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City Council Agenda

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

November 15, 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. Board Appointment - Civil Service Commission

BOARD APPOINTMENT recommending the re-appointment of Jacqueline Bugg to the Civil Service Commission for a term ending November 30, 2015. *(Council District No. 5)*

B. MINUTES of the regular meeting of November 8, 2011

C. APPLICATIONS:

5. UNFINISHED BUSINESS:

A. 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. *(Deferred from the meeting of November 8, 2011.)*

(In accordance with Roberts Rules of Order, Article 6 Section 35.)

B. Resolution - Request for Proposal - City Manager Position

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.) (Deferred from the meeting of November 8, 2011.)*

(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. Ordinance - Weekly Expenditures - October 24-30, 2011

 [**ATTACHMENTS**](#)

 [**ATTACHMENTS**](#)

AN ORDINANCE introduced by Interim City Manager Daniel R. Stanley, allowing and approving City expenditures for the period of October 24, 2011, through October 30, 2011, and enumerating said expenditures therein. First and Final Reading.

B. Approval of Recommendations - 2012 Alcohol and Drug Grants

 [ATTACHMENTS](#)

APPROVAL of funding recommendations of the Topeka-Shawnee County Alcohol-Drug Abuse Advisory Council for annual program and one-time grant awards in 2012 from the Special Alcohol Program Fund.

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

(The Advisory Council has completed its annual review of proposals for funding from the Special Alcohol Program Fund and recommends a total of \$749,950 be awarded in grants.)

C. Applications - Retail Cereal Malt Beverage License

APPROVAL of Retail Cereal Malt Beverage License Applications.

Voting Requirement: Majority vote 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.)

7. ZONING:

A. Ordinance - Builder's Bee, L.L.C. (Z11/16)

 [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 two lots located at the northeast corner of SW 10th Avenue and SW Woodbridge Drive from "O&I-1" Office and Institutional District TO "M-1" Two Family Dwelling District. Final Reading. (Z11/16) (Council District No. 9)

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

(Approval would allow for the development of duplexes.)

B. Ordinance - Topeka Planning Commission (Z11/20)

 [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 north of SW 29th Terrace, the centerline of the tract being approximately 580 feet southeast of the intersection of SW MacVicar Avenue and SW 29th Street from "E" Multiple Family Dwelling District TO "O&I-2" Office and Institutional District. Final Reading. (Z11/20) (Council District No. 5)

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 zoning.)

8. FIRST READINGS:

A. Ordinance - Domestic Partnership Registry

 [ATTACHMENTS](#)

AN ORDINANCE introduced by Councilmember Andrew Gray, concerning

domestic partnership registry by creating new chapter 9.60 of the City of Topeka Municipal Code. First Reading.

(Establishing a policy and process concerning domestic partnership registry for residents of the City of Topeka.)

B. Ordinance - Unified School District No. 501 (V11S/2)

 [ATTACHMENTS](#)

AN ORDINANCE introduced by Interim City Manager Daniel R. Stanley, relating to the vacation of platted public street and alley rights-of-way on property located at 1400 SE 34th Street, City of Topeka, Shawnee County, Kansas. First Reading. (V11S/2) (Council District No. 4)

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

(Approval would allow for the construction of new buildings for the Ross/Eisenhower school campus.)

9. MISCELLANEOUS:

-

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

-

11. PUBLIC COMMENT:

-

12. ADJOURNMENT:

-



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

October 25, 2011

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DATE:	November 15, 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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BACKGROUND:

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SOURCE OF FUNDING:

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No Attachments Available



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CATEGORY/SUBCATEGORY		
CIP PROJECT:	No	
ACTION OF COUNCIL:		JOURNAL #:
		PAGE #:

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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ACTION OF COUNCIL:		JOURNAL #:
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"None scheduled at this time."

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

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SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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Council Chambers
214 SE 8th Street
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October 28, 2011

Back Print

DATE: November 15, 2011
CONTACT PERSON: Mayor Bunten DOCUMENT #:
SECOND PARTY/SUBJECT: Civil Service Commission PROJECT #:
CATEGORY/SUBCATEGORY 006 Communication / 003 Requests
CIP PROJECT: No
ACTION OF COUNCIL: JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

BOARD APPOINTMENT recommending the re-appointment of Jacqueline Bugg to the Civil Service Commission for a term ending November 30, 2015. (Council District No. 5)

POLICY ISSUE:

N/A

STAFF RECOMMENDATION:

Councilman Wolgast nominates and Mayor Bunten recommends the re-appointment of Jacqueline Bugg to the Civil Service Commission. There is no official attendance policy, however, there have been eighteen meetings and Ms. Bugg has five absences.

BACKGROUND:

Ordinance 18382. The Civil Service Commission conducts examinations of Police and Fire applicants and certifies the list of eligible applicants; hears charges against individual officers alleging misconduct; failure to perform duties; offenses of a criminal nature or violations of the rules and regulations of the Police and Fire Departments.

BUDGETARY IMPACT:

N/A

SOURCE OF FUNDING:

N/A

ATTACHMENTS:

No Attachments Available



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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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		PAGE #:

DOCUMENT DESCRIPTION:

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

November 9, 2011

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DATE: November 15, 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: 10-25-11 Defer 2 weeks JOURNAL #:
11-08-11 Defer 1 week
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. (Deferred from the meeting of November 8, 2011.)

(In accordance with Roberts Rules of Order, Article 6 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

November 9, 2011

Back Print

DATE: November 15, 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: 07-26-11 Table 6 months JOURNAL #:
10-25-11 Defer 2 weeks
11-08-11 Defer 1 week
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.) (Deferred from the meeting of November 8, 2011.)*

(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 #10

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

November 2, 2011

Back Print

DATE: November 15, 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: JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

AN ORDINANCE introduced by Interim City Manager Daniel R. Stanley, allowing and approving City expenditures for the period of October 24, 2011, through October 30, 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 24, 2011 through October 30, 2011, in the amount of \$1,636,741.56.

SOURCE OF FUNDING:

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

ATTACHMENTS:

[Weekly Expenditures](#)

[DETAIL REPORT AP WEEK ENDING 10/30/11](#)

[DETAIL REPORT CB55 WEEK ENDING 10/30/11](#)

(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 24, 2011, through October 30, 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 141 vendor checks written this period	257,552.00
-------------------	--	------------

	Total vendor payments voided in this period (net)	00.00
--	---	-------

	Total of 200 electronic transfers to vendors this period	1,379,189.56
--	--	--------------

	Total net payroll to employees this period	000,000.00
--	--	------------

	Total payroll related electronic transfers this period	<u>000,000.00</u>
--	--	-------------------

	Total for expenditures in this period	<u>\$1,636,741.56</u>
--	---------------------------------------	-----------------------

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

PASSED and APPROVED by the City Council _____.

ATTEST:

William W. Bunten, Mayor

Brenda Younger, City Clerk

COUNCIL REPORT OF VENDOR PAYMENTS

Between 10/24/2011 and 10/30/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
Electronic Payments			
16280	10/28/2011	AAA ALLIED GROUP INC 22	1,522.21
264454	12193		38.50
264455	12111		38.50
264456	12111		38.50
265795	12193		38.50
265983	12193		38.50
266077	12111		38.50
266149	12193		38.50
8 498703	12262		332.71
266170	12193		38.50
266242	12111		38.50
266369	12193		38.50
266370	12111		38.50
259355	12111		38.50
263436	12111		77.00
263438	12111		158.50
263439	12111		38.50
243905	12111		38.50
243906	12111		53.50
243907	12111		53.50
243908	12111		38.50
243909	12111		38.50
243910	12111		38.50
243911	12111		38.50
243912	12111		38.50
243913	12111		38.50
243914	12111		38.50
245154	12111		38.50
16281	10/28/2011	ADVENTURETECH GROUP INC 74	1,125.00
5130	12918		1,125.00
16282	10/28/2011	AMERIPRIDE 197	492.87
2300079460	12841		103.59
2300080167	12299		25.50
2300080779	12299		15.95
2300080783	12841		82.98
2300080784	12841		52.63
2300080785	12841		138.64
2300080786	12841		73.58
16283	10/28/2011	BARTLETT & WEST ENGINEERS 391	59,395.89
730031740	13852		1,190.00
730031812	12580		32,628.20
730031980	13483		746.43
730031981	16042		24,831.26
16284	10/28/2011	BLUE CROSS BLUE SHIELD INC 528	206,372.31
W/E 10/25/11	DE		206,372.31
16285	10/28/2011	BOETTCHER SUPPLY INC 543	140.96
711145 1	12200		36.53
712145 1	12200		51.62
712166 1	12200		52.81
16286	10/28/2011	CARTRIDGE KING OF KANSAS 833	988.92
621922	13527		988.92
16287	10/28/2011	COLLECTION BUREAU OF KANSAS IN 1023	66.07
1331	12811		66.07
16288	10/28/2011	COMITER, CARLA J 1043	247.50
W65	12610		247.50

COUNCIL REPORT OF VENDOR PAYMENTS

Between 10/24/2011 and 10/30/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
16289	10/28/2011	CRAIG LAWSON PAINTING 1159	2,827.00
15925	15925		2,827.00
16290	10/28/2011	CROSS MIDWEST TIRE INC 1183	6,442.60
20157652	12209		1,598.28
20157788	12209		15.75
20157789	12209		15.75
20157804	12209		622.13
20157833	12209		1,710.63
20157874	12209		15.75
20158004	12209		78.75
20158120	12209		123.75
20158160	12209		29.40
20158219	12209		1,109.76
20158294	12209		230.90
20158329	12209		891.75
16291	10/28/2011	DELL COMPUTER 1319	1,846.27
XFFWK5RJ9	15682		54.46
XFFWP72J2	15682		38.12
XFFWRR5N6	15682		1,053.54
XFJDR8C58	15893		700.15
16292	10/28/2011	DELTA DENTAL OF KANSAS INC 1323	9,705.80
W/E 10/20/11	12329		9,705.80
16293	10/28/2011	DIAMOND INTERNATIONAL INC 1347	3,593.77
TI67995	12210		41.40
TW52788	12210		2,948.69
TW52871	12210		603.68
16294	10/28/2011	DINKEL CONSTRUCTION INC 1362	101,830.50
11904 8	11904		101,830.50
16295	10/28/2011	DURKIN EQUIPMENT CO 1451	5,551.00
K0000985	15689		2,330.00
K0000986	15689		3,221.00
16296	10/28/2011	ELITE CONCRETE 6795	3,986.65
80877	15316		2,761.40
81467	15478		1,225.25
16297	10/28/2011	EMERGENCY FIRE EQUIPMENT 1526	107.74
23587	12213		107.74
16298	10/28/2011	EPCO CARBON DIOXIDE PRODUCTS 1551	1,447.80
130917	14541		1,447.80
16299	10/28/2011	GATES ELECTRIC 1850	45.00
6163	15750		45.00
16300	10/28/2011	HALL FLOOR COVERING 2054	17,792.19
4694	14160		17,792.19
16301	10/28/2011	HEARTLAND PARK RACEWAY LLC 2158	75,000.00
14064 3	14064		75,000.00
16302	10/28/2011	HELPING HANDS HUMANE SOCIETY I 2183	12,806.80
12531 AUG 11	12531		7,878.00
12531 JUN 11	12531		4,928.80
16303	10/28/2011	HERNLY ASSOCIATES INC 2214	300.00

COUNCIL REPORT OF VENDOR PAYMENTS

Between 10/24/2011 and 10/30/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
10254	15846		150.00
10255	15843		150.00
16304	10/28/2011	ITG CONSULTING INC 2449	6,140.00
3121	12523		1,600.00
3122	12523		4,540.00
16305	10/28/2011	KAN EQUIPMENT INC 2621	688.15
6 174574	12230		57.51
6 175472	12230		51.69
6 175649	12230		578.95
16306	10/28/2011	KANSAS BUREAU OF INVESTIGATION 2647	8,137.89
13129 SEP 11	13129		8,137.89
16307	10/28/2011	KANSAS CHILDRENS SERVICE 2651	16,693.00
12815 3	12815		16,693.00
16308	10/28/2011	KANSAS GAS SERVICE INC 2707	212.15
5102026671447452	KS GAS TRAFFIC		40.93
5102428131003101	KS GAS POLICE		97.72
5104724991447462	KS GAS 201 TOP		35.91
5105603091447461	KS GAS ENGINEE		37.59
16309	10/28/2011	KANSAS TURF 7216	7,341.60
1156	13830		1,698.50
1156	13830		-132.50
1163	13830		1,408.50
1164	13830		611.50
1165	13830		326.00
1167	13830		510.50
1170	13674		1,805.10
1172	14697		175.00
1175	13830		282.00
1176	13830		185.50
1177	13830		338.50
1178	13830		133.00
16310	10/28/2011	SOUDEK, KARL E 7578	700.00
865075	16109		700.00
16311	10/28/2011	KEY STAFFING INC 2849	1,259.34
3015697	12704		509.34
3015698	14690		750.00
16312	10/28/2011	LANGUAGE LINE SERVICES INC 2967	178.20
2819318	16050		178.20
16313	10/28/2011	LIBERTY FRUIT COMPANY INC 3057	110.10
682734	14231		110.10
16314	10/28/2011	LIGHTHOUSE CONTRACTING INC 3061	8,846.00
PI 15751	15751		8,846.00
16315	10/28/2011	LP S EXCAVATING INC 3125	4,490.00
15861	15861		4,490.00
16316	10/28/2011	LT TRUCKING & TRENCHING 3126	19,011.00
1643	15107		19,011.00
16317	10/28/2011	MICHAEL & SONS INC 3377	7,285.48
82377	15598		7,285.48

