOPE.

An applicant may petition the City to utilize CID financing to fund Projects eligible under the Act. The authority and decision to approve a petition establishing a CID for a Project is within the sole discretion of the Governing Body. However, Projects in which the anticipated costs are less than \$1 million dollars will not be considered. The Governing Body is under no obligation to approve any petitioned Project. This Policy is intended to provide a guide in considering applications. The Governing Body reserves the right to deviate from this Policy when it believes it is in the City's best interest.

III. DEFINITIONS.

- A. "CID Sales Tax" means a retailers' sales tax over and above the aggregate amount of the retailers' sales tax contained in K.S.A. 12-187 through 12-197, and amendments thereto, on the selling of tangible personal property at retail or rendering or furnishing services taxable pursuant to the provisions of the Kansas retailer's sales tax act, within a District, in any increment of .10% or .25% not to exceed 2% as authorized

by the Act, pledging such revenue to pay the bonds issued for the Project or to reimburse the cost of the Project pursuant to pay-as-you-go financing.

- B. “Cost” means the definition set out in K.S.A. 12-6a27, as amended. The City, on a case by case basis, may consider costs incurred within 12 months prior to District establishment, provided the costs were incurred after July 1, 2009. The City reserves the right to exclude otherwise eligible costs under the Act. The approved project costs shall be described in detail in a Development Agreement.
- C. “Owner” means the owner or owners of record, whether resident or not, of real property within the District. The applicant shall be an owner.
- D. “Pay-As-You-Go” means a method of financing in which the costs of a Project are financed privately, and the approved costs of such Project are reimbursed after Project completion as monies are deposited in the District fund.
- E. “Project” may include any item eligible under the Act, as described in K.S.A. 12-6a27, as amended, but the City reserves the right to exclude otherwise eligible Projects under the Act; determine eligible and ineligible projects; and determine the amount of funding for a Project on a case by case basis. These terms and approvals shall be set out in a Development Agreement.
- F. “Review Committee” includes the Deputy City Manager, Director of Finance, Director of Public Works, Director of Planning, Director of Development Coordination, and the City Attorney, or their designees. The Committee may also include City staff and individuals designated by the City Manager, including but not limited to the City’s bond counsel and City financial advisor.

IV. PROVISIONS.

A. Criteria. The Governing Body shall consider establishment of a CID when it determines it is in the best interest of the City and provided the Project meets one or more of the following criteria:

1. Creates facilities which promote the cultural, historical, or artistic elements of the City and enhance tourism and quality of life.
2. Attracts unique commercial, office, industrial, and/or mixed use development which will enhance the economic climate of the City and diversify the economic base.
3. Substantially promotes economic development, investment or reinvestment in the community.

4. Encourages retail projects that enhance the retail base by either attracting new sales or capturing sales moving to other markets.
5. Provides for the construction of facilities that promote tourism or enhance the quality of life within the City.
6. Upgrades older real estate through redevelopment and/ or rehabilitation.

B. Applicant Responsibility. The application process shall include an application form and the petition required by the Act. As part of the process, the applicant shall complete the following prior to submission of the petition to the Governing Body:

1. Provide evidence in a form satisfactory to the City of the applicant's financial ability to complete the proposed project in a timely manner.
2. Provide documentation substantiating the applicant's sources of funding, including the amount/percentage of equity funding.
3. Submit a financial analysis demonstrating that the projected revenue is sufficient to pay the costs of the project, including bond debt service. The Review Committee may secure an independent feasibility study, the costs of which shall be borne by the applicant.
4. Pay all required fees and comply with all procedural requirements of the Act and the City's CID Policy.
5. Execute a Development Agreement contemporaneous with presentation of the CID petition to the governing body.

C. Review Committee Consideration. The Review Committee shall review each application and petition and make a recommendation to the Governing Body. In determining whether to recommend approval of a CID petition and the method of financing, the Review Committee may consider all of the following:

1. Whether creation of a CID meets one or more of the criteria set forth in Section IV(A);
2. The total development costs and investment, including estimated Project costs for which public financing is sought;

3. Sources of funding, including the amount of equity funding in comparison to public financing;
4. Experience and financial stability of Developer;
5. Whether tenants for the Project are in place and the nature and quality of the tenants;
6. Financial viability of the Project, including potential competition;
7. The amount and purpose of the funding request, including the percentage of funding for capital costs; operational costs; and public costs;
8. If bonds are requested, the projected debt service coverage from projected revenues; any additional security pledged by the Developer; and the marketability of the bonds; and
9. Whatever other factors or considerations the Review Committee believes the Governing Body would find relevant to its decision.

D. Governing Body Review. The Governing Body shall review the financial viability of each CID and shall use this information in determining whether to grant the Petition and, if granted, the appropriate term of the CID, which may be less than the duration allowed by the Act.

1. In the event pay-as-you-go financing is utilized, the CID sales tax shall expire on a date approved by the City, but no later than twenty-two (22) years from the date the state director of taxation begins collecting such tax or when the pay-as-you-go costs have been paid.
2. CID Bonds issued to finance the Project shall mature on a date approved by the City, but no later than twenty-two (22) years from date of issue, unless otherwise provided by law.
3. In no event shall any CID sales tax extend later than the date the bonds issued to finance such project or refunding bonds issued for the Project mature.

E. Financing.

1. Source of Funds. The cost of all or a portion of any authorized CID Project may be financed by any or all of the following sources:

- a. Pay-As-You-Go financing based either on a special assessment or a CID sales tax within the District, or both;
- b. Special Obligation Bond financing payable wholly through special assessments within the CID;
- c. Special Obligation Bond financing payable in part through special assessments within the CID and in part through a CID sales tax;
- d. General Obligations Bonds;
- e. Any other funds appropriated by the City; or
- f. A combination of the foregoing methods.

2. Development Agreement. If after review of the application, the Review Committee determines to recommend approval of the CID to the Governing Body, the Applicant shall supply an executed Development Agreement (the "Development Agreement") which shall be presented to the Governing Body for consideration contemporaneous with the Petition. The Development Agreement shall address the recommended method of financing, approved Project(s) and approved Costs; the feasibility of the Project, the steps to be taken to minimize the risk of default; and any other terms the Committee deems appropriate.

3. Bonds. The City encourages the use of private financing ("Pay-As-You-Go") with reimbursement to the applicant for eligible, approved costs associated with a CID Project, but the City may consider the issuance of Bonds. Any determination to issue Bonds is within the sole discretion of the Governing Body.

- a. CID Bonds. The City may issue special obligation notes or bonds ("CID Bonds") (collectively, "Bonds") to finance one or more Projects. In no event shall special assessments be levied against the City. The City will not provide credit enhancements for CID Bonds; however, credit enhancement provided by an applicant will be viewed favorably.
- b. G.O. Bonds. The City discourages the use of full faith and credit notes or bonds (G.O. Bonds) to finance a Project

under this Act, but may consider such action for that portion of a CID Project that is exclusively for public improvements.

Prior to the issuance of any Bonds, the applicant must receive a Certificate of Completion from the City. In addition, the applicant must agree to certain disclosures required by the City and the Bond underwriters and ensure that if necessary, such disclosure requirements are included in all subsequent tenant leases and land sales within the District.

4. **Project Funds.** A separate fund shall be created for each District and such fund shall be identified by a suitable title (the "Fund"). CID sales tax receipts, special assessments paid to the City under this Act, the proceeds from the sale of Bonds, and any other moneys appropriated by the Governing Body for the purpose of paying Project Costs, including the principal and interest on the bonds issued pursuant to this Act shall be credited to such Fund.

a. The Fund shall be solely used to pay the Costs of the Project either through the issuance of Bonds or Pay-As-You-Go financing, and shall be limited to approved costs included in the ordinance authorizing the Project or in the Development Agreement.

b. Reimbursement of approved Costs may only be made after a Certificate of Completion has been issued by the City.

c. In the event moneys remain in the Fund after the expiration of the CID sales tax, such moneys shall continue to be used solely to pay the Cost of the Project. Upon payment of all Project Costs and principal and interest on any bonds issued for such District, the City has the authority to terminate the CID and spend any moneys remaining in such Fund for the purposes for which local sales tax receipts may be spent.

5. **Fees.** When submitting its application the applicant shall pay a non-refundable application fee to cover City expenses associated with reviewing and processing the CID request. The City shall also require the applicant to reimburse all costs incurred by the City for additional legal, financial and/or planning consultants, for direct out-of-pocket expenses, and for other costs relating to services rendered for the City to review, evaluate, process and consider the petition for a CID. If bonds are requested and subsequently approved by the City the applicant shall also be responsible for all costs of issuance associated therewith. The applicant shall also be responsible for paying an annual administrative fee to cover the cost of monitoring and administering

the CID. Fee amounts shall be set out in the CID Procedures as described in Section

V. PROCEDURES.

City staff shall develop procedures for processing CID applications and filing CID petitions, in addition to such other matters such as the establishment of fees. Such procedures shall be approved, and amended as appropriate, by the City Manager.

VI. STATUTORY AMENDMENTS; CONFLICT WITH STATE LAW.

Any amendment to the Act or any statute cited herein or used as a source of authority for development of the City's CID Policy shall apply without the need to modify or amend this Policy. If any part of this policy conflicts with state law, the latter shall control.

VII. EFFECTIVE DATE.

This CID Policy shall take effect upon passage by the City Council.

VIII. RESPONSIBILITY FOR ENFORCEMENT.

The City Manager shall be responsible for the enforcement of this Policy.



A Capital City Government Working For You...

www.topeka.org

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

October 11, 2011

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

DATE:	October 25, 2011		
CONTACT PERSON:	Pam Simecka/kej	DOCUMENT #:	
SECOND PARTY/SUBJECT:	Weekly Expenditures	PROJECT #:	
CATEGORY/SUBCATEGORY	014 Ordinances – Non-Codified / 005 Miscellaneous		
CIP PROJECT:	No		
ACTION OF COUNCIL:	10-25-11 First and Final Reading	JOURNAL #:	11
		PAGE #:	

DOCUMENT DESCRIPTION:

AN ORDINANCE introduced by Interim City Manager Daniel R. Stanley, allowing and approving City expenditures for the period of October 3, 2011 through October 9, 2011, 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:

Approved expenditures for the period October 3, 2011 through October 9, 2011, in the amount of \$4,613,489.06.

SOURCE OF FUNDING:

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

ATTACHMENTS:

[Weekly Expenditures](#)

[DETAIL REPORT AP WEEK ENDING 10/9/11](#)

[DETAIL REPORT CB55 WEEK ENDING 10/9/11](#)

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by Interim City Manager Daniel R. Stanley, allowing and approving City expenditures for the period of October 3, 2011, through October 9, 2011, 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 170 vendor checks written this period	1,121,114.34
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	Total vendor payments voided in this period (net)	00.00
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	Total of 193 electronic transfers to vendors this period	921,199.97
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	Total net payroll to employees this period	1,621,430.35
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	Total payroll related electronic transfers this period	<u>949,744.40</u>
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	Total for expenditures in this period	<u>\$4,613,489.06</u>
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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

COUNCIL REPORT OF VENDOR PAYMENTS

Between 10/3/2011 and 10/9/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
Electronic Payments			
15755	10/07/2011	LEE LLC, GREGORY A	3016
6897	13678		147.85
			147.85
15756	10/07/2011	MCANANY, VAN CLEAVE AND	6758
419637		WCCOT2011009602	80.00
419770		WCCOT2008008924	1,157.00
			1,237.00
15757	10/07/2011	COFFMAN, THOMAS	6221
40798.3179		EE-CELL PHONE CASE	10.85
			10.85
15758	10/07/2011	DONALD O'DELL	6298
40807.3774		WICHITA KS 9/18-20/11	142.80
			142.80
15759	10/07/2011	FINCHAM, DON	1665
ADV-MILEAGE 10/4			41.09
			41.09
15760	10/07/2011	LOW, KIPP	6292
40764.4576		ADV-AUSTIN TX 9/11-16/11	-372.75
40806.5601		RCN-AUSTIN TX 9/11-16/11	408.75
			36.00
15761	10/07/2011	MCGEE, MICHAEL E	3292
40812.4351		DENVER CO 9/16-22/11	446.76
			446.76
15762	10/07/2011	SLOAN, MICHAEL D	4609
40756.5434		ADV-VIRGINIA BEACH VA 10/16-19	173.60
			173.60
15763	10/07/2011	BROWNE, WILLIAM JAMES	7964
40798.4367		EE-AB DL REIMB	32.00
			32.00
15764	10/07/2011	A B CREATIVE INC	15
38762	15400		2,000.00
39427	13638		3,112.00
			5,112.00
15765	10/07/2011	A-1 RENTAL INC	20
16659	12545		115.00
16660	13390		255.00
16661	14825		85.00
			455.00
15766	10/07/2011	AAA ALLIED GROUP INC	22
265741	12111		38.50
265746	12111		38.50
265899	12111		38.50
265974	12111		63.50
265975	12111		38.50
266017	12111		38.50
266018	12111		38.50
266019	12111		38.50
266068	12111		38.50
266138	12111		38.50
266139	12193		38.50
266140	12111		38.50
266230	12193		38.50
266234	12111		38.50
266338	12193		38.50
266450	12111		38.50
			641.00
15767	10/07/2011	FIANDER, ALLYSON	7447
15545	15545		247.00
			247.00
15768	10/07/2011	AMERIPRIDE	197
2300071073	15114		172.97
2300071855	12841		77.59
			783.19

COUNCIL REPORT OF VENDOR PAYMENTS

Between 10/3/2011 and 10/9/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
2300072553	12299		25.50
2300073184	15114		172.97
2300073185	12299		35.00
2300073191	12299		15.95
2300073198	12841		7.38
2300073199	12841		52.63
2300073200	12841		138.64
2300073201	12841		84.56
15769	10/07/2011	ANIMAL CLINIC OF NORTH TOPEKA	235
84083	12112		14,409.03
15770	10/07/2011	BLUE BELL CREAMERIES LP	526
048082661195	15289		44.40
15771	10/07/2011	BLUE CROSS BLUE SHIELD INC	528
W/E 10/4/11	DE		104,786.38
15772	10/07/2011	BOETTCHER SUPPLY INC	543
708366 1	12200		103.91
708559 1	12200		-78.91
15773	10/07/2011	BURLINGAME CONCRETE	711
6521	15177		4,599.76
6522	15238		5,021.80
6523	15239		2,538.90
15774	10/07/2011	BURNEY VAN STONE INC	7945
9402	15737		183.25
15775	10/07/2011	CDW GOVERNMENT INC	857
ZRG2300	15692		589.51
15776	10/07/2011	CELERITAS TECHNOLOGIES LLC	859
18130	13146		900.00
15777	10/07/2011	COMITER, CARLA J	1043
W64	12610		2,115.00
W64E	12610		1,198.46
15778	10/07/2011	CORNERSTONE OF TOPEKA INC	1116
4383	14818		2,019.25
4385	15795		15,199.43
15779	10/07/2011	CROSS MIDWEST TIRE INC	1183
20155880	12209		128.66
20156619	12209		216.88
20156653	12209		201.00
20156791	12209		320.45
20156827	12209		277.38
20156852	12209		15.75
20156885	12209		1,303.57
20156968	12209		983.50
20157148	12209		201.00
20157208	12209		29.40
20157233	12209		194.74
20157283	12209		292.54
20157291	12209		401.00
15780	10/07/2011	DELTA DENTAL OF KANSAS INC	1323
W/E 09/29/11	12329		10,519.26
15781	10/07/2011	DIAMOND INTERNATIONAL INC	1347

COUNCIL REPORT OF VENDOR PAYMENTS

Between 10/3/2011 and 10/9/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
TI67022	12142		138.74
TI67065	12210		657.82
TI67066	12210		467.17
TI67071	12210		24.22
TI67072	12210		67.19
TI67191	12210		444.86
TW52674	12210		334.70
15782	10/07/2011	DIGITAL SAFETY TECHNOLOGIES IN 1359	125.00
19851	12211		125.00
15783	10/07/2011	DOWNTOWN TOPEKA INC 1408	6,594.92
12860 18	12860		6,594.92
15784	10/07/2011	ELITE CONCRETE 6795	3,078.37
78955	15030		1,348.15
79116	15031		813.22
79482	15088		917.00
15785	10/07/2011	EMERGENCY FIRE EQUIPMENT 1526	141.36
23540	12213		141.36
15786	10/07/2011	EPCO CARBON DIOXIDE PRODUCTS 1551	5,695.54
124771	14541		1,409.11
125457	14541		1,395.74
126021	14541		1,428.11
126793	14541		1,462.58
15787	10/07/2011	FOLEY EQUIPMENT COMPANY INC 1734	43.14
PCSL0973838	12217		43.14
15788	10/07/2011	GRANT STREET GROUP 1965	3,500.00
6582	BONDS		1,750.00
6585	BONDS		1,750.00
15789	10/07/2011	HARCROS CHEMICALS INC 2090	49,141.73
010169503	15540		2,471.73
010169654	15422		46,670.00
15790	10/07/2011	HERNLY ASSOCIATES INC 2214	1,390.00
10206	15506		695.00
10208	15502		695.00
15791	10/07/2011	IREY, MARVIN W 2443	45,442.33
14630 5	14630		25,510.33
14933 5	14933		19,932.00
15792	10/07/2011	ISS FACILITY SERVICES INC 2447	3,594.00
110500	14509		1,399.35
110549	12739		2,194.65
15793	10/07/2011	ITG CONSULTING INC 2449	5,300.00
3116	12523		5,300.00
15794	10/07/2011	KAN EQUIPMENT INC 2621	479.98
6 174572	12230		30.78
6 174994	12230		13.20
6 175056	12162		222.40
6 175063	12230		87.40
6 175122	12162		126.20
15795	10/07/2011	KANSAS GAS SERVICE INC 2707	822.19
5100367971003101 KS GAS WATER			82.80

COUNCIL REPORT OF VENDOR PAYMENTS

Between 10/3/2011 and 10/9/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
5105057691003101	KS GAS PARKS		739.39
15796	10/07/2011	KEY STAFFING INC 2849	1,272.40
3015445	12704		522.40
3015446	14690		750.00
15797	10/07/2011	LP S EXCAVATING INC 3125	15,776.64
15701	15701		9,290.00
15759	15759		6,486.64
15798	10/07/2011	LT TRUCKING & TRENCHING 3126	20,975.00
1639	15107		
15799	10/07/2011	LUXURY LAWN & LANDSCAPE INC 3147	545.00
62384	15765		
15800	10/07/2011	MAINLINE INFORMATION SYSTEMS 3175	1,580.00
149323	15660		
15801	10/07/2011	MATHESON TRI-GAS INC 7179	418.75
03161560	14903		350.93
03174636	12504		67.82
15802	10/07/2011	MICHAEL & SONS INC 3377	7,009.90
15594	15594		
15803	10/07/2011	MINNESOTA ELEVATOR INC 7834	792.00
222661	15379		
15804	10/07/2011	MORNING STAR CONSTRUCTION INC 3524	1,816.00
15498	15498		
15805	10/07/2011	O REILLY AUTO PARTS 3714	560.54
0152 260889	12243		-38.76
0152 263245	12243		95.79
0152 263248	12243		24.07
0152 263318	12243		179.60
0152 263567	12243		148.29
0152 263835	12243		7.30
0152 263856	12243		46.03
0152 264091	12243		17.13
0152264063	12243		81.09
15806	10/07/2011	PEPSI COLA OF TOPEKA 3887	93.01
16056700	15290		
15807	10/07/2011	POLYDYNE INC 5879	3,586.00
633859	12735		
15808	10/07/2011	PROTECTION ONE 6532	130.00
84535377	15827		
15809	10/07/2011	R & R VENTURES OF TOPEKA 4065	1,344.00
2011 19	12459		
15810	10/07/2011	RAY ALLEN MANUFACTURING CO INC 4115	5,151.83
270417	15483		219.90
270584	15662		4,931.93
15811	10/07/2011	SELLERS EQUIPMENT INC 4470	57.25
IC215689	12246		18.18
IC215709	12246		39.07

COUNCIL REPORT OF VENDOR PAYMENTS

Between 10/3/2011 and 10/9/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
15812	10/07/2011	SHAWNEE COUNTY DEPT OF CORRECT 4503	74,685.90
13078 AUG 11	13078		74,685.90
15813	10/07/2011	SHI INTERNATIONAL CORPORATION 4540	7,472.00
B00388885	15158		386.00
B00394243	15158		23.00
B00405217	15555		7,063.00
15814	10/07/2011	SIEMENS WATER TECHNOLOGIES 4555	5,324.30
900360579	12731		5,324.30
15815	10/07/2011	SOUTHERN UNIFORM & EQUIPMENT 4672	139.00
72511	13833		139.00
15816	10/07/2011	STAPLES CONTRACT & COMMERCIAL 4725	316.50
110355845	15117		143.00
110359237	15691		87.98
110375259	15709		85.52
15817	10/07/2011	SUNFLOWER PAVING INC 4815	10,543.07
2711	11478		10,543.07
15818	10/07/2011	THERMO FISHER SCIENTIFIC LLC 4949	260.12
2796356	12680		260.12
15819	10/07/2011	TOPEKA TRANSMISSION SERVICE IN 5057	2,103.26
48984	12254		2,103.26
15820	10/07/2011	TOPEKA YOUTH PROJECT INC 5060	4,486.00
12603	13950		4,299.00
12604	13085		187.00
15821	10/07/2011	TORGESON TRENCHING SERVICE 5062	3,666.00
1015262	12942		2,574.00
1015263	12942		1,092.00
15822	10/07/2011	TRUCK PARTS & EQUIPMENT INC 5102	1,024.47
295862	12255		20.24
295866	12182		153.74
295898	12182		138.12
295963	12182		158.82
295992	12182		35.28
296193	12255		199.09
296210	12255		319.18
15823	10/07/2011	U S LIME COMPANY - ST CLAIR 5117	18,511.11
132192	14540		3,007.35
132201	14540		3,113.54
132220	14540		3,067.69
132246	14540		3,141.30
132264	14540		3,037.52
132271	14540		3,143.71
15824	10/07/2011	UMB BANK NA 5127	34,586.66
PCARD10032011			34,586.66
15825	10/07/2011	UNIVERSAL SYSTEMS INC 5161	2,813.64
349050	12920		2,813.64
15826	10/07/2011	VANDERBILT'S NO 6 5199	69.90
146460	15824		69.90
15827	10/07/2011	VETERINARY MEDICAL & SURGICAL 5222	107.82

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Between 10/3/2011 and 10/9/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
56458	12967		107.82
15828	10/07/2011	VICTOR L PHILLIPS COMPANY INC 5225	990.99
IT09715	12258		990.99
15829	10/07/2011	WALKER TOWEL & UNIFORM SERVICE 5266	45.20
1436852	12297		13.65
1437396	12297		7.65
1437397	12297		23.90
15830	10/07/2011	WINGFOOT COMMERCIAL TIRE 5494	2,061.15
123 1040039	12186		1,725.56
123 1040078	12261		264.28
123 1040080	12261		71.31
15831	10/07/2011	DIX, TAYLOR F KERN 7976	1,469.00
WAL105-0911		S+C Sept 2011 Payment	204.00
WAL105-1011		S+C Oct 2011 Payment	765.00
WAL105-DEP		DEPOSIT	500.00
15832	10/07/2011	TESKE, ALEXANDRA J 7865	187.20
15584	15584		187.20
15833	10/07/2011	BECK, PAUL 415	39.00
10/2/11 AVBPB		Adult Volleyball	39.00
15834	10/07/2011	DEAN, ROBERT 1290	426.00
10/2/11 ABBRD		Adult Basketball	128.00
10/2/11 ASBRD		Adult Softball	128.00
10/2/11 AVBRD		Adult Volleyball	170.00
15835	10/07/2011	EZELL, HARRY 1597	401.00
10/2/11 ABBHE		Adult Basketball	102.00
10/2/11 AVBHE		Adult Volleyball	299.00
15836	10/07/2011	JACK, ARNOL R 2471	60.00
10/2/11 ABBAJ		Adult Basketball	60.00
15837	10/07/2011	KENNEDY, BRIAN 2832	325.00
10/2/11 ASBBK		Adult Softball	221.00
10/2/11 AVBBK		Adult Volleyball	104.00
15838	10/07/2011	LUNA, NARCISO 3138	217.50
10/2/11 ASBNL		Adult Softball	178.50
10/2/11 AVBNL		Adult Volleyball	39.00
15839	10/07/2011	LUTTERMAN, ERIC 3144	415.00
10/2/11 ABBEL		Adult Basketball	128.00
10/2/11 ASBEL		Adult Softball	170.00
10/2/11 AVBEL		Adult Volleyball	117.00
15840	10/07/2011	MOCK, CLYDE 3485	153.00
10/2/11 AVBCM		Adult Volleyball	153.00
15841	10/07/2011	RUTTER, PAM 4318	39.00
10/2/11 AVBPR		Adult Volleyball	39.00
15842	10/07/2011	SWOBODA, TEGAN 4847	182.00
10/2/11 AVBTS		Adult Volleyball	182.00
15843	10/07/2011	WHYE, ROLAND A 5423	34.00
10/2/11 ASBRW		Adult Softball	34.00

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Between 10/3/2011 and 10/9/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
15844	10/07/2011	AFSCME MISSOURI STATE COUNCIL 83	1,749.60
UNA111100714215		Union Dues - AFSCME	32.40
UNA111100714215		Union Dues - AFSCME	259.20
UNA111100714215		Union Dues - AFSCME	550.80
UNA111100714215		Union Dues - AFSCME	583.20
UNA111100714215		Union Dues - AFSCME	32.40
UNA111100714215		Union Dues - AFSCME	291.60
15845	10/07/2011	ALLSTATE WORKPLACE DIV / SHORT 147	2,100.13
SD1011100714215:		Short-Term Disability EE - PT	40.82
SD1011100714215:		Short-Term Disability EE - PT	17.94
SD5011100714215:		Short-Term Disability EE - AT	605.25
SD5011100714215:		Short-Term Disability EE - AT	19.50
SD5011100714215:		Short-Term Disability EE - AT	107.71
SD5011100714215:		Short-Term Disability EE - AT	167.71
SD5011100714215:		Short-Term Disability EE - AT	16.90
SD5011100714215:		Short-Term Disability EE - AT	254.68
SD5011100714215:		Short-Term Disability EE - AT	196.83
SD5011100714215:		Short-Term Disability EE - AT	250.66
SD5011100714215:		Short-Term Disability EE - AT	101.67
SD5011100714215:		Short-Term Disability EE - AT	258.45
SD5011100714215:		Short-Term Disability EE - AT	62.01
15846	10/07/2011	ALLSTATE WORKPLACE DIV/CANCER 148	4,572.50
CA1011100714215:		Cancer EE Low - PT	319.52
CA1011100714215:		Cancer EE Low - PT	555.34
CA1011100714215:		Cancer EE Low - PT	34.02
CA1011100714215:		Cancer EE Low - PT	28.88
CA1011100714215:		Cancer EE Low - PT	78.32
CA1011100714215:		Cancer EE Low - PT	165.94
CA1011100714215:		Cancer EE Low - PT	65.96
CA1011100714215:		Cancer EE Low - PT	711.98
CA1011100714215:		Cancer EE Low - PT	71.10
CA1011100714215:		Cancer EE Low - PT	171.08
CA1011100714215:		Cancer EE Low - PT	14.44
CA1111100714215:		Cancer EE High - PT	369.92
CA1111100714215:		Cancer EE High - PT	898.16
CA1111100714215:		Cancer EE High - PT	12.28
CA1111100714215:		Cancer EE High - PT	63.48
CA1111100714215:		Cancer EE High - PT	100.32
CA1111100714215:		Cancer EE High - PT	12.28
CA1111100714215:		Cancer EE High - PT	133.76
CA1111100714215:		Cancer EE High - PT	112.60
CA1111100714215:		Cancer EE High - PT	364.44
CA1111100714215:		Cancer EE High - PT	79.16
CA1111100714215:		Cancer EE High - PT	163.80
CA1111100714215:		Cancer EE High - PT	45.72
15847	10/07/2011	CITY OF TOPEKA FRIENDSHIP FUND 948	360.30
FR1011100714215:		Friendship Fund	106.00
FR1011100714215:		Friendship Fund	25.00
FR1011100714215:		Friendship Fund	10.00
FR1011100714215:		Friendship Fund	9.00
FR1011100714215:		Friendship Fund	8.00
FR1011100714215:		Friendship Fund	2.00
FR1011100714215:		Friendship Fund	12.00
FR1011100714215:		Friendship Fund	25.00
FR1011100714215:		Friendship Fund	116.50
FR1011100714215:		Friendship Fund	21.80
FR1011100714215:		Friendship Fund	22.00
FR1011100714215:		Friendship Fund	3.00
15848	10/07/2011	FIREMENS OFF DUTY RELIEF FUND 1676	2,752.00
FO1011100714215:		Firefighter's Off Duty Relief	2,752.00

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Between 10/3/2011 and 10/9/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
15849	10/07/2011	ING AETNA FINANCIAL SERVICES 2397	49,064.64
DC1011100714215		Def Comp EE - Regular Amt	5,698.58
DC1011100714215		Def Comp EE - Regular Amt	14,632.20
DC1011100714215		Def Comp EE - Regular Amt	265.00
DC1011100714215		Def Comp EE - Regular Amt	1,192.69
DC1011100714215		Def Comp EE - Regular Amt	351.54
DC1011100714215		Def Comp EE - Regular Amt	510.00
DC1011100714215		Def Comp EE - Regular Amt	1,172.60
DC1011100714215		Def Comp EE - Regular Amt	616.95
DC1011100714215		Def Comp EE - Regular Amt	14,949.51
DC1011100714215		Def Comp EE - Regular Amt	1,672.00
DC1011100714215		Def Comp EE - Regular Amt	2,261.50
DC1011100714215		Def Comp EE - Regular Amt	140.00
DC1511100714215		Def Comp EE - Regular Pct	288.09
DC1511100714215		Def Comp EE - Regular Pct	181.16
DC1511100714215		Def Comp EE - Regular Pct	40.18
DC1511100714215		Def Comp EE - Regular Pct	140.56
DC1511100714215		Def Comp EE - Regular Pct	88.97
DC9011100714215		Def Comp ER - KP&F Rate	543.10
DL0111100714215		Def Comp Loan - 1	528.85
DL0111100714215		Def Comp Loan - 1	1,093.09
DL0111100714215		Def Comp Loan - 1	140.63
DL0111100714215		Def Comp Loan - 1	103.21
DL0111100714215		Def Comp Loan - 1	184.29
DL0111100714215		Def Comp Loan - 1	62.93
DL0111100714215		Def Comp Loan - 1	971.62
DL0111100714215		Def Comp Loan - 1	53.43
DL0111100714215		Def Comp Loan - 1	9.44
DL0211100714215		Def Comp Loan - 2	296.22
DL0211100714215		Def Comp Loan - 2	97.98
DL0211100714215		Def Comp Loan - 2	66.63
DL0211100714215		Def Comp Loan - 2	108.28
DL0211100714215		Def Comp Loan - 2	437.14
DL0211100714215		Def Comp Loan - 2	166.27
15850	10/07/2011	INTERNATIONAL ASSOC OF FIREFIG 2424	7,226.26
ADMIN FEE 10/7/11	PAYROLL		-14.22
UNI111100714215		Union Dues - IAFF	7,240.48
15851	10/07/2011	KANSAS ASSOC OF PUBLIC EMPLOYE 2630	2,857.50
UNK111100714215		Union Dues - KAPE	811.42
UNK111100714215		Union Dues - KAPE	31.76
UNK111100714215		Union Dues - KAPE	48.87
UNK111100714215		Union Dues - KAPE	127.04
UNK111100714215		Union Dues - KAPE	27.56
UNK111100714215		Union Dues - KAPE	31.76
UNK111100714215		Union Dues - KAPE	207.62
UNK111100714215		Union Dues - KAPE	466.93
UNK111100714215		Union Dues - KAPE	547.25
UNK111100714215		Union Dues - KAPE	557.29
15852	10/07/2011	KANSAS PAYMENT CENTER 2732	274.70
0000000741110071		Child Support - Amt	274.70
15853	10/07/2011	KANSAS PAYMENT CENTER 2732	42.94
0000000831110071		Child Support - Amt	42.94
15854	10/07/2011	KANSAS PAYMENT CENTER 2732	149.08
0000000861110071		Child Support - Amt	149.08
15855	10/07/2011	KANSAS PAYMENT CENTER 2732	163.43
0000000861110071		Child Support - Amt	163.43