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Between 10/24/2011 and 10/30/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
16318	10/28/2011	MORNING STAR CONSTRUCTION INC 3524	7,474.00
15818 1	15818		2,090.00
15818 2	15818		1,176.00
15923	15923		2,810.00
15963	15963		1,398.00
16319	10/28/2011	MURPHY, CHRISTA 3582	80.00
12496 5	12496		80.00
16320	10/28/2011	NEENAN COMPANY 3649	512.93
S1801697 001	12453		321.48
S1807095 001	12453		53.00
S1810918 001	12453		138.45
16321	10/28/2011	O REILLY AUTO PARTS 3714	599.16
0152 268159	12243		240.31
0152 268206	12243		14.50
0152 268216	12243		73.72
0152 268217	12243		-124.93
0152 268458	12243		2.12
0152 268472	12243		31.10
0152 268638	12243		14.40
0152 268687	12243		115.70
0152 268727	12243		36.84
0152 268884	12243		7.44
0152 268957	12243		46.86
0152 269506	12243		124.66
0191 310089	12243		3.22
0191 310308	12243		13.22
16322	10/28/2011	OMB POLICE SUPPLY 3746	406.38
P019531600017	13226		406.38
16323	10/28/2011	PETERS CONSTRUCTION 3906	1,437.00
80568	15656		1,437.00
16324	10/28/2011	POLYDYNE INC 5879	3,586.00
636996	12735		3,586.00
16325	10/28/2011	RAY ALLEN MANUFACTURING CO INC 4115	369.90
271434	16048		369.90
16326	10/28/2011	RAY O HERRON COMPANY 4118	280.50
1124325 IN	13705		280.50
16327	10/28/2011	SELLERS EQUIPMENT INC 4470	4,520.30
IC215798	12246		233.83
IC215806	12246		3,256.05
IW210362	12246		1,030.42
16328	10/28/2011	SOUTHERN UNIFORM & EQUIPMENT 4672	66.00
72005	15268		66.00
16329	10/28/2011	STAPLES CONTRACT & COMMERCIAL 4725	1,129.30
110676640	15266		42.24
110677032	15508		61.54
110682355	15940		204.48
110682417	15945		38.25
110698173	15957		229.81
110717985	15959		66.48
110718004	15959		1.08
110718159	15960		26.21
110738565	15960		82.97
110738610	15999		91.49

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Between 10/24/2011 and 10/30/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
110738643	15998		242.96
110738755	16008		41.79
16330	10/28/2011	SUPERIOR SIGNALS INC 6761	178.75
285184	12267		178.75
16331	10/28/2011	TERRY'S PLUMBING 4908	5,000.00
731944	15951		5,000.00
16332	10/28/2011	THERMO FISHER SCIENTIFIC LLC 4949	225.03
4500046	12680		225.03
16333	10/28/2011	TOPEKA TRANSMISSION SERVICE IN 5057	59.95
049310	12254		33.10
049311	12254		26.85
16334	10/28/2011	TORGESON TRENCHING SERVICE 5062	264.00
1015338	12942		264.00
16335	10/28/2011	TRUCK PARTS & EQUIPMENT INC 5102	792.30
297013	12255		5.14
297025	12182		101.46
297133	12255		9.11
297286	12255		20.00
297366	12182		94.00
297760	12255		113.34
298025	12255		234.58
298201	12182		130.10
298206	12182		84.57
16336	10/28/2011	U S LIME COMPANY - ST CLAIR 5117	12,585.71
132572	14540		3,050.79
132602	14540		3,311.46
132625	14540		6,223.46
16337	10/28/2011	UMB BANK NA 5127	51,758.75
PCARD10242011			51,758.75
16338	10/28/2011	UNIVERSAL SYSTEMS INC 5161	2,813.64
349051	12920		2,813.64
16339	10/28/2011	VANDERBILT'S NO 6 5199	150.00
148108	12295		150.00
16340	10/28/2011	VICTOR L PHILLIPS COMPANY INC 5225	1,627.54
IT09880	12258		344.52
IT09880A	12258		335.56
WT30483	12258		947.46
16341	10/28/2011	VISIT TOPEKA INC 5237	240,000.00
14063 3	14063		240,000.00
16342	10/28/2011	WALKER TOWEL & UNIFORM SERVICE 5266	241.05
1444632	15547		96.05
1445185	12297		12.45
1445747	12297		7.65
1445748	12297		23.90
1445749	13328		15.80
1446296	12745		16.90
1446297	12745		2.40
1446298	12745		27.70
1446299	12745		3.60
1446300	12745		15.00

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Between 10/24/2011 and 10/30/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
1446301	12745		11.60
1446306	12745		8.00
16343	10/28/2011	WINGFOOT COMMERCIAL TIRE 5494	1,742.24
123 1040270	12261		259.42
123 1040278	12261		39.92
123 1040279	12261		308.36
123 1040296	12261		309.00
123 1040326	12186		825.54
16344	10/28/2011	WOOLPERT INC 5533	71,294.53
2011005191	558271		2,984.00
2011005195	11855		49,117.05
2011005195	11855		-15,409.72
2011005195B	12666		15,409.72
2011006210	558271		732.00
2011006211	12666		18,461.48
16345	10/28/2011	BECK, PAUL 415	91.00
10/22/11 AVBPB		Adult Volleyball	91.00
16346	10/28/2011	DEAN, ROBERT 1290	120.00
10/22/11 ABBRD		Adult Basketball	80.00
10/22/11 AVBRD		Adult Volleyball	40.00
16347	10/28/2011	EZELL, HARRY 1597	90.00
10/22/11 ABBHE		Adult Basketball	51.00
10/22/11 AVBHE		Adult Volleyball	39.00
16348	10/28/2011	FRIESS, PAULA 1797	241.50
15474 1	15474		161.00
15537 1	15537		80.50
16349	10/28/2011	SHELLEY, HALEY NICOLE 8033	65.00
16131 1	16131		65.00
16350	10/28/2011	JARBOE-PAXSON, NICOLE 2495	308.70
15563 1	15563		220.50
15565 1	15565		88.20
16351	10/28/2011	KENNEDY, BRIAN 2832	91.00
10/22/11 AVBBK		Adult Volleyball	91.00
16352	10/28/2011	MUNOZ, KIMBERLEY ANN 7795	114.00
15539 1	15539		114.00
16353	10/28/2011	LUNA, NARCISO 3138	65.00
10/22/11 AVBNL		Adult Volleyball	65.00
16354	10/28/2011	LUTTERMAN, ERIC 3144	39.00
10/22/11 AVBEL		Adult Volleyball	39.00
16355	10/28/2011	MOCK, CLYDE 3485	63.00
10/22/11 AVBCM		Adult Volleyball	63.00
16356	10/28/2011	RUTTER, PAM 4318	52.00
10/22/11 AVBPR		Adult Volleyball	52.00
16357	10/28/2011	NATIONAL GUARDIAN LIFE INSURAN 5737	18.64
02895103/IA236477	14269		18.64
16358	10/28/2011	SECURITY BENEFIT GROUP 5742	6,756.24
900334 2010 BALA	16106		6,756.24

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Between 10/24/2011 and 10/30/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
16359	10/28/2011	ACE ELECTRIC JONES COMPANY INC 35	1,220.43
9455	16093		325.78
9456	16093		188.15
9469	16093		706.50
16360	10/28/2011	BETTIS ASPHALT & CONSTRUCTION 470	139,260.41
1110 016	11108		139,260.41
16361	10/28/2011	C-HAWKK CONSTRUCTION INC 911	4,553.20
14812	14130		1,475.10
14832	14130		143.10
14833	14130		104.40
14834	14130		20.80
14835	14130		917.15
14836	14130		89.20
14837	14130		95.00
14841	15097		376.65
14864	14130		85.00
14865	14130		128.10
14866	14130		122.20
14867	14130		907.50
14868	15097		89.00
16362	10/28/2011	CAPITAL BELT & SUPPLY INC 776	58.92
47908	12620		58.92
16363	10/28/2011	CAPITAL CITY OIL CO INC 778	33,822.79
008552	12133		468.25
981596	12127		33,354.54
16364	10/28/2011	CHAMPION BRANDS LLC 883	1,246.87
413222	12139		1,522.63
70357	12139		-275.76
16365	10/28/2011	FERGUSON ENTERPRISES INC 1639	139.20
1702045	12685		139.20
16366	10/28/2011	FLU CON INC 1729	262.51
I 79581 0	12216		123.59
P 79533 0	12216		17.11
P 79612 0	12216		44.42
P 79642 0	12216		77.39
16367	10/28/2011	HACH COMPANY 2038	296.85
7454666	12682		81.05
7460706	12682		215.80
16368	10/28/2011	IBT 2377	2,347.03
5677530	15869		2,347.03
16369	10/28/2011	KEY EQUIPMENT & SUPPLY CO 2847	496.32
217459	12455		496.32
16370	10/28/2011	KRIZ DAVIS COMPANY 2916	28.58
S100278073 001	12614		28.58
16371	10/28/2011	M & M EXCAVATING 3157	15,020.85
0145	15758		8,757.50
83038	15814		6,263.35
16372	10/28/2011	NEPTUNE TECHNOLOGY GROUP INC 3658	154,340.60
N293458	16075		90,000.00

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Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
N293831	16075		195.00
N293952	16075		64,145.60
16373	10/28/2011	PIPING CONTRACTORS OF KANSAS 3947	546.84
20597	12729		546.84
16374	10/28/2011	SALISBURY SUPPLY COMPANY INC 4352	1,948.83
01028381	15983		150.45
01028382	15983		-35.40
01028597	15983		45.08
01028598	15983		216.13
01029129	15983		13.23
01024222	12753		673.75
01024971	12753		640.65
01026736	12753		30.00
01027284	12753		53.90
01027577	12873		24.00
01027756	12753		88.55
01028072	12873		32.99
01028073	12753		15.50
16375	10/28/2011	STEVE SCHREINER CONSTRUCTION 4756	995.00
83183	15744		995.00
16376	10/28/2011	TAZCO INC 4885	6,850.50
79118	15058		2,627.95
81181	15376		4,222.55
16377	10/28/2011	TOPEKA ELECTRIC MOTOR REPAIR I 5025	1,023.50
33613	12744		1,023.50
16378	10/28/2011	WHITE STAR MACHINERY & SUPPLY 5408	2,692.53
06069176	12260		1,656.94
06069200	12454		11.99
06069232	12746		696.70
06069272	12454		75.00
06069354	12746		208.90
06069356	12746		43.00
Total for Electronic Payments			1,379,189.56
Check Payments			
689722	10/28/2011	GLENN CORNISH HANSON & KARNs 1902	150.00
31123	16121		150.00
689723	10/28/2011	HENSON HUTTON MUDRICK & 2199	7,005.00
26647	16087		690.00
26648	14599		6,315.00
689724	10/28/2011	ADR BULBS INC 7653	2,725.55
SI 20726	14459		2,725.55
689725	10/28/2011	ARMSTRONG BICYCLE SHOP CO INC 795	2,170.00
15772	15772		2,170.00
689726	10/28/2011	ASSOCIATION OF METROPOLITAN 277	3,176.35
16024	16024		3,176.35
689727	10/28/2011	AUTOMOTIVE EQUIPMENT 8035	50,364.70
BID FS15011 PREF	16151		50,364.70
689728	10/28/2011	BDF ENTERPRISES LTD 1660	94.90
35865	12146		94.90

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Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
689729	10/28/2011	BERRY TRACTOR & EQUIPMENT CO 463	180.07
03008937	12198		145.00
03008949	12198		35.07
689730	10/28/2011	BOZARTH CHEVROLET 578	10.93
596381	12201		5.68
596387	12201		5.25
689731	10/28/2011	BRIDGESTONE FIRESTONE NORTH 617	121.34
526 5734	12202		20.00
526 5822	12202		101.34
689732	10/28/2011	BRIGGS DODGE INC 621	250.00
116813	12203		250.00
689733	10/28/2011	BROWNS SUPER SERVICE INC 670	79.00
06166	12204		79.00
689734	10/28/2011	C & C PRODUCE 7788	668.50
437683	15708		328.00
439290	15708		340.50
689735	10/28/2011	CAPITOL FEDERAL SAVINGS 790	1,378.46
16104 BALDWIN R	16104		1,378.46
689736	10/28/2011	CONRAD FIRE EQUIPMENT INC 1073	700.70
473923	12208		700.70
689737	10/28/2011	COREFIRST BANK & TRUST 1111	2,995.27
OCTOBER 2011	16103		2,995.27
689738	10/28/2011	SCROGGINS, DAVID A 8015	329.50
16069	16069		329.50
689739	10/28/2011	DENNYS RESTAURANT INC 1329	76.97
262654	12589		37.54
263155	12589		39.43
689740	10/28/2011	DENNYS RESTAURANT INC 1329	106.72
129229	12589		41.93
240926	12589		29.74
382435	12589		35.05
689741	10/28/2011	ELECTRONICS SUPPLY CO INC 1505	426.42
1391624	12686		356.47
1391625	12686		69.95
689742	10/28/2011	FACTORY MOTOR PARTS COMPANY 5676	781.78
2 3086578	12188		44.06
8 498901	12262		102.03
8 498938	12262		51.71
8 498939	12188		172.13
8 498972	12262		51.71
8 499337	12262		73.42
8 499563	12262		-100.00
8 499564	12262		-70.00
8 499565	12262		-35.00
8 499566	12262		-35.71
8 499568	12262		-30.00
8 499569	12262		-33.00
8 499839	12188		213.66
8 499857	12262		332.71
8 500011	12188		44.06