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Between 10/3/2011 and 10/9/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
15856	10/07/2011	KANSAS PAYMENT CENTER 2732	230.84
0000000961110071		Child Support - Amt	230.84
15857	10/07/2011	KANSAS PAYMENT CENTER 2732	190.21
0000001141110071		Child Support - Amt	190.21
15858	10/07/2011	KANSAS PAYMENT CENTER 2732	510.16
0000001191110071		Child Support - Amt	510.16
15859	10/07/2011	KANSAS PAYMENT CENTER 2732	481.53
0000001451110071		Child Support - Amt	481.53
15860	10/07/2011	KANSAS PAYMENT CENTER 2732	305.63
0000001851110071		Child Support - Amt	305.63
15861	10/07/2011	KANSAS PAYMENT CENTER 2732	177.75
0000001931110071		Child Support - Amt	177.75
15862	10/07/2011	KANSAS PAYMENT CENTER 2732	383.08
0000002041110071		Child Support - Amt	383.08
15863	10/07/2011	KANSAS PAYMENT CENTER 2732	53.08
0000002421110071		Child Support - Amt	53.08
15864	10/07/2011	KANSAS PAYMENT CENTER 2732	131.08
0000002421110071		Child Support - Amt	131.08
15865	10/07/2011	KANSAS PAYMENT CENTER 2732	288.09
0000002941110071		Child Support - Amt	288.09
15866	10/07/2011	KANSAS PAYMENT CENTER 2732	253.92
0000003181110071		Child Support - Amt	253.92
15867	10/07/2011	KANSAS PAYMENT CENTER 2732	800.55
0000003241110071		Child Support - Amt	800.55
15868	10/07/2011	KANSAS PAYMENT CENTER 2732	368.88
0000003401110071		Child Support - Amt	368.88
15869	10/07/2011	KANSAS PAYMENT CENTER 2732	498.61
0000003431110071		Child Support - Amt	498.61
15870	10/07/2011	KANSAS PAYMENT CENTER 2732	50.32
0000003801110071		Child Support - Amt	50.32
15871	10/07/2011	KANSAS PAYMENT CENTER 2732	368.88
0000003851110071		Child Support - Amt	368.88
15872	10/07/2011	KANSAS PAYMENT CENTER 2732	169.38
0000004171110071		Child Support - Amt	169.38
15873	10/07/2011	KANSAS PAYMENT CENTER 2732	185.13
0000004471110071		Child Support - Amt	185.13
15874	10/07/2011	KANSAS PAYMENT CENTER 2732	361.85
0000004521110071		Child Support - Amt	361.85
15875	10/07/2011	KANSAS PAYMENT CENTER 2732	198.98
0000004521110071		Child Support - Amt	198.98
15876	10/07/2011	KANSAS PAYMENT CENTER 2732	184.62
0000004891110071		Child Support - Amt	184.62

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Between 10/3/2011 and 10/9/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
15877	10/07/2011	KANSAS PAYMENT CENTER	2732
0000004891110071		Child Support - Amt	23.08
			23.08
15878	10/07/2011	KANSAS PAYMENT CENTER	2732
0000005151110071		Child Support - Amt	164.36
			164.36
15879	10/07/2011	KANSAS PAYMENT CENTER	2732
0000005361110071		Child Support - Amt	385.50
			385.50
15880	10/07/2011	KANSAS PAYMENT CENTER	2732
0000005861110071		Child Support - Amt	258.54
			258.54
15881	10/07/2011	KANSAS PAYMENT CENTER	2732
0000005881110071		Child Support - Amt	143.08
			143.08
15882	10/07/2011	KANSAS PAYMENT CENTER	2732
0000006191110071		Child Support - Amt	229.46
			229.46
15883	10/07/2011	KANSAS PAYMENT CENTER	2732
0000006241110071		Child Support - Amt	74.10
			74.10
15884	10/07/2011	KANSAS PAYMENT CENTER	2732
0000006391110071		Child Support - Amt	512.93
			512.93
15885	10/07/2011	KANSAS PAYMENT CENTER	2732
0000006411110071		Child Support - Amt	267.69
			267.69
15886	10/07/2011	KANSAS PAYMENT CENTER	2732
0000006671110071		Child Support - Amt	415.51
			415.51
15887	10/07/2011	KANSAS PAYMENT CENTER	2732
0000007261110071		Child Support - Amt	184.67
			184.67
15888	10/07/2011	KANSAS PAYMENT CENTER	2732
0000007321110071		Child Support - Amt	121.88
			121.88
15889	10/07/2011	KANSAS PAYMENT CENTER	2732
0000007341110071		Child Support - Amt	415.51
			415.51
15890	10/07/2011	KANSAS PAYMENT CENTER	2732
0000007651110071		Child Support - Amt	73.41
			73.41
15891	10/07/2011	KANSAS PAYMENT CENTER	2732
0000007741110071		Child Support - Amt	86.31
			86.31
15892	10/07/2011	KANSAS PAYMENT CENTER	2732
0000007911110071		Child Support - Amt	122.77
			122.77
15893	10/07/2011	KANSAS PAYMENT CENTER	2732
0000007911110071		Child Support - Amt	153.69
			153.69
15894	10/07/2011	KANSAS PAYMENT CENTER	2732
0000008151110071		Child Support - Amt	461.68
			461.68
15895	10/07/2011	KANSAS PAYMENT CENTER	2732
0000008271110071		Child Support - Amt	446.45
			446.45
15896	10/07/2011	KANSAS PAYMENT CENTER	2732
0000008411110071		Child Support - Amt	46.15
			46.15
15897	10/07/2011	KANSAS PAYMENT CENTER	2732
			9.23

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Check No.	Check Date/PO #	Vendor Name and Number	Check Amount	
0000008421110071		Child Support - Amt	9.23	
15898	10/07/2011	KANSAS PAYMENT CENTER 2732		314.31
0000008631110071		Child Support - Amt	314.31	
15899	10/07/2011	KANSAS PAYMENT CENTER 2732		238.15
0000008661110071		Child Support - Amt	238.15	
15900	10/07/2011	KANSAS PAYMENT CENTER 2732		464.91
0000009111110071		Child Support - Amt	464.91	
15901	10/07/2011	KANSAS PAYMENT CENTER 2732		147.23
0000009241110071		Child Support - Amt	147.23	
15902	10/07/2011	KANSAS PAYMENT CENTER 2732		88.64
0000009361110071		Child Support - Amt	88.64	
15903	10/07/2011	KANSAS PAYMENT CENTER 2732		304.15
0000009591110071		Child Support - Amt	304.15	
15904	10/07/2011	KANSAS PAYMENT CENTER 2732		326.87
0000009721110071		Child Support - Amt	326.87	
15905	10/07/2011	KANSAS PAYMENT CENTER 2732		856.88
0000009821110071		Child Support - Amt	856.88	
15906	10/07/2011	KANSAS PAYMENT CENTER 2732		351.80
0000010021110071		Child Support - Amt	351.80	
15907	10/07/2011	KANSAS PAYMENT CENTER 2732		144.51
0000010151110071		Child Support - Amt	144.51	
15908	10/07/2011	KANSAS PAYMENT CENTER 2732		124.15
0000010221110071		Child Support - Amt	124.15	
15909	10/07/2011	KANSAS PAYMENT CENTER 2732		235.92
0000010401110071		Child Support - Amt	235.92	
15910	10/07/2011	KANSAS PAYMENT CENTER 2732		182.83
0000010431110071		Child Support - Amt	182.83	
15911	10/07/2011	KANSAS PAYMENT CENTER 2732		155.54
0000010561110071		Child Support - Amt	155.54	
15912	10/07/2011	KANSAS PAYMENT CENTER 2732		138.50
0000010931110071		Child Support - Amt	138.50	
15913	10/07/2011	KANSAS PAYMENT CENTER 2732		153.69
0000010931110071		Child Support - Amt	153.69	
15914	10/07/2011	KANSAS PAYMENT CENTER 2732		392.43
0000011291110071		Child Support - Amt	392.43	
15915	10/07/2011	KANSAS PAYMENT CENTER 2732		279.78
0000011321110071		Child Support - Amt	279.78	
15916	10/07/2011	KANSAS PAYMENT CENTER 2732		335.64
0000011811110071		Child Support - Amt	335.64	
15917	10/07/2011	KANSAS PAYMENT CENTER 2732		158.54
0000011811110071		Child Support - Amt	158.54	

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Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
15918	10/07/2011	KANSAS PAYMENT CENTER 2732	113.11
0000011891110071		Child Support - Amt	113.11
15919	10/07/2011	KANSAS PAYMENT CENTER 2732	173.54
0000011891110071		Child Support - Amt	173.54
15920	10/07/2011	KANSAS PAYMENT CENTER 2732	369.23
0000011921110071		Child Support - Amt	369.23
15921	10/07/2011	KANSAS PAYMENT CENTER 2732	52.15
0000011921110071		Child Support - Amt	52.15
15922	10/07/2011	KANSAS PAYMENT CENTER 2732	147.74
0000011931110071		Child Support - Amt	147.74
15923	10/07/2011	KANSAS PAYMENT CENTER 2732	163.38
0000011931110071		Child Support - Amt	163.38
15924	10/07/2011	KANSAS PAYMENT CENTER 2732	56.31
0000012001110071		Child Support - Amt	56.31
15925	10/07/2011	KANSAS PAYMENT CENTER 2732	141.27
0000018871110071		Child Support - Amt	141.27
15926	10/07/2011	KANSAS PAYMENT CENTER 2732	69.23
0000021361110071		Child Support - Amt	69.23
15927	10/07/2011	NATIONAL GUARDIAN LIFE INSURAN 5737	3,162.58
14269 REF IA2334	14269		18.64
VS1011100714215:		Vision EE - PT	441.37
VS1011100714215:		Vision EE - PT	666.09
VS1011100714215:		Vision EE - PT	91.07
VS1011100714215:		Vision EE - PT	79.38
VS1011100714215:		Vision EE - PT	88.78
VS1011100714215:		Vision EE - PT	42.02
VS1011100714215:		Vision EE - PT	128.43
VS1011100714215:		Vision EE - PT	179.85
VS1011100714215:		Vision EE - PT	1,058.17
VS1011100714215:		Vision EE - PT	156.39
VS1011100714215:		Vision EE - PT	168.08
VS1011100714215:		Vision EE - PT	44.31
15928	10/07/2011	SECURITY BENEFIT GROUP 5742	18,581.30
FM1011100714215		FSA Medical Spending EE	3,425.62
FM1011100714215		FSA Medical Spending EE	3,939.32
FM1011100714215		FSA Medical Spending EE	186.17
FM1011100714215		FSA Medical Spending EE	209.88
FM1011100714215		FSA Medical Spending EE	228.88
FM1011100714215		FSA Medical Spending EE	532.86
FM1011100714215		FSA Medical Spending EE	764.10
FM1011100714215		FSA Medical Spending EE	471.83
FM1011100714215		FSA Medical Spending EE	4,315.45
FM1011100714215		FSA Medical Spending EE	668.09
FM1011100714215		FSA Medical Spending EE	930.58
FM1011100714215		FSA Medical Spending EE	157.11
FM2011100714215		FSA Medical Debit Card	23.00
FC1011100714215:		FSA Dependent Care EE	384.62
FC1011100714215:		FSA Dependent Care EE	19.24
FC1011100714215:		FSA Dependent Care EE	153.85
FC1011100714215:		FSA Dependent Care EE	1,357.70
FF1011100714215:		FSA Fee ER	171.00
FF1011100714215:		FSA Fee ER	171.00
FF1011100714215:		FSA Fee ER	18.00
FF1011100714215:		FSA Fee ER	21.00

COUNCIL REPORT OF VENDOR PAYMENTS

Between 10/3/2011 and 10/9/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
FF10111007142152		FSA Fee ER	15.00
FF10111007142152		FSA Fee ER	21.00
FF10111007142152		FSA Fee ER	42.00
FF10111007142152		FSA Fee ER	27.00
FF10111007142152		FSA Fee ER	201.00
FF10111007142152		FSA Fee ER	42.00
FF10111007142152		FSA Fee ER	57.00
FF10111007142152		FSA Fee ER	9.00
FF10111007142152		FSA Fee ER	18.00
15929	10/07/2011	UNITED WAY OF GREATER TOPEKA 5157	542.50
UW10111007142152		United Way	142.00
UW10111007142152		United Way	183.50
UW10111007142152		United Way	4.00
UW10111007142152		United Way	20.00
UW10111007142152		United Way	1.00
UW10111007142152		United Way	30.00
UW10111007142152		United Way	15.00
UW10111007142152		United Way	10.00
UW10111007142152		United Way	38.00
UW10111007142152		United Way	30.00
UW10111007142152		United Way	63.00
UW10111007142152		United Way	6.00
15930	10/07/2011	BETTIS ASPHALT & CONSTRUCTION 470	34,067.61
1107 087	14820		34,067.61
15931	10/07/2011	C-HAWKK CONSTRUCTION INC 911	9,860.85
14600	15097		1,124.00
14770	15097		12.70
14779	14130		1,285.10
14780	14130		126.90
14781	14130		137.80
14782	14130		31.50
14783	14130		245.30
14784	14130		53.35
14785	14130		42.40
14793	14130		361.80
14794	14130		70.00
14795	14130		426.60
14796	14130		273.80
14797	14130		25.20
14798	14130		577.60
14799	14130		180.90
14800	14130		665.50
14801	14130		509.60
14802	12449		805.60
14803	12449		16.80
14804	12449		15.40
14805	12449		1,531.80
14806	12449		192.60
14807	15097		286.20
14808	15097		162.40
14809	15828		700.00
15932	10/07/2011	CAPITAL BELT & SUPPLY INC 776	113.67
47397	12620		29.55
47448	12205		78.42
47458	12205		5.70
15933	10/07/2011	CAPITAL CITY OIL CO INC 778	32,835.06
007780	12133		579.15
60157	12840		80.00
60158	12206		140.00

COUNCIL REPORT OF VENDOR PAYMENTS

Between 10/3/2011 and 10/9/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
978951	12127		32,035.91
15934	10/07/2011	FERGUSON ENTERPRISES INC 1639	19.26
1695078	12685		
15935	10/07/2011	FLU CON INC 1729	222.74
P 79071 0	12216		71.89
P 79153 0	12216		33.01
P 79176 0	12216		117.84
15936	10/07/2011	HACH COMPANY 2038	73.13
7432966	12682		
15937	10/07/2011	KRIZ DAVIS COMPANY 2916	1,032.39
S100237870 001	12614		271.33
S100244196 001	12614		11.63
S100246615 001	12614		238.00
S100247558 001	12614		112.14
S100249382 001	12614		112.96
S100250768 001	12614		14.25
S100251187 001	12614		35.60
S100263357 001	12614		236.48
15938	10/07/2011	LINDYSPRING WATER LLC 3071	68.50
637348	12407		36.75
643168	12407		15.75
651171	12407		8.00
651492	12407		8.00
15939	10/07/2011	M & M EXCAVATING 3157	5,183.08
80117	15202		4,053.20
80961	15310		1,129.88
15940	10/07/2011	MCELROY'S INC 3289	506.88
0677968 IN	15522		
15941	10/07/2011	MID AMERICAN SIGNAL INC 3393	779.00
11 730	15444		
15942	10/07/2011	NEPTUNE TECHNOLOGY GROUP INC 3658	23,968.65
N291771	15607		
15943	10/07/2011	SALISBURY SUPPLY COMPANY INC 4352	165.55
01023978	12753		59.22
01024714	12753		106.33
15944	10/07/2011	SCHMIDTLEIN EXCAVATING INC 4406	62,948.15
11125 1	15642		52,666.65
11300 09	15871		6,755.50
11300 10	15871		3,526.00
15945	10/07/2011	TAZCO INC 4885	92,180.40
2508	15456		16,617.78
2512	14274		18,061.82
2514	14239		35,570.00
79615	15084		14,773.65
79889	15139		7,157.15
15946	10/07/2011	WATER PRODUCTS INC 5324	2,835.00
0881121 IN	15631		
15947	10/07/2011	WHITE STAR MACHINERY & SUPPLY 5408	3,303.78
06067973	12454		70.44