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Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
689743 7 651 72050	10/28/2011 12379	FEDEX 1632	29.26 29.26
689744 S1044130 001	10/28/2011 15788	FOX SCIENTIFIC INC 7979	5,750.00 5,750.00
689745 75616385	10/28/2011 10462	GE CAPITAL 6772	11,618.96 11,618.96
689746 26	10/28/2011 12692	GLORY DAYS PIZZA INC 1912	26.99 26.99
689747 275317 275321	10/28/2011 12590 12590	GOLDEN CORRAL 1921	10.29 41.16 51.45
689748 104423	10/28/2011 14840	GOULD & LAMB 1952	425.00 425.00
689749 INV0370650	10/28/2011 13044	GT DISTRIBUTORS INC 2008	474.00 474.00
689750 H74669	10/28/2011 12157	HEATHWOOD OIL CO INC 2166	375.30 375.30
689751 0113	10/28/2011 15850	HENRY OUTDOOR POWER LLC 8004	128.15 128.15
689752 2011 49 2011 50 2011 51	10/28/2011 15329 15329 15443	J WARREN COMPANY INC 2469	825.00 550.00 2,176.89 3,551.89
689753 24 11	10/28/2011 12381	JACOBSON ASBESTOS COMPANY 2487	50.00 50.00
689754 06606	10/28/2011 15855	JAMAR TECHNOLOGIES INC 2491	6,759.00 6,759.00
689755 14417 1	10/28/2011 12227	JAYHAWK AUTO INC 2501	188.00 188.00
689756 142148 88677	10/28/2011 12229 12229	JOHN HOFFER CHRYSLER PLYMOUTH 2541	-46.10 2,040.83 1,994.73
689757 2435129 2432990 2433001 2433145 2433315 2433332 2433344 2433554 2433668 2433723 2433740 2433923 2434114 2434279 2434532	10/28/2011 12231 12231 12164 12231 12231 12231 12231 12231 12231 12231 12231 12164 12231 12231 12164	KANSAS AUTOMOTIVE INC 2639	3.18 1.98 3.82 28.88 1.51 40.56 8.70 80.11 58.02 5.15 48.85 75.33 16.59 93.12 240.43 1,952.84

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Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
2434606	12275		10.80
2434768	12231		7.23
2434799	12231		-7.69
2434976	12231		7.36
2434979	12119		5.52
2435049	12231		2.16
2435115	12231		60.45
2435154	12231		56.73
2435160	12231		4.85
2435162	12231		17.22
2435186	12231		83.12
2435220	12231		8.94
2435418	12231		20.60
2435489	12231		0.89
2435652	12231		36.08
2435683	12288		145.48
2435704	12231		7.00
2435710	12231		14.17
2435725	12231		42.36
2435762	12231		7.43
2435956	12231		3.69
2435980	12231		7.43
2435998	12231		11.56
2436032	12164		1.88
2436098	12164		373.92
2436140	12231		10.25
2436154	12231		1.39
2436233	12231		1.18
2436384	12231		69.21
2436469	12231		16.92
2436655	12164		161.46
2436687	12164		28.26
2436736	12231		14.01
2436781	12231		5.00
2436882	12275		9.75
689758	10/28/2011	KANSAS DEPT OF LABOR	2686
426760	16014		180.00
689759	10/28/2011	KANSAS LEGAL SERVICES INC	2724
CESG1008	15794		4,311.05
689760	10/28/2011	KANSAS POWERTRAIN &	6935
5210	12191		144.00
689761	10/28/2011	KANSAS SECURED TITLE/	2747
SN030137	14141		100.00
689762	10/28/2011	KANSAS STATE HISTORICAL	2756
16128 1 LOC 18V	16128		4.00
16128 2 LOC 19V	16128		4.00
689763	10/28/2011	LAIRD NOLLER FORD INC	2939
1089790	12236		-157.04
1089830	12236		60.18
1089860	12236		175.97
1089885	12236		9.22
1089886	12236		625.79
1089908	12167		49.89
1089920	12236		-488.53
1089947	12236		0.43
1089980	12236		147.70
1089981	12236		60.18
1090002	12236		-151.63

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Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
1090003	12236		-200.00
1090048	12236		120.36
1090049	12236		199.25
1090134	12236		10.39
1090135	12236		122.24
1090203	12236		102.02
1090298	12236		70.08
1090425	12236		146.07
1090462	12236		73.98
1090480	12236		71.44
1090532	12236		123.51
689764	10/28/2011	LOVES ENTERPRISES 3112	12,974.50
10022	15891		6,158.00
84056	15975		3,074.00
84132	15974		2,025.00
84134	16134		1,717.50
689765	10/28/2011	MIDWAY WHOLESALE TOPEKA 3405	44.14
1313966	12148		44.14
689766	10/28/2011	MOSER, ROBERT E 3537	1,995.00
13374 JUN 28 JUL	13374		1,995.00
689767	10/28/2011	MOTHERS AGAINST DRUNK DRIVING 3544	185.00
12950 OCT 2011	12950		185.00
689768	10/28/2011	MWH LABORATORIES 3593	1,730.00
L0070204	14902		800.00
L0070205	14902		930.00
689769	10/28/2011	OZARK INTEGRATED PEST SERVICE 3791	265.00
15348	14610		230.00
15349	14610		35.00
689770	10/28/2011	POWERPLAN 5769	1,245.45
332932	12263		1,245.45
689771	10/28/2011	RFB CONSTRUCTION CO INC 4187	1,800.00
1487	557845		1,800.00
689772	10/28/2011	SAFELITE FULFILLMENT INC 6839	170.17
00687 126590	12268		170.17
689773	10/28/2011	SCHENDEL SERVICES INC 4390	196.15
21079586	12557		196.15
689774	10/28/2011	SHAWNEE COUNTY RECYCLING DEPT 4516	389.00
25SW1110	16021		389.00
689775	10/28/2011	SHAWNEE COUNTY REGISTER DEEDS 4519	68.00
12314 19	12314		68.00
689776	10/28/2011	SINGER EXCAVATING 4577	8,532.00
2011009 02	16110		8,532.00
689777	10/28/2011	STAMPEDE MAILING SERVICE 4716	989.58
25467	14188		989.58
689778	10/28/2011	STANDARD BATTERY INC 4718	1,402.79
R020894	12180		750.73
R020909	12180		399.70
R020910	12180		252.36

COUNCIL REPORT OF VENDOR PAYMENTS

Between 10/24/2011 and 10/30/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
689779 67160	10/28/2011 15991	SURPLUS PROPERTY FUND 4836	82.00 82.00
689780 823615914	10/28/2011 16047	THOMSON WEST PAYMENT CENTER 4972	221.00 221.00
689781 33699	10/28/2011 12251	TOPEKA GENERATOR EXCHANGE 5030	158.80 158.80
689782 532224	10/28/2011 12252	TOPEKA HARLEY DAVIDSON 5031	601.00 601.00
689783 000393048 #9160P	10/28/2011 16030	TRAVELERS INSURANCE COMPANY 5089	4,476.82 4,476.82
689784 6010049	10/28/2011 15906	U S INK AND TONER INC 5116	86.51 86.51
689785 967382401310.11 939110712610.11 016552468510.11 030630368610.11 739181744710.11	10/28/2011 WESTAR WESTAR WESTAR WESTAR WESTAR	WESTAR ENERGY 5376	22,341.65 11,401.49 161.16 6,476.64 16.80 40,397.74
689786 091826	10/28/2011 12259	WHELEN ENGINEERING COMPANY INC 5399	266.40 266.40
689787 0003283501	10/28/2011 12187	WYNN'S 5559	532.32 532.32
689788 MYE101-101411 NOR101-101411 BIN101-101411 BOO101-101411 BRI101-101411 FUL101-101411 HAL101-101411 HOL101-101411 HYS101-101411	10/28/2011	KANSAS GAS SERVICE INC 2631 SE COLORADO 1151 SW WASHBURN 910 NW CLAY ST 1919 SE ADAMS #70 728 NE TWISS AVE. 1923 SW BUCHANAN ST. 126 NW HWY 24 LOT #36 1922 SE MICHAGAN 2110 SW MACVICAR #2	2708 227.48 973.13 433.80 128.00 221.73 454.11 369.69 71.52 852.38 3,731.84
689789 RED101-101411 RIA101-101411 ROB101-101411 ROS101-101411 RUC101-101411 SOT101-101411 TAT101-101411 THO101-101411 TIL101-101411 TOW101-101411 TSI101-101411 WEE101-101411 WHE101-101411 WIL101-101411 WIL102-101411 WIL103-101411 WIL104-101411 WIL105-101411 JAC101-101411 JOH101-101411	10/28/2011	WESTAR ENERGY 3101 SW MACVICAR AVE #104A 1909 SE LOTT STREET 504 SE 35TH TERRACE 5212 SW 20TH TERRACE #102 3711 SE 30TH TERRACE #209 312 SE HANCOCK 1334 NW JACKSON #A 2249 SW WESTPORT DR. #212 1700 SE MARYLAND 1306 SW HARRISON #21 2400 SE 28TH STREET 2643 SE MARYLAND 2116 SE 11TH TERRACE 1184 SW HILLSDALE 5991 SW 22ND PARK #38 715 SW TAYLOR ST. 4833 SW 17TH ST. #2 1224 SE 41ST STREET 3600 SW GAGE #50 3719 SE 30TH TERR #105	5377 350.62 842.48 1,113.41 196.92 251.79 677.53 1,332.79 411.72 453.56 300.11 268.94 521.76 175.12 595.01 794.93 357.44 301.54 518.61 598.62 266.34 17,909.53

COUNCIL REPORT OF VENDOR PAYMENTS

Between 10/24/2011 and 10/30/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
LAM101-101411		441 SE ARTER #13	469.57
MAR101-101411		1940 SW JAMES STREET	73.27
MCC101-101411		3024 SE SWYGART #C	689.32
MCF101-101411		1300 SW TYLER #C8	799.54
NAV101-101411		6026 SW 27TH STREET #23	166.47
ADA101-101411		3121 SW TWILIGHT CT. #101	652.31
ANT101-101411		2511 SE ILLINOIS AVE	752.58
AUS101-101411		1515 SW 15TH ST #2	777.57
BOY101-101411		3320 SW EVENINGSIDE DR.	315.75
BRO101-101411		2109 SE PIONEER WAY #1	279.69
BRO102-101411		1816 SE ADAMS ST	404.77
CAR101-101411		3780 SW PARK SOUTH CT. #202	372.56
CLA101-101411			1,113.66
DEW101-101411		3600 SW 29TH TERRACE #C	82.59
GAN101-101411		3304 SW 29TH ST.	124.33
GRE101-101411		2406 SE PENNSYLVANIA	506.31
689790	10/28/2011	APPINO & BIGGS REPORTING SERVI	242
65866	16101		495.34
689791	10/28/2011	DENNIS LYDA	8081
3591760		REFUND TOWNSITE GARAGE	67.75
689824	10/28/2011	BECK, LOREN	412
10/22/11 AVBLB		Adult Volleyball	39.00
689825	10/28/2011	BRIDGES, WELLS F	616
15487 1	15487		149.50
689826	10/28/2011	CARTER, VICTOR R	829
10/22/11 ABBVC		Adult Basketball	32.00
689827	10/28/2011	ADAMS, COLENE	7582
10/22/11 AVBCA		Adult Volleyball	36.00
689828	10/28/2011	DORITY, SHELBY L	1387
10/22/11 AVBSD		Adult Volleyball	88.00
689829	10/28/2011	HUNT, RON	6013
10/22/11 AVBRH		Adult Volleyball	52.00
689830	10/28/2011	LEWIS, KYLE N	3053
10/22/11 AVBKL			39.00
689831	10/28/2011	WOBUS, PAUL	6165
10/22/11 AVBPW		Adult Volleyball	52.00
689832	10/28/2011	QUARLES II, NORMAN W	4051
10/22/11 ABBNQ		Adult Basketball	48.00
689833	10/28/2011	ATKINSON JR, RICHARD C	7671
10/22/11 AVBRA		Adult Volleyball	30.00
689834	10/28/2011	RILEY, LASHARRA	4219
10/22/11 ABBLR		Adult Basketball	60.00
689835	10/28/2011	SMITH, ERNEST E	6156
10/22/11 ABBES		Adult Basketball	180.00
689836	10/28/2011	THEIS, KENNY	4947
10/22/11 AVBKT		Adult Volleyball	143.00
689837	10/28/2011	LEWIS, TYLER	7114
			27.00