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Between 10/3/2011 and 10/9/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount	
06068183	12260		3,233.34	
Total for Electronic Payments				921,199.97
Check Payments				
689208	10/07/2011	BUTLER & ASSOCIATES PA	730	121.25
0000000631110071		Garnishment - Pct of Net	121.25	
689209	10/07/2011	BUTLER & ASSOCIATES PA	730	155.02
0000000441110071		Garnishment - Pct of Net	155.02	
689210	10/07/2011	BUTLER & ASSOCIATES PA	730	112.03
0000008421110071		Garnishment - Pct of Net	112.03	
689211	10/07/2011	BUTLER & ASSOCIATES PA	730	121.25
0000000631110071		Garnishment - Pct of Net	121.25	
689212	10/07/2011	BUTLER & ASSOCIATES PA	730	121.25
0000000631110071		Garnishment - Pct of Net	121.25	
689213	10/07/2011	CAVANAUGH AND LEMON PA	849	3,205.50
35329	559968		3,205.50	
689214	10/07/2011	E LOU BJORGAARD PROBASCO	1460	243.46
0000003881110071		Garnishment - Pct of Net	243.46	
689215	10/07/2011	E LOU BJORGAARD PROBASCO	1460	121.27
0000000631110071		Garnishment - Pct of Net	121.27	
689216	10/07/2011	H KENT HOLLINS ATTORNEY AT LAW	6502	155.02
0000000441110071		Garnishment - Pct of Net	155.02	
689217	10/07/2011	H KENT HOLLINS ATTORNEY AT LAW	6502	263.80
0000000371110071		Garnishment - Pct of Net	263.80	
689218	10/07/2011	H KENT HOLLINS ATTORNEY AT LAW	6502	112.03
0000008421110071		Garnishment - Pct of Net	112.03	
689219	10/07/2011	H KENT HOLLINS ATTORNEY AT LAW	6502	270.20
0000010031110071		Garnishment - Pct of Net	270.20	
689220	10/07/2011	H KENT HOLLINS ATTORNEY AT LAW	6502	107.70
0000003181110071		Garnishment - Pct of Net	107.70	
689221	10/07/2011	WATERS, RICHARD T	7628	119.05
15755	15755		119.05	
689222	10/07/2011	VALENTINE & ZIMMERMAN PA	5186	7.33
0000011921110071		Garnishment - Pct of Net	7.33	
689223	10/07/2011	STORMONT VAIL HEALTH CARE INC	4782	0.00
08176 00104	14913	SETTLEMENT-PRESSGROVE	1,980.75	
08176 00104CR	14913		-1,980.75	
689224	10/07/2011	MERRICK, DONALD	7989	138.53
FRANCHISE FEE-7			138.53	
689225	10/07/2011	KETOLA, DOUGLAS A	7992	20.69
FRANCHISE FEE-7			20.69	
689226	10/07/2011	SOUDERS, ENCILE E	7987	124.31
FRANCHISE FEE-7			124.31	

COUNCIL REPORT OF VENDOR PAYMENTS

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Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
689227	10/07/2011	ABBOTT, HANNAH 7993	106.93
FRANCHISE FEE-7			106.93
689228	10/07/2011	BUMGARNER, JEAN 7985	79.04
FRANCHISE FEE-7			79.04
689229	10/07/2011	ANGUIANO, JESUS S 7991	122.86
FRANCHISE FEE-7			122.86
689230	10/07/2011	MILLER, KATHY R 7988	130.65
FRANCHISE FEE-7			130.65
689231	10/07/2011	BEAMES, LOIS E 7990	70.64
FRANCHISE FEE-7			70.64
689232	10/07/2011	ESQUIBEL, REBECCA E 7986	20.07
FRANCHISE FEE-7			20.07
689233	10/07/2011	SHUTTS, DOROTHY R 4552	161.16
FRANCHISE FEE-4			161.16
689234	10/07/2011	ADS LLC 60	26,946.00
31262 0911 12737			26,946.00
689235	10/07/2011	AT&T 281	17,418.38
SEPTEMBER 2011 MONTHLY PHONE			17,418.38
689236	10/07/2011	BATTERIES PLUS LLC 395	0.00
213805 13859			11.97
213805 CR 13859			-11.97
215509 13859			119.94
215509 CR 13859			-119.94
689237	10/07/2011	BDF ENTERPRISES LTD 1660	47.85
35643 12146			47.85
689238	10/07/2011	BERKLEY RISK ADMINISTRATORS CO 458	1,114.00
15782 P#WC15810 15782			1,114.00
689239	10/07/2011	BOZARTH CHEVROLET 578	3.35
595108 12201			3.35
689240	10/07/2011	BRATWEAR LLC 595	1,401.00
320720 14654			1,401.00
689241	10/07/2011	BREATHING AIR SERVICES INC 601	1,027.70
738 12938			1,027.70
689242	10/07/2011	C & C PRODUCE 7788	263.75
429260 15708			263.75
689243	10/07/2011	CASTLEWOOD CONSTRUCTION INC 845	1,850.00
11 17244 15712			1,850.00
689244	10/07/2011	CBS MANHATTAN LLC 854	0.00
S909700 IN 12917			240.00
S909700 IN CR 12917			-240.00
S909710 IN 12917			60.00
S909710 IN CR 12917			-60.00
S909750 IN 12917			120.00
S909750 IN CR 12917			-120.00
689245	10/07/2011	CCG SYSTEMS 855	15,531.00

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Between 10/3/2011 and 10/9/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
14171	15873		15,531.00
689246	10/07/2011	CDH CONSULTING LLC 7840	1,725.00
4 2011 7/24/11	15338		1,725.00
689247	10/07/2011	CHRYSLER GROUP GLOBAL ELECTRIC 7031	22.91
90173658	12270		22.91
689248	10/07/2011	CLERKS OFFICE US DIST COURT 7455	0.00
13827	13827		200.00
13827 CR	13827		-200.00
689249	10/07/2011	CONRAD FIRE EQUIPMENT INC 1073	83.13
473483	12141		83.13
689250	10/07/2011	CONSOLIDATED RURAL WATER 1075	2,606.70
13299 8	13299		2,606.70
689251	10/07/2011	COURT OF TAX APPEALS 1136	400.00
15839	15839		400.00
689252	10/07/2011	COYOTE CANYON 1153	61.74
71710	12591		20.58
71744	12591		41.16
689253	10/07/2011	DEBACKERS INC 1292	85.00
124124	15831		85.00
689254	10/07/2011	DENNYS RESTAURANT INC 1329	35.62
259953	12589		35.62
689255	10/07/2011	DENNYS RESTAURANT INC 1329	216.97
128415	12589		17.57
128502	12589		40.81
239493	12589		42.51
378903	12589		37.34
379013	12589		37.22
379253	12589		41.52
689256	10/07/2011	FACTORY MOTOR PARTS COMPANY 5676	2,893.68
2 3068558	12188		67.42
77 018991	12188		33.71
8 497261	12262		695.80
8 497580	12188		839.76
8 497699	12262		59.82
8 497772	12262		85.44
8 497817	12188		323.35
8 497905	12262		171.04
8 497907	12262		26.41
8 497953	12188		71.22
8 497977	12262		138.44
8 498011	12262		264.94
8 498127	12262		116.33
689257	10/07/2011	GAMETIME ATHLETICS 6770	1,479.15
5880	15882		1,479.15
689258	10/07/2011	GENUINE PARTS COMPANY 1873	312.44
799294	12218		214.05
799321	12151		98.39
689259	10/07/2011	GOLDEN CORRAL 1921	154.35
275306	12590		41.16

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Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
275307	12590		30.87
275308	12590		41.16
275309	12590		41.16
689260	10/07/2011	HALL COMMUNICATIONS LLC 7315	277.80
786	15851		277.80
689261	10/07/2011	HEATHWOOD OIL CO INC 2166	1,421.20
H74072	12157		1,421.20
689262	10/07/2011	HUD 2326	695.00
15835	15835		695.00
689263	10/07/2011	HW LOCHNER INC 7510	210.00
010050431 6	13992		210.00
689264	10/07/2011	KANSAS ATTORNEY GENERAL 2637	780.00
11 1723	BONDS		240.00
11 1724	BONDS		540.00
689265	10/07/2011	KANSAS AUTOMOTIVE INC 2639	854.04
2428558	12231		13.74
2428858	12164		95.89
2429071	12164		108.00
2429256	12231		5.44
2429263	12164		137.40
2429266	12231		16.57
2429293	12231		4.39
2429594	12231		150.44
2429639	12231		3.42
2429655	12231		24.07
2429673	12164		18.80
2429718	12231		82.80
2429976	12231		3.39
2430029	12231		2.79
2430076	12231		108.00
2430179	12231		15.09
2430182	12231		7.09
2430276	12231		5.37
2430442	12231		51.35
689266	10/07/2011	KANSAS DEPARTMENT OF REVENUE 6574	350.04
0000008671110071		Garnishment - Pct of Net	350.04
689267	10/07/2011	KANSAS DEPARTMENT OF REVENUE 6574	359.62
0000005581110071		Garnishment - Pct of Net	359.62
689268	10/07/2011	KANSAS DEPARTMENT OF REVENUE 6574	398.89
0000008591110071		Garnishment - Pct of Net	398.89
689269	10/07/2011	KANSAS DEPARTMENT OF REVENUE 6574	1,362.89
0000017091110071		Garnishment - Pct of Net	1,362.89
689270	10/07/2011	KANSAS DEPT OF HEALTH & ENVIR 2676	20.00
15764 #15444 LIBY	15764		20.00
689271	10/07/2011	KANSAS STATE TREASURER 2757	10,947.50
GOB 2011B	BONDS		4,617.50
REV 2011A	BONDS		6,330.00
689272	10/07/2011	LAIRD NOLLER FORD INC 2939	859.51
1088955	12236		124.78
1089092	12236		80.05

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Between 10/3/2011 and 10/9/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
1089093	12167		19.44
1089094	12236		-13.40
1089227	12236		329.47
1089303	12236		130.52
1089317	12236		48.29
1089325	12236		140.36
689273	10/07/2011	LEE'S TRUCK INC 3021	186.25
21292	12237		-13.75
21301	12237		200.00
689274	10/07/2011	LOVES ENTERPRISES 3112	2,319.00
81776	15436		560.00
82262	15597		1,759.00
689275	10/07/2011	LOWER HEATING & A/C INC 3119	1,055.43
72345	13036		1,055.43
689276	10/07/2011	MIGHTY OF NE KANSAS 3422	105.89
31724	12169		26.76
31725	12282		79.13
689277	10/07/2011	MIZE HOUSER & CO INC 3481	195.00
5418 00022362	12915		195.00
689278	10/07/2011	MWH LABORATORIES 3593	1,730.00
L0068007	14902		930.00
L0068008	14902		800.00
689279	10/07/2011	NATIONAL ALLIANCE ON MENTAL 3612	515.73
15730	15730		100.00
15730 2	15730		415.73
689280	10/07/2011	NATIONAL VISION INC 3634	150.00
039140911	14826		150.00
689281	10/07/2011	POLARIS SYSTEMS USA INC 7913	1,200.00
1950	15665		1,200.00
689282	10/07/2011	RAMADA INN LLC 4090	1,817.20
0923SBBK0468590	15731		1,817.20
689283	10/07/2011	RAY ANDERSON COMPANY INC 4116	110.99
85132	15872		110.99
689284	10/07/2011	REEVES WIEDEMAN COMPANY INC 4154	4.45
3985231	12757		4.45
689285	10/07/2011	SAM A CROW AMERICAN INN 7998	150.00
15854 DOUGHERT	15854		150.00
689286	10/07/2011	SCHENDEL SERVICES INC 4390	588.45
21073659	12557		196.15
21076552	12557		196.15
21076554	12557		196.15
689287	10/07/2011	SHAWNEE COUNTY HEALTH AGENCY 4512	310.00
000000259	12477		310.00
559567 8	559567		1,010.00
559567 8CR	559567		-1,010.00
689288	10/07/2011	SINGER EXCAVATING 4577	32,826.94
2011009 03	15039		32,826.94

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Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
689289 156239	10/07/2011 BID	SKINNER NURSERY & GARDEN STORE 4594	126.63 126.63
689290 15641	10/07/2011 15641	TAGGART & ASSOCIATES 4862	4,125.00 4,125.00
689291 4993 9	10/07/2011 12787	THE LAUNDRY CHUTE 4931	96.15 96.15
689292 745724141	10/07/2011 12109	UNITED PARCEL SERVICE INC 5140	9.22 9.22
689293 15853 PERMIT BR'	10/07/2011 15853	UNITED STATES POSTAL SERVICE 5150	300.00 300.00
689294 INV0140017	10/07/2011 15877	UPBEAT INC 5168	1,882.76 1,882.76
689295 4828713	10/07/2011 15351	URS CORPORATION 5172	13,930.48 13,930.48
689296 WW101110071421! WW101110071421! WW101110071421! WW101110071421!	10/07/2011	WEIGHT WATCHERS NORTH 7994 Weight Watchers Weight Watchers Weight Watchers Weight Watchers	437.55 58.34 29.17 116.68 641.74
689297 236541X32431 236598X32440 236753X32462 237455X32537	10/07/2011	ARC REHABILITATION SVS LLC 294 WCCOT2010009430 WCCOT2010009577 WCCOT2011009801 WCCOT2011009801	138.79 134.62 114.62 103.78 491.81
689298 6015125315 6015139747 6015209480	10/07/2011	KANSAS ORTHOPEDIC & SPORTS MED 2729 WCCOT2010009577 WCCOT2011009766 WCCOT2008008940	48.58 73.35 225.63 347.56
689299 03111909857	10/07/2011	KANSAS UNIVERSITY PHYSICIANS 2776 WCCOT2010009430	115.98 115.98
689300 86073	10/07/2011	ORTHOWEST PC 7995 WCCOT2010009366	173.13 173.13
689301 4051314278 4051400706	10/07/2011	RADIOLOGY & NUCLEAR MEDICINE 4073 WCCOT2011009796 WCCOT2011009819	287.50 29.83 317.33
689302 12446 5	10/07/2011 12446	SAINT FRANCIS HEALTH CENTER 4339	4,848.70 4,848.70
689303 SFT608473	10/07/2011	SAINT FRANCIS PHYSICIAN CLINIC 4341 WCCOT2011009794	9.98 9.98
689320 15625 2	10/07/2011 15625	MUMMA, CARLA S 7884	12.00 12.00
689321 10/2/11 AVBVC	10/07/2011	CARTER, VICTOR R 829 Adult Volleyball	156.00 156.00
689322 10/2/11 AVBCS	10/07/2011	SINGLES, CATHERINE R 7897 Adult Volleyball	27.00 27.00

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Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
689323 10/2/11 AVBCA	10/07/2011	ADAMS, COLENE Adult Volleyball	7582 72.00
689324 10/2/11 AVBSD	10/07/2011	DORITY, SHELBY L Adult Volleyball	1387 88.00
689325 10/2/11 AVBRH	10/07/2011	HUNT, RON Adult Volleyball	6013 117.00
689326 10/2/11 ASBJP	10/07/2011	PERKINS, JOHN K Adult Softball	7741 156.00
689327 10/2/11 ABBKL 10/2/11 ASBKL 10/2/11 AVBKL	10/07/2011	LEWIS, KYLE N	3053 112.00 119.00 260.00
689328 10/2/11 ABBCL 10/2/11 ASBCL	10/07/2011	LOBB, CAREY	3083 34.00 59.50
689329 10/2/11 AVBMP	10/07/2011	PERRY, MICHAEL	6147 92.00
689330 10/2/11 ABBNQ 10/2/11 ASBNQ 10/2/11 AVBNQ	10/07/2011	QUARLES II, NORMAN W Adult Basketball Adult Softball Adult Volleyball	4051 32.00 75.00 90.00
689331 10/2/11 AVBRA	10/07/2011	ATKINSON JR, RICHARD C Adult Volleyball	7671 40.00
689332 10/2/11 ABBES	10/07/2011	SMITH, ERNEST E Adult Basketball	6156 408.00
689333 10/2/11 AVBKT	10/07/2011	THEIS, KENNY Adult Volleyball	4947 117.00
689334 10/2/11 ASBSW	10/07/2011	WINKENWADER, SHANE Adult Softball	5499 28.00
689335 10/2/11 AVBDW	10/07/2011	WRIGHT, DENNIS Adult Volleyball	5547 30.00
689336 0000005561110071	10/07/2011	BERMAN & RABIN PA Garnishment - Pct of Net	7584 687.61
689337 0000008981110071	10/07/2011	CALIFORNIA STATE DISBURSEMENT Child Support - Amt	753 86.54
689338 0000010271110071	10/07/2011	FAMILY SUPPORT PAYMENT CENTER Child Support - Amt	6780 225.00
689339 UNF111100714215 UNF111100714215 UNF111100714215	10/07/2011	FRATERNAL ORDER OF POLICEMEN Union Dues - FOP Union Dues - FOP Union Dues - FOP	1773 126.46 32.75 8,520.10
689340 0000005681110071	10/07/2011	GC SERVICES, LP Student Loan Federal - Pct	7435 227.39
689341	10/07/2011	JAN HAMILTON CHAPTER 13 TRUSTE	2494

COUNCIL REPORT OF VENDOR PAYMENTS

Between 10/3/2011 and 10/9/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
0000000231110071		Bankruptcy - Amt 26 PP	69.24
689342	10/07/2011	JAN HAMILTON CHAPTER 13 TRUSTE	2494
0000003751110071		Bankruptcy - Amt 26 PP	95.00
689343	10/07/2011	JAN HAMILTON CHAPTER 13 TRUSTE	2494
0000003761110071		Bankruptcy - Amt 26 PP	773.17
689344	10/07/2011	JAN HAMILTON CHAPTER 13 TRUSTE	2494
0000005271110071		Bankruptcy - Amt 26 PP	330.92
689345	10/07/2011	JAN HAMILTON CHAPTER 13 TRUSTE	2494
0000005461110071		Bankruptcy - Amt 26 PP	150.00
689346	10/07/2011	JAN HAMILTON CHAPTER 13 TRUSTE	2494
0000005911110071		Bankruptcy - Amt 26 PP	214.61
689347	10/07/2011	JAN HAMILTON CHAPTER 13 TRUSTE	2494
0000006861110071		Bankruptcy - Amt 26 PP	500.77
689348	10/07/2011	JAN HAMILTON CHAPTER 13 TRUSTE	2494
0000007051110071		Bankruptcy - Amt 26 PP	389.56
689349	10/07/2011	JAN HAMILTON CHAPTER 13 TRUSTE	2494
0000007381110071		Bankruptcy - Amt 26 PP	636.92
689350	10/07/2011	JAN HAMILTON CHAPTER 13 TRUSTE	2494
0000007811110071		Bankruptcy - Amt 26 PP	135.00
689351	10/07/2011	JAN HAMILTON CHAPTER 13 TRUSTE	2494
0000000301110071		Bankruptcy - Amt 26 PP	50.00
689352	10/07/2011	JAN HAMILTON CHAPTER 13 TRUSTE	2494
0000005771110071		Bankruptcy - Amt 26 PP	58.62
689353	10/07/2011	JAN HAMILTON CHAPTER 13 TRUSTE	2494
0000010561110071		Bankruptcy - Amt 26 PP	36.92
689354	10/07/2011	JAN HAMILTON CHAPTER 13 TRUSTE	2494
0000000551110071		Bankruptcy - Amt 26 PP	150.70
689355	10/07/2011	JAN HAMILTON CHAPTER 13 TRUSTE	2494
0000001131110071		Bankruptcy - Amt 26 PP	593.08
689356	10/07/2011	JAN HAMILTON CHAPTER 13 TRUSTE	2494
0000011161110071		Bankruptcy - Amt 26 PP	141.69
689357	10/07/2011	JAN HAMILTON CHAPTER 13 TRUSTE	2494
0000002321110071		Bankruptcy - Amt 26 PP	296.77
689358	10/07/2011	JAN HAMILTON CHAPTER 13 TRUSTE	2494
0000002921110071		Bankruptcy - Amt 26 PP	25.39
689359	10/07/2011	ROSANNE "SOTO" REYES	4283
0000008981110071		Child Support - Amt	286.15
689360	10/07/2011	SUPPORT PAYMENT CLEARINGHOUSE	4831
0000001371110071		Child Support - Amt	239.08
689361	10/07/2011	TEAMSTERS LOCAL UNION # 696	4892
UNT111100714215		Union Dues - Teamsters	550.00

COUNCIL REPORT OF VENDOR PAYMENTS

Between 10/3/2011 and 10/9/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
689362	10/07/2011	UNITED STATES TREASURY 5155	893.01
0000005581110071		Tax Levy Federal - Pct	893.01
689363	10/07/2011	WILLIAM GRIFFIN CHAPTER 13 TRU 5446	117.69
0000004751110071		Bankruptcy - Amt 26 PP	117.69
689364	10/07/2011	WILLIAM GRIFFIN CHAPTER 13 TRU 5446	768.00
0000007591110071		Bankruptcy - Amt 26 PP	768.00
689365	10/07/2011	WILLIAM GRIFFIN CHAPTER 13 TRU 5446	623.54
0000009721110071		Bankruptcy - Amt 26 PP	623.54
689366	10/07/2011	WILLIAM GRIFFIN CHAPTER 13 TRU 5446	120.00
0000008281110071		Bankruptcy - Amt 26 PP	120.00
689367	10/07/2011	WILLIAM GRIFFIN CHAPTER 13 TRU 5446	159.69
0000003191110071		Bankruptcy - Amt 26 PP	159.69
689368	10/07/2011	WISCONSIN SUPPORT COLLECTIONS 5503	196.15
0000019321110071		Child Support - Amt	196.15
689369	10/07/2011	WPC LOCAL UNION 5544	670.50
ADMIN 10/7/11 PAYROLL			-4.50
UNW111100714215		Union Dues - WPC	675.00
689370	10/07/2011	ELECTROTECHNICS CORPORATION 1506	3,488.99
0056389 IN 15052			3,488.99
689371	10/07/2011	MEIERS READY MIX 3338	1,080.45
308689 12445			211.41
308878 12445			413.29
309114 12445			271.54
309160 12445			184.21
689372	10/07/2011	MID-STATES MATERIALS LLC 3401	3,684.54
29881 12763			802.87
29925 12763			2,881.67
689373	10/07/2011	NATIONAL SIGN COMPANY 3629	2,379.70
IN 160977 15213			2,379.70
689374	10/07/2011	NORTHEAST KANSAS HYDRAULICS IN 3705	535.40
27131 12242			535.40
689375	10/07/2011	ROACH HARDWARE 4230	37.39
151825 12617			7.78
151860 12617			7.14
151863 12617			22.47
689376	10/07/2011	SHAWNEE COUNTY DEPT OF PUBLIC 4504	184,661.98
SEPTEMBER 2011 DE			184,661.98
689377	10/07/2011	SHAWNEE COUNTY REFUSE DEPT 4518	715,627.35
SEPTEMBER 2011 DE			715,627.35
689378	10/07/2011	SHAWNEE COUNTY REFUSE DEPT 7574	9,448.99
SEPTEMBER 2011 DE			9,448.99
689379	10/07/2011	TFM COMM INC 4914	686.17
152565 14879			686.17
689380	10/07/2011	TOPEKA LANDSCAPE INC 5035	5,871.32
205435 8 559599			670.50

COUNCIL REPORT OF VENDOR PAYMENTS

Between 10/3/2011 and 10/9/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
205435 9	559599		5,200.82
689381	10/07/2011	TRANE 5083	122.97
5431149R1	DE		129.89
5431149R2	DE		-129.89
5443837R1	DE		4.09
5443837R2	DE		-4.09
5682545R1	15803		3.75
5682599R1	15804		119.22
Total for Check Payments			1,120,036.82
TOTAL OF PAYMENTS			2,041,236.79

Payment Listing

CB255 Date: 10/11/11
Time: 09:21

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: 100311 - 100911
Check Nbr: -
Company: 1

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

Payment Listing

CB255 Date 10/11/11
Time 09:21

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
STREET EMP	689304	1	10/03/11	10/07/11		28.00	Historical	STREET EMP
KOSEK ROLA	689305	1	10/03/11	10/07/11		8.00	Historical	ROLAND AK
PURCELL BE	689306	1	10/04/11	10/07/11		170.43	Historical	BETTY PURC
PAIGE ML/L	689307	1	10/03/11	10/07/11		250.00	Historical	MITCHELL L
BLATTER MI	689308	1	10/04/11	10/07/11		76.34	Historical	MICHAEL BL
GARCIA MAN	689309	1	10/03/11	10/07/11		50.00	Historical	MANUELA GA
JOHNSON S	689310	1	10/03/11	10/07/11		50.00	Historical	SUSAN JOHN
MARTINEZ J	689311	1	10/03/11	10/07/11		50.00	Historical	JOSE MARTI
PENWELL GA	689312	1	10/03/11	10/07/11		50.00	Historical	PENWELL GA
SMITH CHER	689313	1	10/03/11	10/07/11		50.00	Historical	CHERRY SMI
VILLEGAS V	689314	1	10/03/11	10/07/11		50.00	Historical	VERONICA V
BESSER P	689315	1	10/03/11	10/07/11		3.75	Historical	PAM BESSER
HECK RACHA	689316	1	10/03/11	10/07/11		30.00	Historical	RACHAEL HE
LOPEZ- JUAR	689317	1	10/03/11	10/07/11		175.00	Historical	BEATRIZ LO
MILLER CHE	689318	1	10/03/11	10/07/11		18.00	Historical	CHERISE MI
WOODS TERR	689319	1	10/03/11	10/07/11		18.00	Historical	TERRY WOOD

Transaction Code SYS Total 1077.52

Cash Code 02 Total 1077.52

Report Total 1077.52

*** REPORT COMPLETED ***



A Capital City Government Working For You...

www.topeka.org

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

September 26, 2011

 Back  Print

DATE:	October 25, 2011	
CONTACT PERSON:	Brenda Younger	DOCUMENT #:
SECOND PARTY/SUBJECT:	Applications	PROJECT #:
CATEGORY/SUBCATEGORY	006 Communication / 005 Other	
CIP PROJECT:	No	
ACTION OF COUNCIL:		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



A Capital City Government Working For You...

www.topeka.org

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

October 26, 2011

 Back  Print

DATE:	October 25, 2011	
CONTACT PERSON:	Councilmember Archer	DOCUMENT #:
SECOND PARTY/SUBJECT:	2012 Employee Group Health Insurance Plan	PROJECT #:
CATEGORY/SUBCATEGORY	020 Resolutions / 005 Miscellaneous	
CIP PROJECT:	No	
ACTION OF COUNCIL:	JOURNAL #:	PAGE #:

DOCUMENT DESCRIPTION:

A RESOLUTION introduced by Councilmember Bob Archer authorizing the allocation of \$1,000,000 from the City's 2011 year end fund balance in order to offset employee contributions to the employee group health insurance plan for 2012.

This item was added at the meeting.

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

[Resolution](#)

1 RESOLUTION NO. _____

2
3 A RESOLUTION introduced by Councilmember Bob Archer authorizing the allocation of
4 \$1,000,000.00 from the City's 2011 year end fund balance in order to
5 offset employee contributions to the employee group health insurance
6 plan for 2012.

7
8 WHEREAS, due to a rapidly decreasing health fund balance, significant increases to
9 employee contributions for plans above the single base coverage were required; and

10 WHEREAS, the City is seeking to provide some relief to the financial impact of the
11 requisite increase.

12 NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
13 TOPEKA, KANSAS, that the City Manager is authorized to expend an amount not to
14 exceed one million dollars (\$1,000,000) from the 2011 year end fund balance for the
15 purpose of offsetting employee contributions to the group health insurance plan for 2012.

16 ADOPTED and APPROVED by the City Council _____.

17 CITY OF TOPEKA, KANSAS

18
19
20
21
22 _____
23 William W. Bunten, Mayor

24 ATTEST:

25
26
27 _____
28 Brenda Younger, City Clerk



A Capital City Government Working For You...

www.topeka.org

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

October 11, 2011

 Back  Print

DATE:	October 25, 2011		
CONTACT PERSON:	David Thurbon/Bill Hoover	DOCUMENT #:	Z11/15
SECOND PARTY/SUBJECT:	Topeka Planning Commission	PROJECT #:	
CATEGORY/SUBCATEGORY	014 Ordinances – Non-Codified / 007 Zoning		
CIP PROJECT:	No		
ACTION OF COUNCIL:		JOURNAL #:	
		PAGE #:	

DOCUMENT DESCRIPTION:

AN ORDINANCE introduced by Interim City Manager Daniel R. Stanley, amending the "District Map" referred to and made a part of the Zoning Ordinances by Section 18.50.050 of the Topeka Municipal Code (TMC) by providing for certain changes in zoning on property located on the west side of SW Clay Street, approximately 230 feet south of the intersection of SW Clay Street and SW 10th Avenue from "E" Multiple Family Dwelling District TO "R-2" Single Family Dwelling District. Final Reading. (Z11/15) (Council District No. 1)

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

(Approval would allow the vacant property to be reclassified from its out-dated zoning district to a new zoning district that coincides with the surrounding area and implements recommendations of the Tennessee Town Neighborhood Plan.)

POLICY ISSUE:

The Planning Department and Planning Commission are in the process of eliminating the outdated "E" Multiple Family Dwelling District and properties still having that zoning classification. This property falls into that category.

This proposed rezoning to the "R-2" Single-Family Dwelling District is consistent with the land use policies and principles of the Tennessee Town Neighborhood Plan and implements recommendations of that plan.

STAFF RECOMMENDATION:

The Topeka Planning Commission recommended the proposal be **APPROVED** by a vote of **5-0-0** at their **September 19, 2011** meeting as referenced in the attached minutes. Planning Department Staff recommended this request be **APPROVED** as described in the attached staff report.

Item #19

BACKGROUND:

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

BUDGETARY IMPACT:

N/A

SOURCE OF FUNDING:

N/A

ATTACHMENTS:

[Ordinance](#)

[staff report](#)

[zoning map](#)

[aerial map](#)

[Tennessee Town Future Land Use map](#)

[Tennessee Town Zoning Map](#)

[Planning Commission Minutes](#)

September 19, 2011
Agenda Item # E-3

ZONING REPORT

CITY OF TOPEKA PLANNING DEPARTMENT

CASE NO: Z11/15

by: Topeka Planning Commission

PROPOSAL: Zone change from “E” Multiple-Family Dwelling District TO “R-2” Single-Family Dwelling District.

LOCATION: Property located on the west side of SW Clay, approximately 230’ south of the intersection of SW 10th and SW Clay streets.

PRESENT USE: A vacant 5,663 sq. ft. tract (approximately 38’ X 150’)

PROPOSED USE: It is the intent of the Planning Department to eventually eliminate the outdated “E” Multiple-Family Dwelling District classification. This rezoning action will make the zoning of this property consistent with the recommendations of the Tennessee Town Neighborhood Plan and restrict new residential uses on the property to single-family dwellings, as this is the predominant pattern of land uses in the neighborhood.