COUNCIL REPORT OF VENDOR PAYMENTS

Between 10/24/2011 and 10/30/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
10/22/11 AVBTL		Adult Volleyball	27.00
689838	10/28/2011	WRIGHT, DENNIS 5547	70.00
10/22/11 AVBDW		Adult Volleyball	70.00
689839	10/28/2011	RENSENHOUSE ELECTRIC SUPPLY 4174	1,520.65
8792 507965	12754		233.59
8792 508415	12754		647.78
8792 508501	12754		181.36
8792 508520	12754		300.22
8792 508571	12754		157.70
689840	10/28/2011	DAVIS FENCE CO INC 1267	2,710.00
011 194	15838		
689841	10/28/2011	FASTENAL COMPANY 1619	51.17
KSTOP166130	12684		9.83
KSTOP166234	12684		35.10
KSTOP166269	12214		6.24
689842	10/28/2011	GRAINGER 1964	1,535.07
9660260135	16001		71.46
9660260143	16002		135.78
9660736555	12219		16.07
9660793325	12290		1,311.76
689843	10/28/2011	HME INC 2261	24.73
36722	12615		
689844	10/28/2011	KEY REFRIGERATION SUPPLY LLC 2848	1,130.00
4161850 00	12688		
689845	10/28/2011	MEIERS READY MIX 3338	10,933.68
309392	13512		382.20
309400	13512		382.20
309408	13512		191.10
309440	15909		174.66
309447	13512		611.52
309473	13512		152.88
309508	13512		191.10
309514	13512		382.20
309515	13512		382.20
309527	13512		160.94
309574	13512		174.66
309592	13512		382.20
309596	13512		382.20
309600	13512		152.88
309606	13512		382.20
309613	13512		764.40
309614	12445		311.15
309622	13512		382.20
309623	13512		382.20
309629	13512		305.76
309635	15971		382.20
309642	15971		382.20
309652	15971		305.76
309692	15971		496.86
309724	12445		186.17
309739	15971		174.66
309757	15971		193.77
309789	15971		382.20
309813	15971		343.98
309818	15971		382.20
309822	15971		191.10

COUNCIL REPORT OF VENDOR PAYMENTS

Between 10/24/2011 and 10/30/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
309824	15971		305.76
309832	15971		382.20
309873	15971		193.77
689846	10/28/2011	NATIONAL SIGN COMPANY 3629	1,165.00
IN 161291	15908		1,165.00
689847	10/28/2011	NORTHEAST KANSAS HYDRAULICS IN 3705	15.32
27198	12242		15.32
689848	10/28/2011	PAVING MAINTENANCE SUPPLY INC 3850	3,587.00
10101050	15981		3,587.00
689849	10/28/2011	ROACH HARDWARE 4230	118.73
152843	12617		1.39
152863	12617		54.98
152985	12617		27.94
153093	12617		10.99
153110	12617		1.00
153154	12617		22.43
689850	10/28/2011	SAFETY SUPPLIES 4336	3,901.67
SSI 111015	15298		3,879.92
SSI 111032	14983		21.75
689851	10/28/2011	TFM COMM INC 4914	193.00
152692	12777		193.00
689852	10/28/2011	TOPEKA BLUE PRINT INC 5015	52.50
163869	12780		52.50
689853	10/28/2011	ATRIA HEARTHSTONE 7633	25.00
CR 2011 0003818	SD KILGORE		25.00
689854	10/28/2011	BLIND TIGER 7863	50.00
CR 2011 0006684	PT GILLASPIE		50.00
689855	10/28/2011	INGENTHRON, VALERIE 6820	30.00
CR 2009 0018301	MD DEXTER		30.00
689856	10/28/2011	EDWARDS, JEFFREY L 6910	21.24
CR 2006 0020620	ESCOBEDO-MATA		21.24
689857	10/28/2011	KANSAS BUREAU OF INVESTIGATION 2646	505.20
CR 2004 0006018	TJ HESTER		37.60
CR 2006 0007984	CM RAJEWSKI		37.60
CR 2010 0009737	CM MARKHAM		95.00
CR 2010 0016449	LS WILLIAMS		35.00
CR 2010 0017539	JD MUNOZ		50.00
CR 2010 0020182	PE CRABB		50.00
CR 2011 0001442	SL MARLER		50.00
CR 2011 0001820	BL KEETER		50.00
CR 2011 0003594	TS ESQUIBEL		100.00
689858	10/28/2011	ACKER, TAMMIE 7076	1,191.93
CR 2008 0014706	AR RAZZANO		1,191.93
689859	10/28/2011	TARGET 6825	70.00
CR 2010 0004104	JD SPARKS		70.00
689860	10/28/2011	CRAMER, TERRI L 6868	30.00
CR 2008 0015053	A VILLEGAS II		30.00

COUNCIL REPORT OF VENDOR PAYMENTS

Between 10/24/2011 and 10/30/2011

<u>Check No.</u>	<u>Check Date/PO #</u>	<u>Vendor Name and Number</u>	<u>Check Amount</u>
689861	10/28/2011	WALMART RESTITUTION RECOVERY 6534	98.88
CR 2010 0019079 M	AJ WILLIAMS		50.00
CR 2011 0010603 M	AK GIRARD		48.88
689862	10/28/2011	WESTAR ENERGY 6570	25.00
CR 2006 0019201 F	LG DUNBAR		25.00
Total for Check Payments			244,127.38
TOTAL OF PAYMENTS			1,623,316.94

Payment Listing

CB255 Date: 10/31/11 JOB SUBMISSION PARAMETERS
Time: 09:58

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: 102411 - 103011
Check Nbr: -
Company: 1

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

Payment Listing

Attachment number 3 \nPage 2

CB255 Date 10/31/11
Time 09:58

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
GREEN BOYS	689792	1	10/11/11	10/28/11		306.73	Historical	GREEN BOYS
RINNER CON	689793	1	10/11/11	10/28/11		306.73	Historical	RINNER CON
SINGER EXC	689794	1	10/11/11	10/28/11		650.00	Historical	SINGER EXC
SINGER EXC	689795	1	10/11/11	10/28/11		215.43	Historical	SINGER EXC
WESTERN FI	689796	1	10/11/11	10/28/11		865.43	Historical	WESTERN FI
WESTERN FI	689797	1	10/11/11	10/28/11		865.43	Historical	WESTERN FI
W W SCHREM	689798	1	10/19/11	10/28/11		70.89	Historical	W W SCHREM
1122 MADIS	689799	1	10/19/11	10/28/11		7223.49	Historical	CANDY PHIF
ASHBAUGH C	689800	1	10/18/11	10/28/11		85.49	Historical	CHARLES AS
ROBERSON L	689801	1	10/11/11	10/28/11		35.00	Historical	LEARMON RO
STANCIL JA	689802	1	10/10/11	10/28/11		180.00	Historical	JASON A ST
YOWELL MAT	689803	1	10/11/11	10/28/11		288.00	Historical	MATTHEW A
ASHBAUGH M	689804	1	10/17/11	10/28/11		111.00	Historical	MATTHEW B
ATWOOD JAD	689805	1	10/19/11	10/28/11		1.00	Historical	JADE ASHLY
BELL JOHN	689806	1	10/18/11	10/28/11		48.00	Historical	JOHN CHARL
BLACKWELLS	689807	1	10/10/11	10/28/11		100.00	Historical	LANCE EUGE
CHESTER WI	689808	1	10/17/11	10/28/11		25.00	Historical	WILLIAM MA
GIFFORD JE	689809	1	10/20/11	10/28/11		162.00	Historical	JESSICA NI
MYRICK PAT	689810	1	10/10/11	10/28/11		1350.00	Historical	PATRICK RA
NOVAK STEV	689811	1	10/19/11	10/28/11		11.00	Historical	STEVEN WIL
RAY CHAD W	689812	1	10/14/11	10/28/11		36.00	Historical	CHAD W RAY
MEYERS ROC	689813	1	10/17/11	10/28/11		8.00	Historical	ROCHELLE L
CHAVARRIA	689814	1	10/17/11	10/28/11		50.00	Historical	KARINA CHA
CHAVEZ MAT	689815	1	10/24/11	10/28/11		50.00	Historical	MATTHEW CH
FLOWERS DE	689816	1	10/17/11	10/28/11		50.00	Historical	DEBRA FLOW
MEDINGER M	689817	1	10/17/11	10/28/11		50.00	Historical	MATTHEW ME
PLUMBERS &	689818	1	10/17/11	10/28/11		50.00	Historical	PLUMBERS &
SHAWNEE CO	689819	1	10/17/11	10/28/11		50.00	Historical	SHAWNEE CO
SOTO MARIA	689820	1	10/24/11	10/28/11		50.00	Historical	MARIA SOTO
WHEATLEY S	689821	1	10/17/11	10/28/11		50.00	Historical	SUSAN WHEA
EL SHADDAI	689822	1	10/21/11	10/28/11		50.00	Historical	EL SHADDAI
LEE-NELSON	689823	1	10/21/11	10/28/11		30.00	Historical	DEBORAH LE
Transaction Code SYS Total						13424.62		
Cash Code 02 Total						13424.62		
Report Total						13424.62		

*** REPORT COMPLETED ***



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

October 27, 2011

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DATE:	November 15, 2011	
CONTACT PERSON:	Pam Simecka	DOCUMENT #:
SECOND PARTY/SUBJECT:	Special Alcohol Program Fund	PROJECT #:
CATEGORY/SUBCATEGORY	006 Communication / 003 Requests	
CIP PROJECT:	No	
ACTION OF COUNCIL:		JOURNAL #:
		PAGE #:

DOCUMENT DESCRIPTION:

APPROVAL of funding recommendations of the Topeka-Shawnee County Alcohol-Drug Abuse Advisory Council for annual program and one-time grant awards in 2012 from the Special Alcohol Program Fund.

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

(The Advisory Council has completed its annual review of proposals for funding from the Special Alcohol Program Fund and recommends a total of \$749,950 be awarded in grants.)

POLICY ISSUE:

Whether to award the grants based upon the recommendations of the Advisory Council.

STAFF RECOMMENDATION:

Approve the recommendations of the Topeka-Shawnee County Alcohol-Drug Abuse Advisory Council.

BACKGROUND:

The Advisory Council has completed its annual review of proposals for funding from the Special Alcohol Program Fund. Kansas cities receive 70.0 percent of the revenue generated by the state liquor drink excise tax, which is 10.0 percent of the gross receipts for the sale of alcoholic liquor. Two-thirds of the revenue goes to the General Fund, with half of that amount supporting recreational programming, and the final third is placed in the Special Alcohol Program Fund.

BUDGETARY IMPACT:

The recommendation of the Advisory Council totals \$749,950, which under the expenditure limit of \$750,000

Item #12

for the Special Alcohol Program Fund in 2012. The recommended funding is \$225,721 to Shawnee County Regional Prevention Recovery for Community Prevention Program; \$55,229 to Shawnee Regional Prevention and Recovery for Youth Evaluation; \$58,000 to the Topeka Youth Project for Jobs for Young Adults; \$42,000 to 3rd Judicial Court for the Drug Court Program; \$273,675 to VALEO for Social Detox and \$95,325 to VALEO for Reintegration.

Attachments outlining the recommendations.

SOURCE OF FUNDING:

Special Alcohol Program Fund.

ATTACHMENTS:

[Letter from CRC](#)



Community Resources Council

501 SE Jefferson, Suite 30
Topeka, KS 66607-1173
Office:(785) 233-1365 Fax:(785)-233-1905
E-mail: crcexec@crcnet.org

Oct. 1, 2011

To: Mayor and City Council of Topeka, Kansas

From: Shawnee County/Topeka Social Services Review Team

Subject: **2011 City Alcohol and Drug Funding Recommendations**

Review Team Members

Nancy Johnson [Chairman], Community Resources Council
Shari Gonzales, Individual
Lenny Ewell, Individual

Review Team funding recommendations are summarized on a table, followed by the report narrative.

The City of Topeka budgeted \$750,000 for 2012 alcohol and drug contracts; the reviewers recommended total funding of \$749,950. We appreciate the City of Topeka decision to provide funds for the alcohol and drug programs in Topeka.

This report was prepared at the request of the City of Topeka. The opinions and recommendations contained in this report are those of the Alcohol and Drug Grant Review Team and do not necessarily reflect the views of the City of Topeka or the agencies and departments with which reviewers are affiliated.

City of Topeka

Agency	Program	2010 Funded	2011 Requested	2011 Recommended	2012 Requested	2012 Recommended
PARS	Prevention Programs	\$126,000	\$128,500	\$128,500	\$215,721	\$225,721
PARS	Youth Eval Program	\$39,000	\$41,500	\$41,500	\$43,229	\$55,229
3rd Judicial Drug Court					\$30,000	\$42,000
Topeka Youth Project	Jobs for Young Adults	\$47,232	\$40,000	\$40,000	\$46,000	\$58,000
Valeo	Social Detox	\$223,186	\$220,686	\$220,686	\$261,675	\$273,675
Valeo	Reintegration	\$39,625	\$37,125	\$37,125	\$83,325	\$95,325
TOTAL		\$475,043	\$467,811	\$467,811	\$679,950	\$749,950

Shawnee Regional Prevention & Recovery Services**Recommended 2012*****Community Prevention Program***

\$225,721

Prevention and Recovery Services uses the evidence-based Strategic Prevention Framework as its prevention model. This program helps reduce risk factors and increase protective factors related to alcohol and other drug abuse and a number of related social problems that share the same risk and protective factors with the following strategies: assessment, capacity, planning, implementation, evaluation, training, Community Baseline Training, Choosing Health Options in Challenging Environment and Situations, Guiding good Choices, SPICEline workshops, crank It Up Workshops and Community that Care-Strategic Prevention Framework Workshops.