BACKGROUND: Prior to 1992, the “E” Multiple-Family Dwelling District was a standard zoning classification within the City zoning code. In 1992, a new zoning code was adopted which allowed undeveloped “E” zoned properties to convert to either “M-3” Multiple-Family Dwelling District or “O&I-2” Office & Institutional District based upon land use of a requested building permit for a period of ten years following adoption of the new code. The subject property never converted to one of these districts during this time period since it remained vacant, which leaves the property zoned “E”. The “E” District allows either “M-3” or “O&I-2” uses. However, a conversion to one of the new districts needed to occur within this ten year time period. The Topeka Planning Commission directed staff to study, make recommendations, and set public hearings (as necessary) for all remaining “E” zoned properties at its April 18, 2011 public hearing with the intent to eventually eliminate the “E” District.

The property owner has been notified of the zone change and indicated he may have future plans to use the property for a parking lot in association with his apartment building on property located north of the alley. A vehicle surface parking lot in association with a principle use requires a Conditional Use Permit on property zoned “R-2” Single-Family Dwelling District. The “M-3” Multiple-Family Dwelling District and “O&I-2” Office and Institutional District provisionally allow parking lots in association with a principal use, provided the property has the same zoning classification as the principal use and are not separated by public street rights-of-way. Therefore, on the subject property a parking lot in association with this owner’s apartment building would be allowed as a provisional use if it were zoned “M-3” Multiple-Family Dwelling District.

CHARACTER OF NEIGHBORHOOD: This subject property is within a neighborhood predominately comprised of single-family dwellings. Office buildings and an apartment building front along the south side of SW 10th Street (minor arterial). A parking lot lies directly west of the subject property and is used by offices to the north, which was approved through a Special Use Permit.

September 19, 2011
Agenda Item # E-3

ZONING CLASSIFICATION AND USE OF SURROUNDING PROPERTIES:

	ZONING CLASSIFICATION	PRESENT LAND USE
North:	“M-3” Multiple-Family Dwelling District	Apartment
	“O&I-2” Office & Institutional District	Offices
South:	“R-2” Single-Family Dwelling District	Single-family residence
East:	“R-2” Single-Family Dwelling District	Single-family residence
West:	“R-2” Single-Family Dwelling District with Special Use Permit for parking lot	Parking lot for offices to the north

LENGTH OF TIME PROPERTY HAS REMAINED VACANT AS ZONED OR USED FOR ITS CURRENT USE UNDER PRESENT CLASSIFICATION:

The subject property has remained zoned “E” Multiple Family Dwelling District since 1986 when it was rezoned from “D” Multiple-Family Dwelling District to allow for an electrolysis clinic. (“D” converted to “M-2” in 1992.) The property has remained vacant since this time. Much of the Tennessee Town neighborhood, zoned “M-2” prior to 2000, was rezoned in 2001 to “R-2” Single-Family Dwelling District as a part of the plan’s implementation to improve home ownership opportunities in the neighborhood and make the neighborhood more desirable for single-family infill development. The subject property was left out of that rezoning action along with four additional multi-family residential properties, but the plan states there should be further rezoning of these properties to single-family residential initiated by the Planning Commission at a future date.

SUITABILITY OF PROPERTY FOR USES TO WHICH IT HAS BEEN RESTRICTED: The subject property is no longer suitable as presently restricted for “E” Multiple-Family Dwelling District, as this is an outdated zoning classification that should have converted in 1992, to either the “O&I-2” or “M-3” Districts based upon the land use of the requested building permit for a period up to ten years.

As presently zoned, the “E” Multiple-Family Dwelling District allows all uses that are permitted in the “M-3” Multiple-Family Dwelling District some of which are not suitable within a single-family neighborhood, such as, three- to four-family dwellings and boarding/lodging houses. Prior to 2001, much of the neighborhood was “over-zoned” for multiple-family residential (i.e. properties had higher density zoning than what was needed for the existing uses). The intent of rezoning the neighborhood in 2001 was to eliminate much of this “over-zoning” in order to create a neighborhood where single-family residential land use would be viable and the predominate pattern of land use. Thereby, rezoning the property to “M-3” Multiple-Family Dwelling District for uses to which it has been presently restricted could potentially harm the health and viability for single-family land uses within the neighborhood.

The subject property is within a single-family dwelling district and is separated by office and multiple-family zoning districts by a public alley. Therefore, the public alley is seen as a line of demarcation and transitional area between differing zoning districts.

CONFORMANCE TO COMPREHENSIVE PLAN: The subject property is within an area classified *Residential – Low Density (Urban)* as designated in the Tennessee Town Neighborhood Plan. Much of the Tennessee Town neighborhood was rezoned from “M-2” Multiple-Family Dwelling District to “R-2” Single-Family Dwelling District as a part of implementation efforts of the Tennessee Town Neighborhood Plan. The plan recommended this property as one of five properties for a future rezoning by the Planning Commission to single-family residential. The plan’s goals are to make housing a top priority, stimulate owner-occupied housing in the neighborhood, promote new housing development, and strive to achieve a

September 19, 2011
Agenda Item # E-3

neighborhood devoid of abandoned homes and vacant lots. This rezoning action will assist in implementing the Tennessee Town Neighborhood Plan and is, thereby, supported by the plan.

THE EXTENT TO WHICH REMOVAL OF THE RESTRICTIONS WILL DETRIMENTALLY AFFECT NEARBY PROPERTIES: Removal of the present restrictions for the “E” Multiple-Family Dwelling District will not have a detrimental effect on nearby properties as the “R-2” Single-Family Dwelling District is consistent with the pattern of surrounding land uses and zoning in the neighborhood. Alternatively, removal of the present restrictions should benefit nearby properties by not allowing for higher density residential land uses in the predominantly single-family neighborhood.

THE RELATIVE GAIN TO THE PUBLIC HEALTH, SAFETY AND WELFARE BY THE DESTRUCTION OF THE VALUE OF THE OWNER’S PROPERTY AS COMPARED TO THE HARDSHIP IMPOSED UPON THE INDIVIDUAL LANDOWNER: There would be a benefit to the public health, safety, and welfare by rezoning the property to the “R-2” District, which is consistent with existing land uses and zoning of the area. There may be a hardship imposed upon the individual landowner if the property is rezoned to “R-2”, as this district requires a CUP for a parking lot in association with a principal use, rather than parking lots being allowed provisionally in “M-3”. However, due to the length of time the property has remained vacant as zoned, as well as, that an “R-2” zoning would assist in implementing the Tennessee Town Neighborhood Plan, staff believes the benefit to the public health, safety and welfare outweighs any hardship imposed upon the individual landowner. The landowner can still apply for CUP for vehicle surface parking, as allowed conditionally in the “R-2” District.

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

COMPLIANCE WITH ZONING AND SUBDIVISION REGULATIONS:

Minimum Lot Area: **Compliant** – 5,663 sq. ft. (The minimum lot size in the “R-2” District is 5,000 sq. ft.)

Setbacks: **Compliant** – No structures

Platting: **Compliant** – Platted as Lot 1, Block A, Young’s Addition Subdivision #3

CONCERNS OF STAFF AND REVIEWING AGENCIES: This request was submitted to all applicable reviewing agency staff for consideration and comment. No issues or concerns were expressed by reviewing staff.

ADDITIONAL FACTORS:

1. Neighborhood Improvement Association: The Tennessee Town Neighborhood Improvement Association was notified on August 26, 2011.
2. Capitol Area Plaza Authority: N/A
3. Flood Hazard Area: N/A

September 19, 2011
Agenda Item # E-3

4. Airport Hazard Area: N/A
5. Historic Properties: The property is within the 500' environs of the Historic Holiday Park District. Any new development on this property will need to be reviewed by the Topeka Landmarks Commission prior to the issuance of building or parking lot permits.

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

Prepared by:
Annie Driver, Planner II

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by Daniel R. Stanley, Interim City Manager amending the "District Map" referred to and made a part of the Zoning Ordinances by Section 18.50.050 of the Topeka Municipal Code (TMC), by providing for certain changes in zoning on property located on the west side of SW Clay Street, approximately 230 feet south of the intersection of SW Clay Street and SW 10th Avenue from "E" Multiple Family Dwelling District **TO** "R-2" Single Family Dwelling District. **(Z11/15) (Council District No. 1)**

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

Section 1. That the "District Map" referred to and made a part of the Zoning Ordinances by Section 18.50.050 of the Topeka Municipal Code (TMC), be and the same is hereby amended, by reclassifying the follow described property:

Lot 1, Block "A"; Young's Addition No. 3 to the City of Topeka, Shawnee County, Kansas.

from "E" Multiple Family Dwelling District **TO** "R-2" Single Family Dwelling District.

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

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

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

PASSED AND APPROVED by the Governing Body of the City of Topeka,

_____, 2011.

William W. Bunten, Mayor

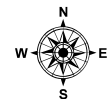
ATTEST:

Brenda Younger, City Clerk

To Be Codified _____
Not To Be Codified X

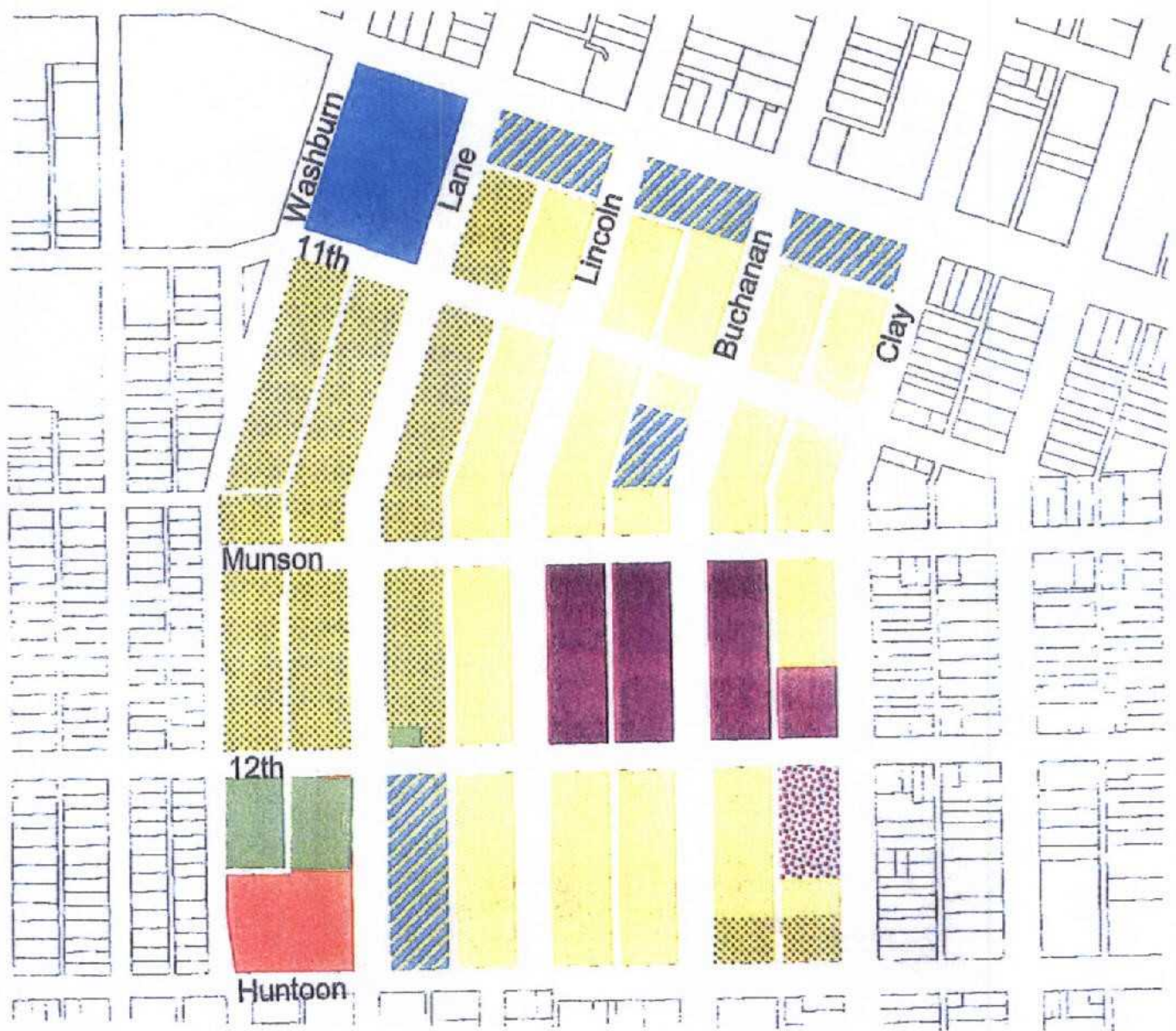


Z11/15 By: Topeka Planning Commission



City of Topeka Planning Department

Tennessee Town Future Land Use Plan



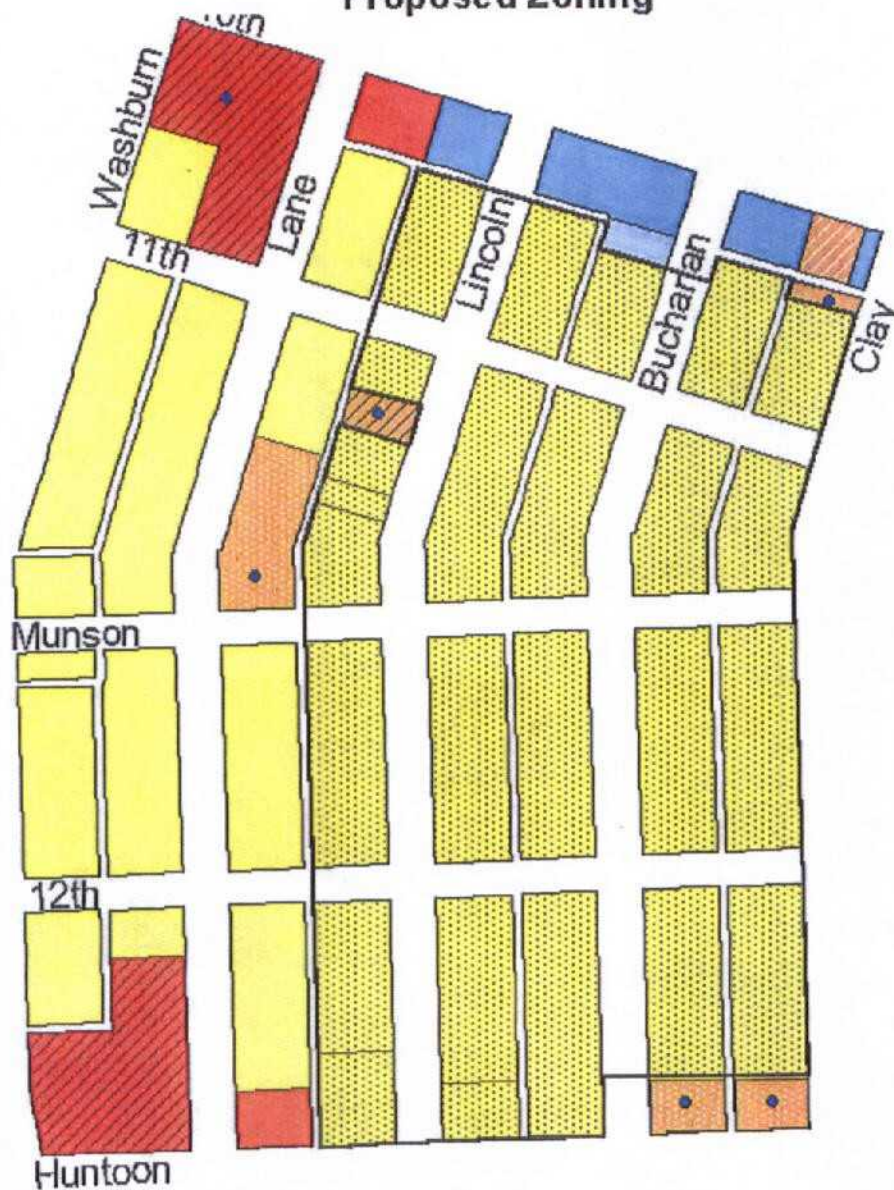
Future Land Use Plan

- Residential - Low Density (Urban)
- Residential - Low Density (Urban/PD)
- Neighborhood Mixed-Use Commons
- Professional Services/Residential
- Commercial - Neighborhood
- Medical Services
- Open Space
- Utility
- Parcels



Map #6	Future Land Use Plan Tennessee Town
Topeka-Shawnee County Metropolitan Planning Dept. 8/16/00	

Tennessee Town Proposed Zoning



Proposed Zoning

- R2 - Single Family Residential
- M1 - Two Family
- M2 - Multiple Family
- M3 - Multiple Family
- E - Multiple Family
- PUD - Planned Unit Development
- C2 - Commercial
- C4 - Commercial
- O11 - Office and Institutional
- O12 - Office and Institutional

Recommended Future
Conventional Re-Zone

Downzoning Area



Map #8	Proposed Zoning Tennessee Town
Topeka-Shawnee County Metropolitan Planning Dept.	
10/25/00	

**Minutes of the
Topeka Planning Commission
Monday, September 19, 2011**

Z11/15 by the Topeka Planning Commission requesting to amend the District Zoning Classification from “E” Multiple Family Dwelling District **TO** “R-2” Single Family Dwelling District on property located on the west side of SW Clay Street, approximately 230’ south of the intersection of SW Clay Street and SW 10th Avenue. **(Driver)** Annie Driver summarized the staff report.

Discussion by members:

Lee Williams asked if the property owner can have a parking lot with this change in zoning by ways of a conditional use permit? Ms. Driver replied yes.

No one spoke in favor or in opposition to the proposal. Lee Williams moved approval, seconded by Kevin Beck. **APPROVAL. (5-0-0)**



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October 11, 2011

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DATE:	October 25, 2011		
CONTACT PERSON:	David Thurbon/Bill Hoover	DOCUMENT #:	Z11/18
SECOND PARTY/SUBJECT:	Topeka Planning Commission	PROJECT #:	N/A
CATEGORY/SUBCATEGORY	014 Ordinances – Non-Codified / 007 Zoning		
CIP PROJECT:	No		
ACTION OF COUNCIL:	10-18-11 First Reading	JOURNAL #:	11
		PAGE #:	

DOCUMENT DESCRIPTION:

AN ORDINANCE introduced by Interim City Manager Daniel R. Stanley, amending the "District Map" referred to and made a part of the Zoning Ordinances by Section 18.50.050 of the Topeka Municipal Code (TMC) by providing for certain changes in zoning on property located on the northwest corner of SW Hillsdale Street and SW 15th Street from "E" Multiple Family Dwelling District TO "M-1" Two Family Dwelling District. Final Reading. (Z11/18) (Council District No. 9)

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

(Approval would allow the vacant property to be reclassified from its out-dated zoning district to a new zoning district that coincides with the surrounding area.)

POLICY ISSUE:

The Planning Department and Planning Commission are in the process of eliminating the outdated "E" Multiple Family Dwelling District and properties still having that zoning classification and this property falls into that category.

STAFF RECOMMENDATION:

The Topeka Planning Commission recommended the proposal be **APPROVED** by a vote of **5-0-0** at their **September 19, 2011** meeting as referenced in the attached minutes. Planning Department Staff recommended this request be **APPROVED** as described in the attached staff report.

BACKGROUND:

- See staff report

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

BUDGETARY IMPACT:

N/A

SOURCE OF FUNDING:

N/A

ATTACHMENTS:

[Ordinance](#)

[staff report](#)

[zoning map](#)

[aerial map](#)

[Planning Commission Minutes](#)

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by Daniel R. Stanley, Interim City Manager amending the "District Map" referred to and made a part of the Zoning Ordinances by Section 18.50.050 of the Topeka Municipal Code (TMC), by providing for certain changes in zoning on property located on the northwest corner of SW Hillsdale Street and SW 15th Street from "E" Multiple Family Dwelling District **TO** "M-1" Two Family Dwelling District. **(Z11/18) (Council District No. 9)**

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

Section 1. That the "District Map" referred to and made a part of the Zoning Ordinances by Section 18.50.050 of the Topeka Municipal Code (TMC), be and the same is hereby amended, by reclassifying the follow described property:

Lot 6, Block "C", Gage Subdivision, to the City of Topeka, Shawnee County, Kansas.

from "E" Multiple Family Dwelling District **TO** "M-1" Two Family Dwelling District.

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

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

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

PASSED AND APPROVED by the Governing Body of the City of Topeka,

_____, 2011.

William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk

To Be Codified _____
Not To Be Codified X

September 19, 2011
Agenda Item # E-5

ZONING REPORT

CITY OF TOPEKA PLANNING DEPARTMENT

CASE NO: Z11/18

by: Topeka Planning Commission

PROPOSAL: Zone change from “E” Multiple-Family Dwelling District TO “M-1” Two-Family Dwelling District

LOCATION: On property located at the northwest intersection of SW 15th Street and SW Hillsdale Street.

PRESENT USE: Vacant (27,950 sq. ft.)

PROPOSED USE: It is the intent of the Planning Department to eventually eliminate the outdated “E” Multiple-Family Dwelling District classification. The “M-1” Two-Family Dwelling District will allow uses consistent with the pattern of surrounding existing land uses and zoning in the area.

BACKGROUND: Prior to 1992, the “E” Multiple-Family Dwelling District was a standard zoning classification within the City zoning code. In 1992, a new zoning code was adopted which allowed undeveloped “E” zoned properties to convert to either “M-3” Multiple-Family Dwelling District or “O&I-2” Office & Institutional District based upon land use of a requested building permit for a period of ten years following adoption of the new code. The subject property never converted to one of these districts during this time period since it remained vacant, which leaves the property still zoned “E”. The “E” District allows either “M-3” or “O&I-2” uses. However, a conversion to one of the new districts needed to occur within this ten year time period. The Topeka Planning Commission directed staff to study, make recommendations, and set public hearings (as necessary) for all remaining “E” zoned properties at its April 18, 2011 public hearing with the intent to eventually eliminate the “E” District. The property owner has been notified and has not expressed any opposition to the zone change.

CHARACTER OF NEIGHBORHOOD: This subject property is located within a predominantly residential area, which includes detached patio homes, duplexes, nursing homes, and single-family detached dwellings.

ZONING CLASSIFICATION AND USE OF SURROUNDING PROPERTIES:

	ZONING CLASSIFICATION	PRESENT LAND USE
North:	“M-1” Two-Family Dwelling District	Vacant (common ownership)
South:	“M-3” Multiple-Family Dwelling District	Nursing home
East:	“PUD” Planned Unit Development (R-3 use)	Patio homes
West:	“M-1” Two-Family Dwelling District	Single-family residences

September 19, 2011
Agenda Item # E-5

LENGTH OF TIME PROPERTY HAS REMAINED VACANT AS ZONED OR USED FOR ITS CURRENT USE UNDER PRESENT CLASSIFICATION: The subject property has remained vacant since 1963 when it was rezoned from “A” Single-Family Dwelling District in order to allow for multiple-family dwellings. The property was annexed in approximately 1982.

SUITABILITY OF PROPERTY FOR USES TO WHICH IT HAS BEEN RESTRICTED: The property is probably not suitable as presently restricted for “E” Multiple-Family Dwelling District, which allows either offices or multiple-family dwellings as the “E” District is an outdated zoning classification that should have converted in 1992 to either the “O&I-2” or “M-3” Districts based upon the land use of the requested building permit for a period up to ten years. That time period has since expired and the property remains zoned “E”. Allowing the “O&I-2” zoning classification on the subject property could be considered spot zoning since there are no other office uses or zoning in the neighborhood, other than a non-profit office having been in the area since 1970 when a Special Use Permit (SUP) was issued for that use (rezoned in 2007 to “O&I-1”). The existing pattern of land uses in the area is a mix of detached patio homes, single-family dwellings, nursing homes, duplexes, and the non-profit office. Based upon the established pattern of land uses and zoning, the area between SW Woodhull and SW McAlister and on both the north and south sides of SW 15th, can be seen as a transitional area in which medium-density residential uses (Such as; nursing homes, patio homes, duplexes) gradually transition to the southwest into a more traditional single-family detached neighborhood making two-family residential on this property consistent with the area. The “M-3” Multiple-Family Dwelling District *may* also still be consistent with the pattern of surrounding zoning and land uses, but the subject property is adjacent to single-family residences and is under common ownership with a vacant property to the north, also zoned “M-1”. Based upon the above findings, “M-1” Two-Family Dwelling District, which limits residential uses to duplexes, is a more suitable zoning for the property than as presently restricted for either offices or multiple-family dwelling buildings.

CONFORMANCE TO COMPREHENSIVE PLAN: The subject property is located within an area designated for *Urban/Suburban Low Density Residential* by the Land Use and Growth Management Plan – 2025. However, the plan also states *Medium-Density Residential* land uses, such as, duplexes, patio homes, and townhomes may be used as infill development and as transitional uses into single-family detached neighborhoods. An “M-1” Two-Family Dwelling District will still allow for moderate density residential uses and, as the area can be considered a transitional area where land uses gradually moderate towards the southwest into single-family detached residences; the proposal is thereby in conformance to the Comprehensive Plan.

THE EXTENT TO WHICH REMOVAL OF THE RESTRICTIONS WILL DETRIMENTALLY AFFECT NEARBY PROPERTIES: Removal of the present restrictions for the “E” Multiple-Family Dwelling District will not have a detrimental effect on nearby properties as the “E” District is an outdated zoning classification, which the Planning Department desires to eliminate. There would be no detrimental effect upon nearby properties by not allowing for “M-3” Multiple-Family Dwelling District or “O&I-2” Office & Institutional District uses. The “M-1” Two-Family Dwelling District allows for either duplexes or single-family residences, which is consistent with the pattern of land uses and zoning in the surrounding area.

THE RELATIVE GAIN TO THE PUBLIC HEALTH, SAFETY AND WELFARE BY THE DESTRUCTION OF THE VALUE OF THE OWNER’S PROPERTY AS COMPARED TO THE

September 19, 2011
Agenda Item # E-5

HARDSHIP IMPOSED UPON THE INDIVIDUAL LANDOWNER: The proposed reclassification would allow the property to develop in a manner consistent with the pattern of surrounding land uses and neighborhood. As no detrimental effects are anticipated, there should be no significant loss to public health, safety, and welfare by the reclassification of this area to allow either single- or two-family residential uses, as this is consistent with uses in the neighborhood. There appears to be no hardship imposed upon the individual landowner since this same owner also owns similarly zoned property directly to the north.

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

COMPLIANCE WITH ZONING AND SUBDIVISION REGULATIONS:

Minimum Lot Area: **Compliant** – (0.642 acres)

Setbacks: **Compliant** – No structures

Platting: **Compliant** – Platted as Lot 6, Block C, Gage Subdivision

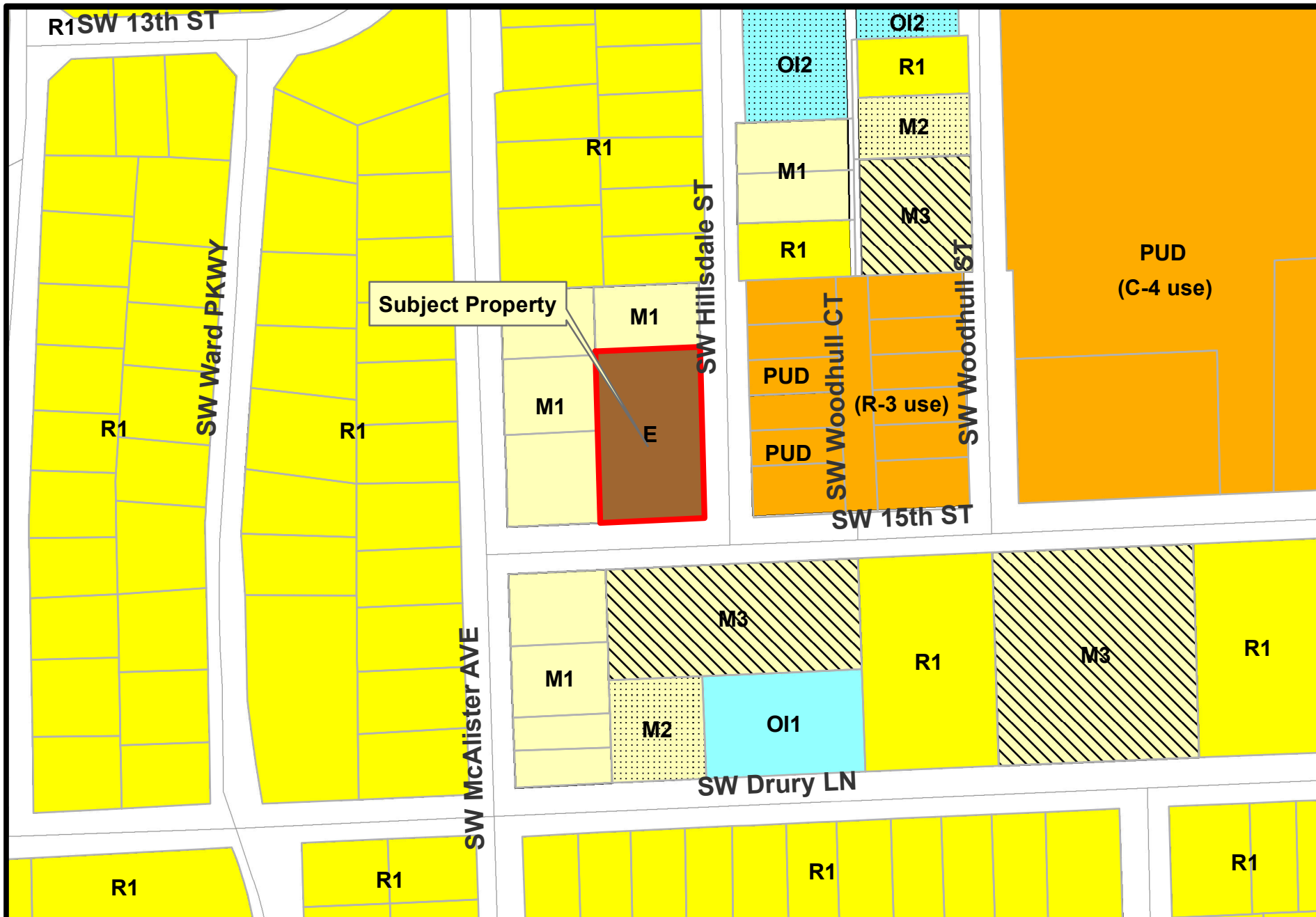
CONCERNS OF STAFF AND REVIEWING AGENCIES: This request was submitted to all applicable reviewing agency staff for consideration and comment. No issues or concerns were expressed by reviewing staff.

ADDITIONAL FACTORS:

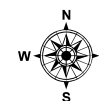
1. Neighborhood Improvement Association: N/A
2. Capitol Area Plaza Authority: N/A
3. Flood Hazard Area: N/A
4. Airport Hazard Area: N/A
5. Historic Properties: N/A

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

Prepared by:
Annie Driver, Planner II



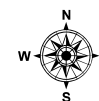
Z11/18 By: Topeka Planning Commission



City of Topeka Planning Department



Z11/18 By: Topeka Planning Commission



City of Topeka Planning Department

**Minutes of the
Topeka Planning Commission
Monday, September 19, 2011**

Z11/18 by the Topeka Planning Commission requesting to amend the District Zoning Classification from “E” Multiple Family Dwelling District **TO** “M-1” Two Family Dwelling District on property located at the northwest corner of SW Hillsdale Street and SW 15th Street. **(Driver)** Annie Driver summarized the staff report.