Shawnee Regional Prevention & Recovery Services**Recommended 2012*****Youth Evaluation Program***

\$55,229

Youth Evaluation Program provides children and teenagers with substance abuse assessments, evaluations and referrals. These clients typically are referred to the program by schools after they have been found to be in violation of school alcohol and drug policies. However, young people and families may self-refer. The evaluation process involves the young person, parents and the schools. Siblings may also be brought into the process if their involvement is indicated during the first evaluation session. These clients may be referred to treatment, individual counseling, group therapy or complete closure of the process after the evaluation is completed. Parents may also be referred to treatment, counseling, parenting groups or complete closure the after the evaluation is completed.

Topeka Youth Project**Recommended 2012*****Jobs for Young Adults***

\$ 58,000

Jobs for Young Adults focus on building productive taxpaying citizens making positive choices and learning how drugs/alcohol can be a road block to their success. Upon completion of the program, they have access to 150 employers who participate in the program and provide drug free working environments. They maintain a 96% certification rate and a 96% employment rate. They follow the employee and participant for 6 months. They recognize the participant's hard work with a Recognition Dinner at the Capital Plaza Hotel. They are enrolling a second generation as the program has been operating for 25 years and has served over 5,000.

Third Judicial**Recommended 2012****Drug Court Program****\$ 42,000**

Eligible drug-addicted persons may be sent to the Drug Court in lieu of traditional criminal case processing. Drug Courts keep individuals in treatment long enough for it to work, while supervising them closely. For a minimum term of one year, participants are: provided with intensive treatment and other services they require to get and stay clean and sober; held accountable by the judge for their obligations to the court, society and their families; regularly tested for drug use; required to appear in court frequently and their progress evaluated; participants are rewarded for doing well or sanctioned when they do not live up to their obligations.

VALEO Behavioral Health Care**Recommended 2012*****Social Detox*****\$ 273,675**

Social Detox is a safe, non-medical, therapeutic environment for acute withdrawal from chemicals. The goals of Social Detox are twofold: 1. to facilitate successful completion of the detox process, which includes reduction of symptoms and completion of a clinical assessment of treatment needs, and 2. to transfer clients to appropriate treatment modalities. The average length of stay in Social Detox ranges from 24 hours to six days. Social Detox operates year round.

VALEO Behavioral Health Care**Recommended 2012*****Reintegration*****\$ 95,325**

Stepping Stones is a reintegration program, which provides 24-hour supportive, residential living for recovering alcoholics and/or drug dependent persons. Services provided include individual and group counseling, case management, employment readiness program, connection with self-help community, recreational and social activities and individual work therapies designed re-entry into the community, gainful employment and sustained recovery following discharge.

CC: Shawnee County Commission



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

October 25, 2011

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DATE:	November 15, 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 vote 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

Item #13



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

October 31, 2011

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DATE:	November 15, 2011		
CONTACT PERSON:	David Thurbon/Bill Hoover	DOCUMENT #:	Z11/16
SECOND PARTY/SUBJECT:	Builder's Bee LLC	PROJECT #:	N/A
CATEGORY/SUBCATEGORY	014 Ordinances – Non-Codified / 007 Zoning		
CIP PROJECT:	No		
ACTION OF COUNCIL:	11-01-11 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 two lots located at the northeast corner of SW 10th Avenue and SW Woodbridge Drive from "O&I-1" Office and Institutional District TO "M-1" Two Family Dwelling District. Final Reading. (Z11/16) (Council District No. 9)

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

(Approval would allow for the development of duplexes.)

POLICY ISSUE:

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

STAFF RECOMMENDATION:

The Topeka Planning Commission recommended the proposal be **APPROVED** by a vote of 7-0-0 at their October 17, 2011 meeting as referenced in the attached minutes. Planning Department staff recommended this request be **APPROVED**.

BACKGROUND:

- See staff report
- Governing Body options:
- Adopt the recommendation of the Planning Commission by Ordinance (6 votes);
- Disapprove the Planning Commission's recommendation and ordinance (7 votes); or

Item #14

- Return to the Planning Commission with a statement specifying the basis for the Governing Body's failure to approve or disapprove.

BUDGETARY IMPACT:

N/A

SOURCE OF FUNDING:

N/A

ATTACHMENTS:

[Ordinance](#)

[zoning map](#)

[aerial map](#)

[staff report](#)

[Application](#)

[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 two lots located at the northeast corner of SW 10th Avenue and SW Woodbridge Drive from "O&I-1" Office and Institutional District **TO** "M-1" Two Family Dwelling District. **(Z11/16) (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:

Lots 51 and 52, Block C, Woodbridge Subdivision No. 2, City of Topeka, Shawnee County, Kansas.

from "O&I-1" Office and Institutional 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. Buntten, Mayor

ATTEST:

Brenda Younger, City Clerk

To Be Codified _____
Not To Be Codified X

October 17, 2011
Agenda Item # E-1

ZONING REPORT

CITY OF TOPEKA PLANNING DEPARTMENT

CASE NO: Z11/16

By: **Builder's Bee L.L.C.**

PROPOSAL: Zone change from "O&I-1" Office & Institutional District **TO** "M-1" Two-Family Dwelling District

LOCATION: Property located at the northeast corner of SW Woodbridge Drive and SW 10th Avenue.

PRESENT USE: Approximate 36,360 sq. ft. vacant land (Lot 51 – 180' X 90' and Lot 52 – 180' X 112')

PROPOSED USE: One duplex building per lot

CHARACTER OF NEIGHBORHOOD: The subject property is located on the north side of SW 10th Avenue (minor arterial). Single-family residential neighborhoods are located on both the north and south sides of SW 10th Avenue. Crown Colony Apartments are located just to the west of the subject property.

ZONING CLASSIFICATION AND USE OF SURROUNDING PROPERTIES:

	ZONING CLASSIFICATION	PRESENT LAND USE
North:	"M-2" Multiple-Family Dwelling District	Vacant
South:	"R-1" Single-Family Dwelling District	Single-family residences
East:	"M-2" Multiple-Family Dwelling District	Single-family residences
West:	"PUD" Planned Unit Development (M-2 use)	Apartments

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 this area was annexed in 1979. The property was zoned for office uses since at least 1994 when the remainder of this block along SW Woodbridge Drive was zoned for office and institutional uses.

SUITABILITY OF PROPERTY FOR USES TO WHICH IT HAS BEEN RESTRICTED: The property is no longer suitable as presently restricted for the "O&I-1" Office & Institutional District. Adjoining properties have all developed for residential uses and the predominant pattern of zoning in the area is for "M-2" Multiple-Family Dwelling District. The "O&I-1" zoning classification is a remnant from the when the portion of the neighborhood along SW Woodbridge was zoned for office uses. To permit an office on this property now would be considered a case of spot zoning since there are no contiguous properties zoned office. The "M-1" Two-Family Dwelling District is more suitable for this property rather than the "M-2" District since "M-1" is the most restrictive residential dwelling district that

October 17, 2011
Agenda Item # E-1

still allows duplexes and the subject property is adjacent to single-family dwellings. “M-1” would not allow any residential use having a greater density than two-family dwelling units.

CONFORMANCE TO COMPREHENSIVE PLAN: The Land Use and Growth Management Plan – 2025 designates the subject property as being planned for *Urban/Suburban Low Density Residential* land uses. Although, the area is zoned for multiple-family dwellings, the established pattern of land uses makes this more of a transitional area with apartments to the west and single-family dwellings to the east. The Comprehensive Plan indicates medium-density residential uses, such as, duplexes, patio homes and townhomes can be used as transitional land uses adjacent to single-family residential, making the two-family dwelling district on these properties consistent with the Comprehensive Plan.

THE EXTENT TO WHICH REMOVAL OF THE RESTRICTIONS WILL DETRIMENTALLY AFFECT NEARBY PROPERTIES: Accepted planning principles dictate established patterns of land use must be recognized as a basic factor which strongly influences rezoning decisions. Based upon the established land use patterns in the surrounding area, removal of the present restrictions for the office and institutional zoning district would only allow the property to develop consistent with the surrounding area for single- and two-family uses and, thereby, eliminating any possible detrimental effect development of the site for an office and institutional use might have on the 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: The site’s present classification is **inconsistent** with the established pattern of zoning and land uses in the area, as it would permit development of this property for uses no longer consistent with the zoning and land uses of the area. Therefore, there would be no gain to the public health, safety, and welfare by allowing the property to remain zoned for an office and institutional use. There would be a hardship imposed upon the individual landowner by leaving the properties zoned “O&I-1”, as this district only allows residential uses above the ground floor.

AVAILABILITY OF PUBLIC SERVICES: All essential public utilities, services and facilities are presently available to this area or will be extended at developer expense.

COMPLIANCE WITH ZONING AND SUBDIVISION REGULATIONS:

Minimum Lot Area: **Compliant** – The properties meet the required minimum lot area of the “M-1” District (4,500 sq. ft. per duplex building).

Setbacks: **Compliant** – No existing structures

Platting: **Compliant** – Lot 51 and 52, Block C, Woodbridge Subdivision #2.

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 that will not be addressed at the building permit stage.

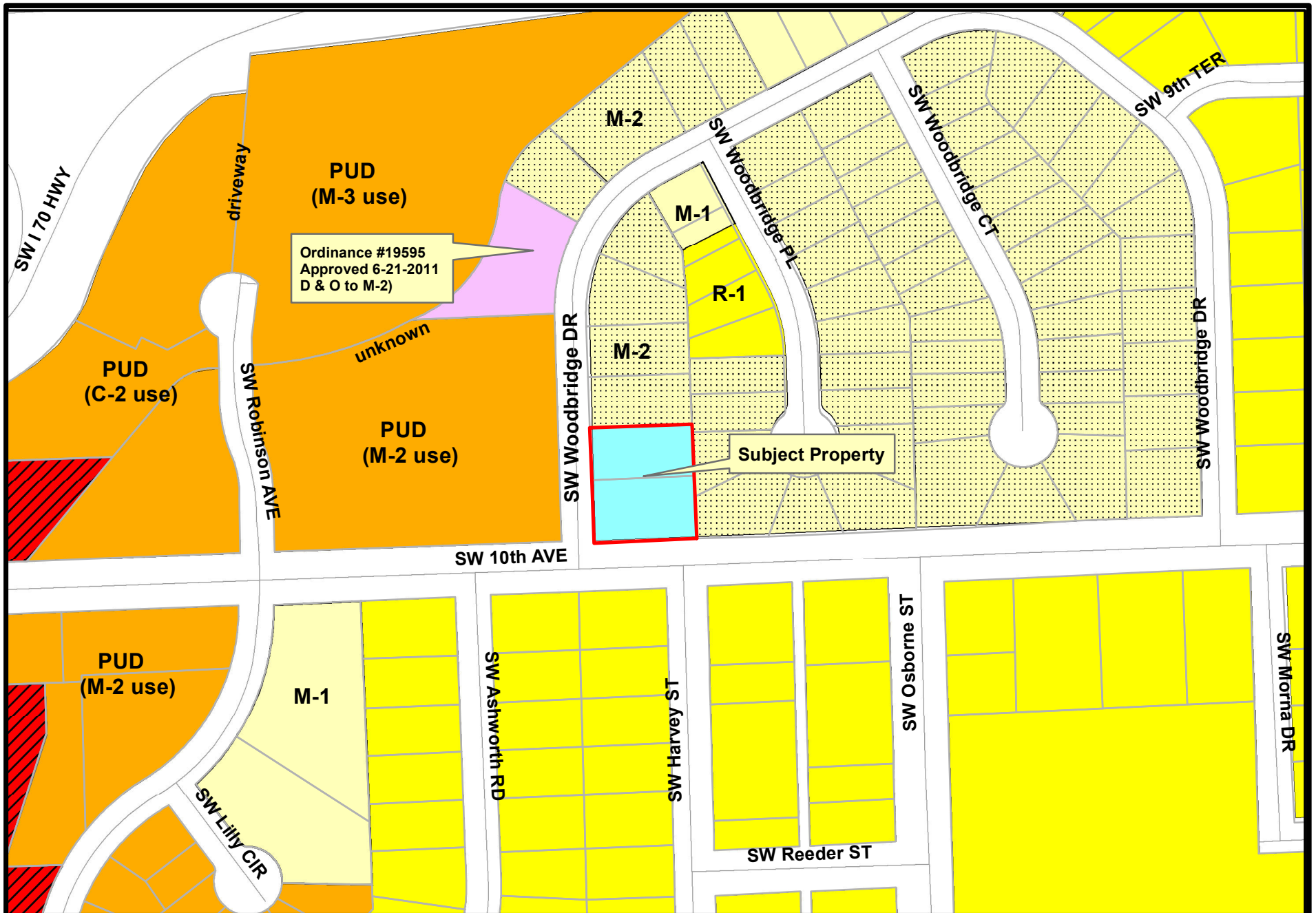
October 17, 2011
Agenda Item # E-1

ADDITIONAL FACTORS:

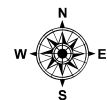
1. Neighborhood Improvement Association: N/A
2. Capitol Area Plaza Authority: N/A
3. Flood Hazard Area: N/A
4. Historic Properties: N/A

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

Prepared by:
Annie Driver,
Planner II

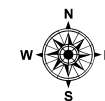


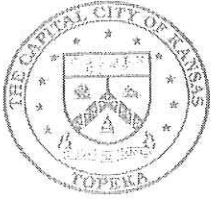
Z11/16 by: Builder's Bee LLC





Z11/16 by: Builder's Bee LLC





Rezoning Application Form

(Includes PUD Rezoning and PUD Amendments)

City of Topeka Planning Department

620 SE Madison, 3rd Floor (Unit #11)

Topeka, KS 66607-1118

Phone 785-368-3728

Fax 785-368-2535

www.topeka.org/planning

Requested Action and Site Information

Type of Application:

1. Re-zoning from: O&I-1 to: M-1

2. If a Planned Unit Development (PUD) rezoning, include proposed zoning district use group(s): _____

Address or Location of Property to be Re-Zoned: NE corner SW 10th Ave. & SW Woodbridge Drive

Legal Description of Property*: lot(s) 51 block C subdivision Woodbridge #2

lot(s) 52 block C subdivision Woodbridge #2

*if unplatted, attach metes and bounds description

Total Area (acres/square feet): 36,360sq ft

Existing Use(s) on the property: vacant

How long has the existing use been active on the property? always vacant

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

Duplexes

Was a Pre-Application Meeting or Zoning Inquiry completed with Staff? _____ If Yes, when? _____

Are all real estate taxes and special assessments current on the property? yes (If these taxes or any special assessments are delinquent, then this application will not be scheduled for public hearings until they are current.)