No one spoke in favor or opposition to the proposal. Kevin Beck moved approval, seconded by Scott Gales. **APPROVAL. (5-0-0)**



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October 12, 2011

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DATE:	October 25, 2011	
CONTACT PERSON:	Judy Olander, Assistant City Attorney	DOCUMENT #:
SECOND PARTY/SUBJECT:	Charter Ordinance - Adandoned Cemeteries	PROJECT #:
CATEGORY/SUBCATEGORY	013 Ordinances - Codified / 159 Charter	
CIP PROJECT:	No	
ACTION OF COUNCIL:	JOURNAL #:	PAGE #:

DOCUMENT DESCRIPTION:

A CHARTER ORDINANCE introduced by Interim City Manager Daniel R. Stanley, repealing City of Topeka Code Sections A5-16, A5-17, A5-18, and A5-19, as established by Charter Ordinance No. 1, all concerning abandoned cemeteries. First Reading.

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

(Approval would repeal portions of Charter Ordinance No. 1 concerning adandoned cemeteries.)

POLICY ISSUE:

Whether or not to pass and approve the ordinance.

STAFF RECOMMENDATION:

Pass and approve.

BACKGROUND:

In a recent review of City Code provisions, it was found that this charter ordinance does not serve any purpose but actually confuses ordinary ordinances and/or controlling Kansas statutes. Abandonment of cemeteries is governed by state law (K.S.A. 17-1366, *et seq.*) with oversight by the Attorney General's office.

BUDGETARY IMPACT:

Item #21

None

SOURCE OF FUNDING:

N/A

ATTACHMENTS:

[Charter Ordinance](#)

(Published in the Topeka Metro News _____ and _____)

CHARTER ORDINANCE NO. _____

A CHARTER ORDINANCE introduced by Daniel R. Stanley, Interim City Manager, repealing City of Topeka Code § A5-16, § A5-17, § A5-18, and § A-19, as established by Charter Ordinance No. 1, all concerning abandoned cemeteries.

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

Section 1. That section A5-16, established by Charter Ordinance No. 1, of the Code of the City of Topeka, Kansas, is hereby repealed.

~~Declaration by resolution—Notice.~~

~~That the board of commissioners of the City of Topeka, after notice and public hearing and determining that any certain cemetery within the corporate limits of the City of Topeka, Kansas, has been abandoned and that no bodies have been interred therein within five consecutive years prior to the date of said hearing, may by resolution declare said cemetery to be abandoned. The city clerk shall publish said notice in the official paper of the city for two consecutive days, the last publication to be at least one week prior to the date set for said hearing.~~

Section 2. That section A5-17, established by Charter Ordinance No. 1, of the Code of the City of Topeka, Kansas, is hereby repealed.

~~Publication of resolution in newspaper.~~

~~That said resolution declaring a certain cemetery to be abandoned shall be published once in the official city newspaper.~~

Section 3. That section A5-18, established by Charter Ordinance No. 1, of the Code of the City of Topeka, Kansas, is hereby repealed.

~~Cemetery deemed park property.~~

~~From and after the passage and publication of said resolution, it shall be unlawful for any person, firm or corporation to cause any bodies or corpses to be interred in said~~

~~cemetery, and the department of parks shall thereafter operate, maintain and care for the property within such cemetery as a memorial park and the property shall for such purpose be considered to be park property, [and] the expense of said operation, care, and maintenance shall be paid from the park or recreation fund of the City of Topeka Park Department.~~

Section 4. That section A5-19, established by Charter Ordinance No. 1, of the Code of the City of Topeka, Kansas, is hereby repealed.

Reclaiming of operation by owners.

~~In the event that the owners of the land within a cemetery so declared to be abandoned as provided in section 2 [A5-17] of this ordinance, shall desire to reclaim the operation of any such cemetery, then said owners may file with the board of commissioners proof of their ownership in the form of a certificate of title certified by a licensed and bonded abstractor to be approved as to form by the city attorney together with an affidavit declaring the intent of said owner or owners to reclaim the operation of said abandoned cemetery and to pay the expenses which have been incurred by the City of Topeka in the operation, care and maintenance thereof. Upon receipt of said certificate of title, affidavit and the payment of such expenses, the board of commissioners shall, by resolution, declare said cemetery to be operational and shall cease to continue the operation, care and maintenance thereof.~~

Section 5. This Ordinance shall be published once each week for two (2) consecutive weeks in the official City newspaper.

Section 6. This Charter Ordinance shall take effect sixty-one (61) days after final publication unless a sufficient petition for a referendum is filed and a referendum held on this Charter Ordinance as provided in Article 12, Section 5, Subdivision (c)(3), of the Kansas Constitution, in which case this Charter Ordinance shall become effective if approved by a majority of the electors voting therein.

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64 CITY OF TOPEKA, KANSAS

70 ATTEST:

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STATEMENT OF MANNER OF ADOPTION OF FOREGOING

The foregoing Charter Ordinance No. _____ was passed on the _____ day of _____, 2011, as shown by the minutes, Book _____ Page _____, by a vote of _____ for and _____ against, being not less than two-thirds (2/3) of the members-elect of the governing body, published in the Topeka Metro News, the official city newspaper, on the _____ day of _____, 2011, and on the _____ day of _____, 2011, being once each week for two (2) consecutive weeks, and there being no petition demanding a referendum filed with the City Clerk within sixty (60) days after the final publication, said Charter Ordinance took effect on the _____ day of _____, 2011.

Brenda Younger, City Clerk

CERTIFICATE

CITY OF TOPEKA)
COUNTY OF SHAWNEE) ss:
STATE OF KANSAS)

I, Brenda Younger, City Clerk of the City of Topeka, County of Shawnee, State of Kansas, do hereby certify that the above and foregoing, consisting of ____ typewritten pages, including the page upon which this Certificate is written, is a full true and correct copy of Charter Ordinance No. _____ of the said City of Topeka, that all acts and things required by Article 12, Section 5 of the Constitution of the State of Kansas were done and performed in the manner and within the time prescribed and that said Ordinance became effective on the _____ day of _____, 2011.

Brenda Younger, City Clerk



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October 12, 2011

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DATE:	October 25, 2011	
CONTACT PERSON:	Judy Olander, Assistance City Attorney	DOCUMENT #:
SECOND PARTY/SUBJECT:	Alcoholic consumption on municipal property	PROJECT #:
CATEGORY/SUBCATEGORY	013 Ordinances - Codified / 159 Charter	
CIP PROJECT:	No	
ACTION OF COUNCIL:		JOURNAL #:
		PAGE #:

DOCUMENT DESCRIPTION:

A CHARTER ORDINANCE introduced by Interim City Manager Daniel R. Stanley, repealing City of Topeka Code Section A3-1, as established by Charter Ordinance No. 58, concerning consumption of alcoholic liquor on certain municipal property. First Reading.

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

(Approval would repeal a portion of Charter Ordinance No. 58 concerning the consumption of alcoholic liquor on certain property owned by the City including the Municipal Auditorium, Topeka Zoological Park, Ward Meade Home and Gardens, Helen Hocker and Performing Arts Center.)

POLICY ISSUE:

Whether or not to pass and approve the ordinance.

STAFF RECOMMENDATION:

Pass and approve

BACKGROUND:

In a recent review of City Code provisions, it was found that this charter ordinance does not serve any purpose but actually confuses ordinary ordinances and/or controlling Kansas statutes. This Charter Ordinance is duplicative of the ordinary ordinance codified at TMC 9.15.020, which will soon need to be revised because of issues related to the parks and recreation departments consolidation. Item #22

BUDGETARY IMPACT:

None

SOURCE OF FUNDING:

N/A

ATTACHMENTS:

[Charter Ordinance](#)

(Published in the Topeka Metro News _____ and _____)

CHARTER ORDINANCE NO. _____

A CHARTER ORDINANCE introduced by Daniel R. Stanley, Interim City Manager, repealing City of Topeka Code § A3-1, as established by Charter Ordinance No. 58, concerning consumption of alcoholic liquor on certain municipal property.

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

Section 1. That section A3-1, established by Charter Ordinance No. 58, of The Code of the City of Topeka, Kansas, is hereby repealed.

~~On certain municipal property.~~

~~It shall be lawful for any person authorized by the city, and not otherwise prohibited by the laws of the State of Kansas, to drink and consume alcoholic liquor within the confines of certain buildings located on certain real property, title of which is vested in the City of Topeka, Kansas, to wit: Municipal Auditorium, Topeka Zoological Park, Ward Meade Home and Gardens, Helen Hocker Performing Arts Center and Stormont Vail Regional Medical Center; provided that no charge is made by the lessee for the serving or mixing of any drink or drinks of alcoholic liquor or for any substance co-mixed with any alcoholic liquor; and that no sale of alcoholic liquor in violation of K.S.A. 41-803 takes place on said city property.~~

Section 2. This Ordinance shall be published once each week for two (2) consecutive weeks in the official City newspaper.

Section 3. This Charter Ordinance shall take effect sixty-one (61) days after final publication unless a sufficient petition for a referendum is filed and a referendum held on this Charter Ordinance as provided in Article 12, Section 5, Subdivision (c)(3), of the Kansas Constitution, in which case this Charter Ordinance shall become effective if approved by a majority of the electors voting therein.

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ATTEST:

Brenda Younger, City Clerk

STATEMENT OF MANNER OF ADOPTION OF FOREGOING

The foregoing Charter Ordinance No. _____ was passed on the _____ day of _____, 2011, as shown by the minutes, Book _____ Page _____, by a vote of _____ for and _____ against, being not less than two-thirds (2/3) of the members-elect of the governing body, published in the Topeka Metro News, the official city newspaper, on the _____ day of _____, 2011, and on the _____ day of _____, 2011, being once each week for two (2) consecutive weeks, and there being no petition demanding a referendum filed with the City Clerk within sixty (60) days after the final publication, said Charter Ordinance took effect on the _____ day of _____, 2011.

Brenda Younger, City Clerk

CERTIFICATE

CITY OF TOPEKA)
COUNTY OF SHAWNEE) ss:
STATE OF KANSAS)

I, Brenda Younger, City Clerk of the City of Topeka, County of Shawnee, State of Kansas, do hereby certify that the above and foregoing, consisting of _____ typewritten pages, including the page upon which this Certificate is written, is a full true and correct copy of Charter Ordinance No. _____ of the said City of Topeka, that all acts and things required by Article 12, Section 5 of the Constitution of the State of Kansas were done and performed in the manner and within the time prescribed and that said Ordinance became effective on the _____ day of _____, 2011.

Brenda Younger, City Clerk



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October 12, 2011

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DATE:	October 25, 2011	
CONTACT PERSON:	Judy Olander, Assistant City Attorney	DOCUMENT #:
SECOND PARTY/SUBJECT:	Charter Ordinance - Cash Basis Law	PROJECT #:
CATEGORY/SUBCATEGORY	013 Ordinances - Codified / 159 Charter	
CIP PROJECT:	No	
ACTION OF COUNCIL:	JOURNAL #:	PAGE #:

DOCUMENT DESCRIPTION:

A CHARTER ORDINANCE introduced by Interim City Manager Daniel R. Stanley, repealing City of Topeka Code Section A15-4, as established by Charter Ordinance No. 28, concerning the cash basis law. First Reading.

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

(Approval would repeal a portion of Charter Ordinance No. 28 concerning the cash basis law.)

POLICY ISSUE:

Whether or not to pass and approve the ordinance

STAFF RECOMMENDATION:

Pass and approve

BACKGROUND:

In a recent review of City Code provisions, it was found that this charter ordinance does not serve any purpose but actually confuses ordinary ordinances and/or controlling Kansas statutes. This Charter Ordinance is duplicative of K.S.A. 10-1116.

BUDGETARY IMPACT:

None

SOURCE OF FUNDING:

N/A

ATTACHMENTS:

[Charter Ordinance](#)

(Published in the Topeka Metro News _____ and _____)

CHARTER ORDINANCE NO. _____

A CHARTER ORDINANCE introduced by Daniel R. Stanley, Interim City Manager, repealing City of Topeka Code § A15-4, as established by Charter Ordinance No. 28, concerning the cash basis law.

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

Section 1. That section A15-4, established by Charter Ordinance No. 28, of The Code of the City of Topeka, Kansas, is hereby repealed.

~~Cash basis law.~~

~~The provisions of K.S.A. 10-1101 through 10-1122 shall not apply to contracts and indebtedness created, when payment has been authorized by a vote of the electors of the municipality, or when provision has been made for payment by the issuance of bonds as provided by law, or when provision has been made for payment by the issuance of no fund warrants authorized by law and in the manner, and limited in amount as prescribed by law, or to a revolving fund set up as an operating fund for the operation of any municipal airport and the receipts from the operation of such airport in any case where provision has been made by the city, or board of park commissioners, or other agency designated and authorized to operate a municipal airport for a revolving fund to be set up either out of its budget or by accumulation of receipts collected from the operation of such airport as an operating fund for the operation of such airport when such operating fund and the receipts collected from the operation of such airport are essential to the more efficient operation or greater use of such airport and in which the operating expenditures of said airport are financed and sustained partially or wholly by fees, rentals, proceeds from the sale of merchandise, or charges for rendering services, received from the users of such airport, or to a special recreation facilities reserve set up by any board of park commissioners for a revolving fund for the repair, replacement, or addition to the recreational facilities of such city, or to an enterprise fund set up to account for the financing of self-supporting activities of governmental units which render~~

~~services on a user charge basis to the general public such as public utilities engaged in the provision of water, electricity and natural gas, sanitary sewer systems, refuse and solid waste landfill systems which are financed by user charges, or to an intragovernmental service fund or working capital fund established to finance and account for services and commodities furnished by a designated agency of a governmental unit to other departments of the same governmental unit such as funds established for central garages and motor pools, central printing and duplicating services, central purchasing and stores departments, airport authorities, bus companies or mass transit authorities and public golf courses.~~

Section 2. This Ordinance shall be published once each week for two (2) consecutive weeks in the official City newspaper.

Section 3. This Charter Ordinance shall take effect sixty-one (61) days after final publication unless a sufficient petition for a referendum is filed and a referendum held on this Charter Ordinance as provided in Article 12, Section 5, Subdivision (c)(3), of the Kansas Constitution, in which case this Charter Ordinance shall become effective if approved by a majority of the electors voting therein.

Section 4. Upon the effective date of this Charter Ordinance, this Charter Ordinance shall be recorded by the City Clerk in a book maintained for such purposes with a statement of the manner of adoption and a certified copy shall be filed with the Secretary of State of the State of Kansas.

PASSED AND APPROVED by the Governing Body on _____.

CITY OF TOPEKA, KANSAS

ATTEST:

William W. Bunten, Mayor

Brenda Younger, City Clerk

STATEMENT OF MANNER OF ADOPTION OF FOREGOING

The foregoing Charter Ordinance No. _____ was passed on the _____ day of _____, 2011, as shown by the minutes, Book _____ Page _____, by a vote of _____ for and _____ against, being not less than two-thirds (2/3) of the members-elect of the governing body, published in the Topeka Metro News, the official city newspaper, on the _____ day of _____, 2011, and on the _____ day of _____, 2011, being once each week for two (2) consecutive weeks, and there being no petition demanding a referendum filed with the City Clerk within sixty (60) days after the final publication, said Charter Ordinance took effect on the _____ day of _____, 2011.

Brenda Younger, City Clerk

CERTIFICATE

CITY OF TOPEKA)
COUNTY OF SHAWNEE) ss:
STATE OF KANSAS)

I, Brenda Younger, City Clerk of the City of Topeka, County of Shawnee, State of Kansas, do hereby certify that the above and foregoing, consisting of ____ typewritten pages, including the page upon which this Certificate is written, is a full true and correct copy of Charter Ordinance No. _____ of the said City of Topeka, that all acts and things required by Article 12, Section 5 of the Constitution of the State of Kansas were done and performed in the manner and within the time prescribed and that said Ordinance became effective on the _____ day of _____, 2011.

Brenda Younger, City Clerk



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

September 26, 2011

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DATE:	October 25, 2011	
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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