Attach any other information you desire to support your application.

PLANNING OFFICE USE ONLY

Date submitted: 9/2/11

Date notice sent: 9/23/11

Application No.: 211116

Date advertised: 9/26/11

Filing fee: 1050⁰⁰ Receipt no.: _____

Date of hearing: 10/17/11

Property Taxes Current? Yes ☒ No _____

Council district: #9

Parcel No.: 0983302007051000, 0983302007052000 NIA/NA: none

Items Missing? Yes ☐ No ☒ List any incomplete items: _____

Applicant information

Property Owner(s): Builder Bee's LLC

Street Address: 3107 SW Mulvane

City: Topeka State: KS Zip: 66611 E-mail: _____

Work phone: _____ Home phone: _____ Fax: _____

Authorized Owner Representative (if any): _____

Street Address: _____

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

Work phone: _____ Home phone: _____ Fax: _____

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

Street Address: _____

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

Work phone: _____ Home phone: _____ Fax: _____

Authorization

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

Owner 1 Name: Justin Fessler

Owner 1 Signature: _____ Date: 9/2/11

Owner 2 Name: _____

Owner 2 Signature: _____ Date: _____

**Minutes of the
Topeka Planning Commission
Monday, October 17, 2011**

Z11/16 by Builder Bee's L.L.C. requesting to amend the District Zoning Classification from "O&I-1" Office and Institutional District **TO** "M-1" Two Family Dwelling District on two lots located at the northeast corner of SW 10th Avenue and SW Woodbridge Drive. **(Driver)** Annie Driver summarized the staff report.

Proponents:

Josh Foster, applicant, was in the audience and said he agreed with staff's recommendation.

Opponents:

Randy Parnell, 947 SW Woodbridge Place, spoke in opposition to the proposal. He stated his property is directly to the east of the subject property. He said they purchased their home about a year and a half ago. He said we found out these lots were zoned commercial and that is part of the reason we bought our house. He said his house is designed with windows from floor to ceiling with a walkout deck towards the Wanamaker corridor. The house was designed for the view. Mr. Parnell said the proposed zoning will impede the view and depreciate the value of his home. He said another concern of his is privacy. A commercial site would allow evening and weekend privacy because the businesses would close during those times. That was our anticipation when we purchased the property. Hopefully we can find a compromise. Not sure how that would happen. He said should the property be re-zoned to a two family dwelling they should be single story structures.

Scott Gales asked Mr. Parnell if he checked with the city for zoning of the vacant lots prior to purchasing his home? Mr. Parnell replied, no, the realtor and developer of our house told us the zoning. They said it would probably be a single story business. The likelihood of a two-story office building being not likely. Mr. Gales stated with the current zoning, they could by right, build a two story building. Mr. Parnell said he realizes that but the proposed zoning will have families coming and going at all hours. A commercial entity would not have evening or possibly weekend traffic.

Rich Beardmore asked Mr. Parnell if all the lots surrounding him are built on and occupied? Mr. Parnell replied the lot to the north is not vacant.

John Dozier, 943 SW Woodbridge Place, spoke in opposition to the proposal. He said his house is just north of the Parnell's. It is designed the same as theirs and our realtor told us the same thing about the vacant lots. He said it is his understanding with the current zoning they can't have a building taller than 42 feet. He said he isn't sure what the owner is doing other than duplexes. He said he isn't sure if the plan is to develop two story duplexes. He added a two story structure would block the view of Wanamaker. He stated the owner knew the zoning of the lots when purchased. Now they want to change it. He said an office would have less density than a family home. He added the current zoning allows for residential type office zoning.

Brett Klausman asked Mr. Dozier to clarify where his house is. Mr. Dozier replied it is on Woodbridge Place near the cul-de-sac. He said the realtor and developer said the vacant lots are zoned office. He added an office would be a more desirable atmosphere.

Mr. Parnell said the location of his home is directly east of the vacant lots and Mr. Dozier's home is north of ours. To the south of our home is another vacant lot.

Lee Williams closed the public hearing.

Kevin Beck asked what the height limit in the M-1 District? Mrs. Driver replied, 45 feet. Peter Hancock asked if that includes the roof and it could be three stories high. Mr. Thurbon agreed. Mr. Beardmore asked if the nearby apartments are two stories. Mr. Thurbon replied, yes. Several members in the audience stated they are at a much lower elevation than the subject property.

Lee Williams asked what the zoning is north of the lots? Mrs. Driver replied M-2 Multiple Family. She added they are vacant.

Mr. Hancock asked if he could ask the developer his intentions?

Mr. Thurbon suggested the public hearing be reopened to do so.

Lee Williams reopened the public hearing.

Mr. Foster stated his plans are to build story and half duplexes. He said if an office is put on the property there isn't a lot of room and the only way they would get enough room is to build up. He said he will have lesser number of units than what can be built to the north.

Mr. Williams asked Mr. Foster what the height of the duplexes will be? Mr. Foster said he is not sure yet. He stated he has been working on a different development and haven't been able to plan this one out yet.

Mr. Gales asked if the commission can add stipulations regarding the pitch or height of the roof? Mr. Thurbon said it can be discussed but it is straight zoning and it is not binding. Mr. Foster stated they will be craftsman type homes.

Mr. Hancock asked if a bedroom would face the house behind it. Mr. Foster replied the duplexes will probably have a bedroom in the back of the house. He added the roof pitch will be above the story and a half. The plans are not set in stone yet.

Mr. Gales asked where the access points will be? Mr. Foster replied on Woodbridge Drive close to the street.

Mr. Dozier asked why they are taking the two tallest elevation lots and putting story and a half structure on them. He said the elevation drops as you go north. The duplexes will be taller structures than others in the area. He added the owner has the whole block to put up story and half structures on.

Mr. Parnell said the developer understands the value of the view we have now and he will impede. It will affect the resale value of our home.

Mr. Hancock said the question before the commission is if the requested zoning is appropriate for these lots. It is lower zoning than what is currently there. He said he is having a hard time fathoming that this request is not appropriate. He said the view may detract from someone else's

but is that a reason this zoning is inappropriate for this location? Mr. Williams said it is not inappropriate as far as zoning goes. Mr. Hancock said maybe if this was a PUD we could attach some stipulations but the applicant is requesting straight zoning.

Richard Beardmore moved to approve as written by staff, seconded by Brett Klausman.

APPROVAL. (7-0-0)

DRAFT



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

October 31, 2011

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

DATE:	November 15, 2011		
CONTACT PERSON:	David Thurbon/Bill Hoover	DOCUMENT #:	Z11/20
SECOND PARTY/SUBJECT:	Topeka Planning Commission	PROJECT #:	N/A
CATEGORY/SUBCATEGORY	014 Ordinances – Non-Codified / 007 Zoning		
CIP PROJECT:	No		
ACTION OF COUNCIL:	11-01-11 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 north of SW 29th Terrace, the centerline of the tract being approximately 580 feet southeast of the intersection of SW MacVicar Avenue and SW 29th Street from "E" Multiple Family Dwelling District TO "O&I-2" Office and Institutional District. Final Reading. (Z11/20) (Council District No. 5)

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 zoning.)

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 7-0-0 at their **October 17, 2011** meeting as referenced in the attached minutes. Planning Department staff recommended this request be **APPROVED** as described in the attached staff report.

BACKGROUND:

Item #15

- 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 north of SW 29th Terrace, the centerline of the tract being approximately 580 feet southeast of the intersection of SW MacVicar Avenue and SW 29th Street from "E" Multiple Family Dwelling District **TO** "O&I-2" Office and Institutional District. **(Z11/20) (Council District No. 5)**

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 A, Executive Park Replat to the City of Topeka, Shawnee County, Kansas; EXCEPT: Beginning at the Northwest corner of said Lot 6; thence south along the West line of said Lot 6, a distance of 105 feet; thence east parallel to the North line of said Lot 6 to the Southeasterly line of said Lot 6; thence northeasterly along said Southeasterly line to the most Easterly corner of said Lot 6; thence on a curve to the right having a radius of 60 feet, an arc distance of 44.82 feet to the Northeast corner of said Lot 6; thence west along the North line of said Lot 6, 108.23 feet to the point of beginning.

AND

Lot 3, Block A, Executive Park Replat to the City of Topeka, Shawnee County, Kansas; EXCEPT: Beginning at the Northwest corner of said Lot 3; thence South 37°11'43" West, 84.97 feet along part of the Westerly line of said lot; thence South 00°03'45" East, 104.65 feet to a point on the South line of said lot being 79.56 feet easterly of the Southwest corner of said Lot 3; thence North 89°58'26" East, 105.07 feet along said South line; thence North 00°03'45" West, 162.64 feet to the Northeast corner of said Lot 3; thence on a 60 foot radius curve right, an arc distance of 56.56 feet, said curve having a long chord bearing North 79°48'24" West, 54.49 feet to the place of beginning; AND EXCEPT: Beginning at the Northeast corner of Lot 3; thence South 16°49'01" East, 25.00 feet; thence South 36°44'26" East, 173.0 feet to the Southeast corner of Lot 3; thence South 89°58'26" West, 110.54 feet along the South line of Lot 3; thence North 00°03'45" West, 162.64 feet to the point of beginning.

from "E" Multiple Family Dwelling District **TO** "O&I-2" Office and Institutional District.

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

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

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

PASSED AND APPROVED by the Governing Body of the City of Topeka,
_____, 2011.

William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk

To Be Codified _____
Not To Be Codified X

October 17, 2011
Agenda Item # E-3

ZONING REPORT

CITY OF TOPEKA PLANNING DEPARTMENT

CASE NO: Z11/20

by: Topeka Planning Commission

PROPOSAL: Zone change from “E” Multiple-Family Dwelling District TO “O&I-2” Office and Institutional District

LOCATION: Property located along the north side of SW 29th Terrace and south of SW Plass Court, approximately 500 ft. to the southeast of SW MacVicar and SW 29th Street intersection

PRESENT USE: vacant (105’ X 75’ parcel)

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 tract compatible with the surrounding land uses, the zoning on adjacent properties, and with the zoning of an adjoining property to the west with an office building and under the same ownership at 2206 SW 29th Terrace.

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” since 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: The subject property is within an established office park and located north of apartments. A creek meanders through the office park and cuts diagonally across the subject property.

ZONING CLASSIFICATION AND USE OF SURROUNDING PROPERTIES:

	ZONING CLASSIFICATION	PRESENT LAND USE
North:	“O&I-2” Office & Institutional District	Office
South:	“M-2” Multiple-Family Dwelling District	Apartments
East:	“O&I-2” Office & Institutional District	Office
West:	“O&I-2” Office & Institutional District	Office (same ownership)

October 17, 2011
Agenda Item # E-3

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 1963, when it was rezoned from “A” Single-Family Dwelling District to allow for the construction of an office park. The subject property has remained vacant ever since, as it is encumbered by drainage and utility easements.

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 by 2002 to either the “O&I-2” or “M-3” Districts. Since the property remained vacant, it never converted to “O&I-2” as did the adjacent developed properties. The property is more suitable for the “O&I-2” District than as presently restricted for “E”, as this rezoning is merely intended to bring the property’s zoning up-to-date with current code and make the property’s zoning compatible with adjacent properties.

CONFORMANCE TO COMPREHENSIVE PLAN: The subject property is within an area classified *Medium/High Density Residential*. However, accepted planning principles dictate the established patterns of land use must be recognized as a basic factor which strongly influences rezoning decisions. Based upon the established land use patterns in the surrounding area, an office zoning is most consistent with the surrounding area and land uses.

THE EXTENT TO WHICH REMOVAL OF THE RESTRICTIONS WILL DETRIMENTALLY AFFECT NEARBY PROPERTIES: Removal of the present restrictions will have no detrimental effect upon nearby properties as it will bring the zoning classifications of the property up-to-date with the current zoning code, as well as, make its zoning consistent with the zoning of adjacent properties. Development is unlikely, or at least limited, on this property since it is covered mostly by utility and drainage easements. Therefore, there should be no detrimental effect upon nearby properties by removal of the present restrictions.

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 appears to be no hardship imposed upon the individual landowner by rezoning the properties to the “O&I-2” District, as the present zoning action is merely intended to give the property an up-to-date zoning classification and make its zoning consistent with the adjoining property under the same ownership.

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

COMPLIANCE WITH ZONING AND SUBDIVISION REGULATIONS: The property may be non-buildable as a stand-alone property since it has a creek diagonally crossing it from the northwest to southeast and is encumbered by a drainage easement.

Minimum Lot Area: **Compliant** – 8,276 sq. ft. (the minimum lot area in the “O&I-2” District is 7,500 sq. ft.)

Setbacks: **Compliant** – Vacant

October 17, 2011
Agenda Item # E-3

Platting: **Compliant-** Platted as a part of Lot 3 & 6, Block A, Executive Park Subdivision

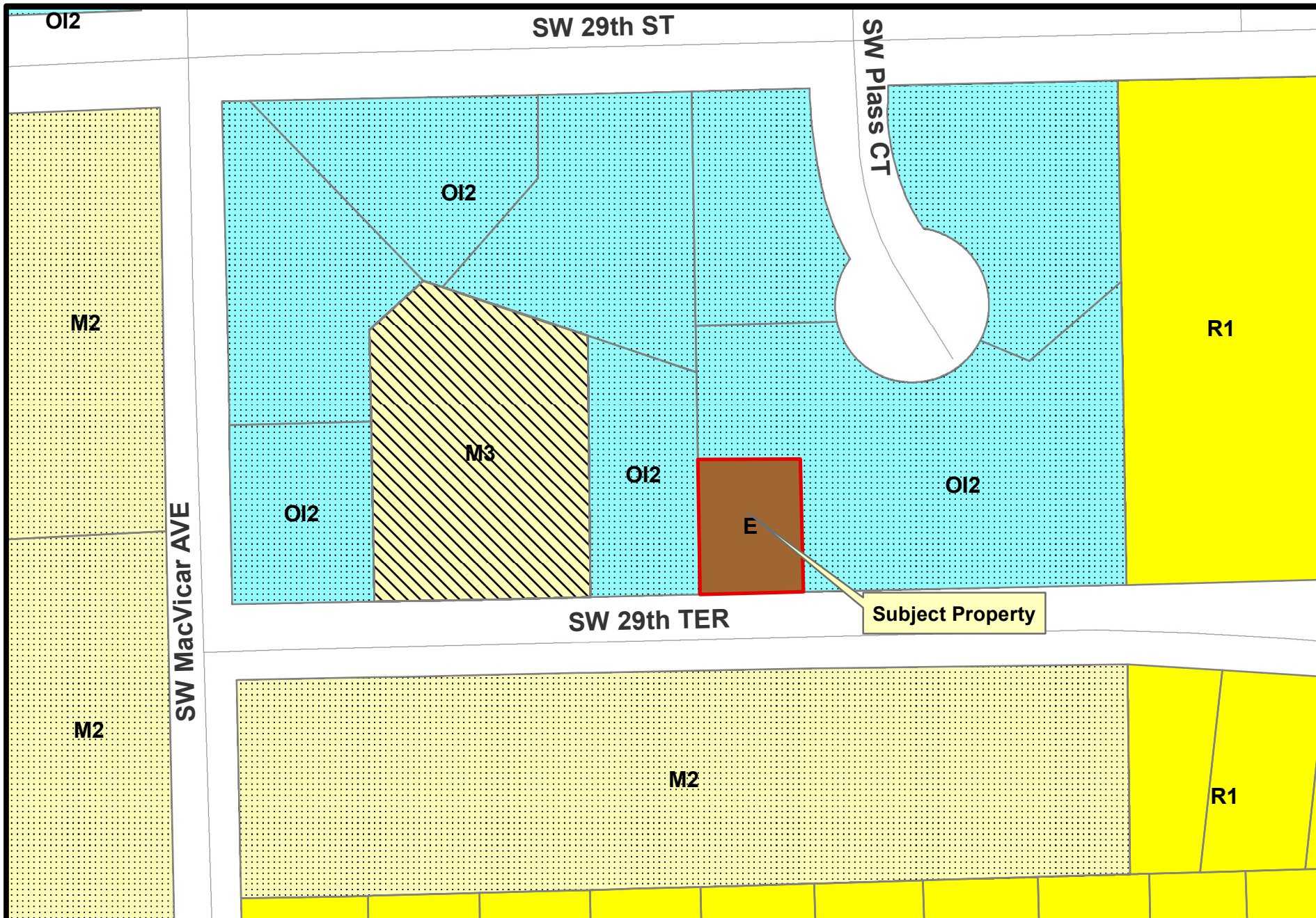
CONCERNS OF STAFF AND REVIEWING AGENCIES: This request was submitted to all applicable reviewing agency staff for consideration and comment. No issues or concerns were expressed by reviewing staff.

ADDITIONAL FACTORS:

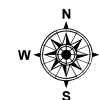
1. Neighborhood Improvement Association: N/A
2. Capitol Area Plaza Authority: N/A
3. Flood Hazard Area: N/A
4. Airport Hazard Area: N/A
5. Historic Properties: There are no National Register properties within 500 ft.

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

Prepared by:
Annie Driver, Planner II

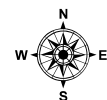


Z11/20 By: Topeka Planning Commission





Z11/20 By: Topeka Planning Commission



City of Topeka Planning Department

**Minutes of the
Topeka Planning Commission
Monday, October 17, 2011**

Z11/20 by the Topeka Planning Commission requesting to amend the District Zoning Classification from “E” Multiple Family Dwelling District **TO** “O&I-2” Office and Institutional District on property located north of SW 29th Terrace, the centerline of the tract being approximately 580’ southeast of the intersection of SW Mac Vicar Avenue and SW 29th Street. **(Driver)** Annie Driver summarized the staff report.

No one spoke in favor or in opposition to the proposal. Brett Klausman moved approval as written by staff, seconded by Richard Beardmore. **APPROVAL. (7-0-0)**



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

November 8, 2011

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DATE:	November 15, 2011	
CONTACT PERSON:	Councilmember Andrew Gray	DOCUMENT #:
SECOND PARTY/SUBJECT:	Domestic Partnership Registry	PROJECT #:
CATEGORY/SUBCATEGORY		
CIP PROJECT:	No	
ACTION OF COUNCIL:		JOURNAL #:
		PAGE #:

DOCUMENT DESCRIPTION:

AN ORDINANCE introduced by Councilmember Andrew Gray, concerning domestic partnership registry by creating new chapter 9.60 of the City of Topeka Municipal Code. **First Reading.**

(Establishing a policy and process concerning domestic partnership registry for residents of the City of Topeka.)

POLICY ISSUE:

Whether or not to establish a policy and process concerning domestic partnership registry for residents of the City of Topeka.

STAFF RECOMMENDATION:

BACKGROUND:

The ordinance will allow domestic partners to register their relationship with the City of Topeka which will validate nontraditional relationships. Approval of this ordinance would provide definition of the term "domestic partner"; criteria for establishing a domestic partnership; establish a registration process, procedure and fees; establish a process for removal from registry process upon death or voluntary dissolution of a partnership or failure to meet the definition of domestic partner; and establish a violation of the chapter if a person registers or attempts to register a domestic partnership without the consent of the persons to be registered.

BUDGETARY IMPACT:

Item #16

Amount of revenue from registration fee to be established by the City Manager or his or her designee is unknown at this time.?????

SOURCE OF FUNDING:

ATTACHMENTS:

[Ordinance](#)

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by Councilmember Andrew Gray, concerning domestic partnership registry by creating new chapter 9.60 of the City of Topeka Municipal Code.

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

Section 1. That The Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered 9.60.010, which said section reads as follows:

Definitions.

Whenever used in this chapter, the following definitions shall apply:

“Domestic partner” shall be construed to mean two individuals who are residents of the City of Topeka, as defined below, who have reached 18 years of age, who have the mental capacity to contract, and who live together in a relationship of indefinite duration, with a mutual commitment in which the partners share the necessities of life and are financially interdependent. Domestic partners are not married to another person, do not have another domestic partner and are not related by blood more closely than would bar their marriage in this state.

“Resident” shall mean a person who has established at least 60 consecutive days prior to filing a Declaration of Domestic Partnership with the office of the City designated by the City Manager, a present and fixed residence within the city limits of Topeka, Kansas where the person intends to remain for an indefinite period and to which the person intends to return following absence.

Section 2. That The Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered 9.60.020, which said section reads as follows:

29 **Criteria for establishing a domestic partnership.**

30 The following criteria must be met for two individuals to be considered domestic
31 partners for the purposes of registering the partnership with the City of Topeka:

32 (a) Both individuals are residents of the City of Topeka.

33 (b) Both individuals share a common permanent residence. It is not
34 necessary that the legal right to possess the common residence be in both of the
35 individual's names.

36 (c) Both individuals agree to be in a relationship of mutual interdependence.

37 (d) Both individuals contribute to the maintenance and support of the
38 household. The individuals are not required to contribute equally to the household.

39 (e) Neither individual is married to a third individual or a member of a
40 domestic partnership with a third individual.

41 (f) Each individual is 18 years of age or older.

42 (g) Each individual has the mental capacity to contract.

43 (h) The two individuals are not related by blood in a way that would prevent
44 them from being married to another in this State.

45 (i) Both individuals agree to file a Declaration of Domestic Partnership with
46 the City pursuant to this chapter.

47 Section 3. That The Code of the City of Topeka, Kansas, is hereby amended
48 by adding a section, to be numbered 9.60.030, which said section reads as follows:

49 **Registration.**

50 (a) Two persons seeking to register as domestic partners may complete and
 51 file a Declaration of Domestic Partnership with an office of the City designated by the
 52 City Manager.

53 (b) No individual who has previously filed a Declaration of Domestic
 54 Partnership in this City may file a new Declaration of Domestic Partnership until at least
 55 ninety (90) days after the date that a Request for Removal from the Domestic
 56 Partnership Registry was filed with the City under this chapter. This prohibition does not
 57 apply if the previous domestic partnership ended because one of the partners died.

58 Section 4. That The Code of the City of Topeka, Kansas, is hereby amended
 59 by adding a section, to be numbered 9.60.040, which said section reads as follows:

60 **Procedure and fees.**

61 (a) The City Manager shall develop procedures and standard forms for the
 62 “Registration of Domestic Partnership” and “Notice of Removal from the Domestic
 63 Partnership Registry”.

64 (b) The City Manager, or his or her designee, shall determine a reasonable
 65 fee based upon the cost of processing the forms and the City shall charge these fees to
 66 the persons filing a Declaration of Domestic Partnership. No fee shall be charged for
 67 filing a Request for Removal from the Domestic Partnership Registry.

68 (c) The City shall maintain the registry based upon the information provided
 69 by the individuals filing the Declaration of Domestic Partnership. The City shall have no
 70 duty to independently verify the information provided by the individuals filing the
 71 Declaration of Domestic Partnership.

Section 5. That The Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered 9.60.050, which said section reads as follows:

Removal from registry; Death or voluntary dissolution of partnership.

(a) Reasons. A domestic partnership registered with the City shall be removed from the registry for the following reasons:

(1) One of the partners dies and the City is notified thereof; or

(2) A Request for Removal from the Domestic Partner Registry has been filed by one or both of the individuals registered as domestic partners with the City.

(b) Procedure. A domestic partnership registered with the City shall be removed from the registry in accordance with the following procedures:

(1) Within ninety (90) days of the dissolution of the domestic partnership, at least one former partner shall file a Request for Removal from the Domestic Partner Registry with an office of the City designated by the City Manager pursuant to procedures adopted by the City Manager. Upon receipt, the City shall provide the domestic partner who filed the Request for Removal from the Domestic Partner Registry with two copies of the Request marked "filed." Unless the partners jointly file the Request, the partner filing the Request, shall within five days send a copy of the filed Request to the other partner's last known address. This notice requirement does not apply if the removal request is due to a death of one of the domestic partners.

(2) The request shall be effective upon filing the Request for Removal from the Domestic Partner Registry with the City by one or both partners or on the date of the death of one.

(3) A former domestic partner who has given a copy of the Declaration of Domestic Partnership to any third party to qualify for any benefit or right and whose receipt of that benefit or enjoyment of that right has not otherwise terminated, shall notify the third party in writing of the Request for Removal from the Domestic Partner Registry, at the last known address of the third party.

(4) Failure to provide third-party notice required in subsection 3 shall not delay or prevent the removal of the domestic partnership from the registry. The City shall have no duty to provide notice to third parties.

Section 6. That The Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered 9.60.060, which said section reads as follows:

Removal from registry; Failure to meet definition.

If it appears based upon a preponderance of the evidence that one or both of the partners in a registered domestic partnership no longer meets the definition of a domestic partner under this chapter, the City shall, after notice and an opportunity to be heard, remove the partnership from the Registry. The City Manager shall develop procedures for the implementation of this Section.

Section 7. That The Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered 9.60.070, which said section reads as follows:

Legal effect.

Registration pursuant to this Chapter creates no legal rights, other than the right to have the registered domestic partnership included in the City's Domestic Partner Registry pursuant to this Chapter. No parties are prohibited from extending rights or benefits to persons listed in the Domestic Partner Registry.

Section 8. That The Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered 9.60.080, which said section reads as follows:

Other applicable laws.

This Chapter shall not be interpreted nor construed to permit the recognition of a relationship that is otherwise prohibited by State law.

Section 9. That The Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered 9.60.090, which said section reads as follows:

Registering a partnership without the individual' consent.

No person shall register or attempt to register a domestic partnership pursuant to the Chapter without the consent of the persons to be registered. Any person who is convicted of a violation of this section shall be guilty of a misdemeanor, and shall be punished by a fine of not less than \$500 or a jail term of not less than 30 days, or both such fine and jail term.

Section 10. That The Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered 9.60.100, which said section reads as follows:

Severability.

If any provision, clause, sentence or paragraph of this Chapter or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this Chapter which can be given effect without the invalid

138 provision or application, and to this end the provisions of this Chapter are declared to be
139 severable.

140 Section 11 This ordinance shall take effect and be in force from and after its
141 passage, approval and publication in the official City newspaper.

142 Section 12. This ordinance shall supersede all ordinances, resolutions or rules,
143 or portions thereof, which are in conflict with the provisions of this ordinance.

144 Section 13. Should any section, clause or phrase of this ordinance be declared
145 invalid by a court of competent jurisdiction, the same shall not affect the validity of this
146 ordinance as a whole, or any part thereof, other than the part so declared to be invalid.

147 PASSED AND APPROVED by the City Council on _____.

148
149 CITY OF TOPEKA, KANSAS

150
151
152
153
154 _____
155 William W. Bunten, Mayor

156 ATTEST:

157
158
159 _____
160 Brenda Younger, City Clerk



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

October 17, 2011

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DATE:	November 15, 2011		
CONTACT PERSON:	David Thurbon/Bill Hoover	DOCUMENT #:	V11S/2
SECOND PARTY/SUBJECT:	USD No. 501 (Ross/Eisenhower School Campus)	PROJECT #:	N/A
CATEGORY/SUBCATEGORY	014 Ordinances – Non-Codified / 006 Vacations		
CIP PROJECT:	No		
ACTION OF COUNCIL:	JOURNAL #:		PAGE #:

DOCUMENT DESCRIPTION:

AN ORDINANCE introduced by Interim City Manager Daniel R. Stanley, relating to the vacation of platted public street and alley rights-of-way on property located at 1400 SE 34th Street, City of Topeka, Shawnee County, Kansas. **First Reading.** (V11S/2) (Council District No. 4)

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

(Approval would allow for the construction of new buildings for the Ross/Eisenhower school campus.)

POLICY ISSUE:

None

STAFF RECOMMENDATION:

In conjunction with City departments and all public utility agencies, the Planning Department recommends **APPROVAL** of the proposed vacation.

BACKGROUND:

- The Kansas Statutes and Topeka Code Section 130-476(b) requires a public hearing in conjunction with proposed vacation petitions which have been filed in accordance with a prescribed procedure.
- Approval of the vacation should not be construed to imply support for any existing or subsequent land development.
- Any easements that are needed for future public improvements will be granted separately by specific instrument at the time they are needed.

BUDGETARY IMPACT:

N/A

SOURCE OF FUNDING:

N/A

ATTACHMENTS:

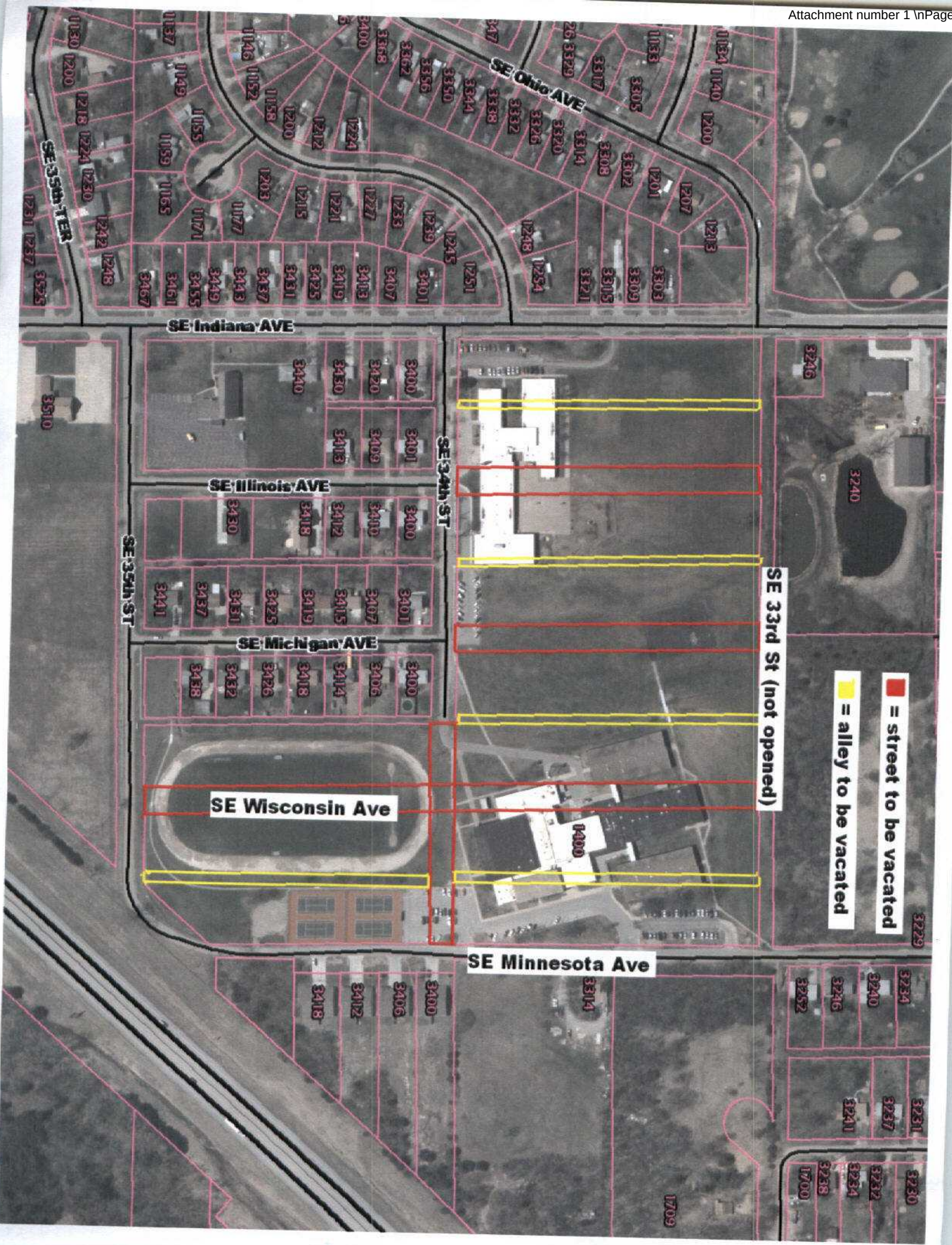
[Aerial map showing ROWs to be vacated](#)

[Application](#)

[Legal Ad](#)

[Department comments](#)

[Ordinance](#)



Please have the attached published in the Topeka Metro News in the Legal Advertising Section on October 31, 2011 and November 7, 2011

IN THE MATTER OF THE PROPOSED VACATION OF:

Platted public street and alley rights-of-way on property located at 1400 SE 34th Street, lying between SE Indiana and SE Minnesota Avenues, City of Topeka, Shawnee County, Kansas (V11S/2) (Council District No. 4)

NOTICE OF PUBLIC HEARING

(Pursuant to K.S.A. 12-504 et seq.)

To Whom It May Concern:

Public notice is hereby given that a petition has been filed by Unified School District #501 to vacate property described as follows: All in The Best Subdivision, in the City of Topeka, Shawnee County, Kansas: Illinois Avenue, extending from the South line of SE 33rd Street, formerly Neil Avenue, to the North line of SE 34th Street, formerly Burgess Avenue; Michigan Avenue, extending from the South line of SE 33rd Street, formerly Neil Avenue, to the North line of SE 34th Street, formerly Burgess Avenue; Wisconsin Avenue, extending from the South line of SE 33rd Street, formerly Neil Avenue, to the North line of SE 35th Street, formerly Vesta Avenue; SE 34th Street, formerly Burgess Avenue, westerly from the East line of Minnesota Avenue to a line extending from the Northwest corner of Lot 51 to the Southwest corner of Lot 49, both lots on Wisconsin Avenue; An alley between Indiana Avenue and Illinois Avenue, extending from the South line of SE 33rd Street, formerly Neil Avenue, to the North line of SE 34th Street, formerly Burgess Avenue; An alley between Illinois Avenue and Michigan Avenue, extending from the South line of SE 33rd Street, formerly Neil Avenue, to the North line of SE 34th Street, formerly Burgess Avenue; An alley between Michigan Avenue and Wisconsin Avenue, extending from the South line of SE 33rd Street, formerly Neil Avenue, to the North line of SE 34th Street, formerly Burgess Avenue; An alley between Wisconsin Avenue and Minnesota Avenue, extending from the South line of SE 33rd Street, formerly Neil Avenue, to the North line of SE 34th Street, formerly Burgess Avenue; An alley between Wisconsin Avenue and Minnesota Avenue, extending from the South line of SE 34th Street, formerly Burgess Avenue to the North line of SE 35th Street, formerly Vesta Avenue.

The petition will be presented to the Council of the City of Topeka for hearing **November 29, 2011** at 6:00 P.M. or as soon thereafter as the same may be heard in the City Council Chambers, Municipal Building, 2nd Floor, 8th and Monroe Streets, Topeka, Kansas, at which time and place all interested persons may appear and be heard, either for or against granting the prayer of said Petition.

**BY THE GOVERNING BODY,
CITY OF TOPEKA, KANSAS**

TOPEKA PLANNING DEPARTMENT

620 SE Madison Street-3rd Floor
Topeka, Kansas 66607

Office: (785) 368-3728
Fax: (785) 368-2535

PLANNING OFFICE USE ONLY

Date Submitted <u>10/5/11</u>	Date Advertised _____
Application No. <u>V11512</u>	Date of Public Hearing _____
TO BE COMPLETED BY CITY CLERK'S OFFICE	
Filing Fee \$ <u>250⁰⁰</u>	Receipt No. <u>City Clerk #662119</u>

APPLICATION

City Vacation of Streets, Alleys and Easements

1. Applicant(s): Kansas Unified School District (USD) #501
2. Applicant's Mailing Address: 624 S.W. 24th Street
City Topeka State: Kansas Zip: 66611-1294
3. Telephone: Area Code: 785 No.: 295-3000

4. Legal description of property requested to be vacated as prepared by the City of Topeka
Department of Public Works:

To be determined by Topeka Department of Public works

5. Check type of vacation: Street ☒ Alley ☒ Easement ☐ Other ☐
6. Legal description of property owned by the applicant which adjoins the street, alley or easement to be vacated:
Lots See attached Block No. N/A
In Best Subdivision Section 17, T12S, R16E

Metes and Bounds Description, if unplatted:

N/A

7. Are there other owners of land who own property adjoining the subject street, alley or easement proposed to be vacated who, pursuant to K.S.A. 12-504, would be a property party to the petition to vacate? Yes ☐ No ☒

If yes, please list said owner's name(s) and mailing address.

8. Briefly, describe the proposed development of the subject property and your reasons for vacating the property:

Project will be an expansion of existing school facilities.

9. Will the area proposed for vacation preclude, restrict, hamper or lessen ingress-egress to other similarly abutting properties?

No

10. Do you concur with the retention of the subject area as an easement should the reviewing utility or public agency request such to cover existing or proposed utility lines?

No, because vacated streets and alleys pass through existing or proposed buildings.

11. Will any permanent structures be constructed within the area proposed for vacation?

Yes; school buildings

12. Will the area proposed for vacation create any unique, adverse or undesirable traffic conditions?

No; project is an expansion of existing use and does not change any existing traffic patterns.

13. How are adjoining properties used?

Property is bounded by SE Indiana Ave. on the west, SE Minnesota Ave. on the east, SE 34th St. on the south, and single family residential on the north.
--

14. In your opinion, would the proposed vacation injure or endanger any private rights?

No

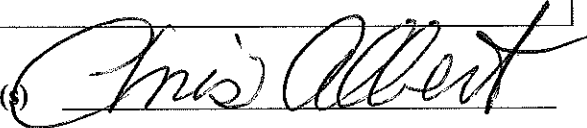
15. In your opinion, would the public suffer any loss or inconvenience should the petition to vacate be approved?

No

16. In the event this proposed vacation is to vacate street or alley right-of-way, are you aware of the applicability of the district zoning on the subject property? Please briefly explain:

Existing zoning is R1 Single Family Dwelling District, which is compatible with school use.

Signature of Applicant(s)



(Please Attach Any Additional Information)

If the owner(s) of record is to be represented by legal counsel or an authorized agent, please complete the following so that communications pertaining to this application may be forwarded to the appropriate individual.

Name of Representative _____

Street Address _____

City _____ State _____ Zip Code _____

Telephone No. (_____) _____ Fax No. (_____) _____

LOTS

Lots 2 thru 50 (even #'s) on Indiana St.

Lots 1 thru 50 on Illinois Street

Lots 1 thru 50 on Michigan Ave.

Lots 1 thru 98 on Wisconsin St.

Lots 1 thru 97 (odd #'s) on Minnesota Ave.

F:\2011\11A17\Corresp\Attachment to go with Vacation Application.docx

DEPARTMENTAL COMMENTS:

Case: V11S/2 By: Unified School District #501

Location: Street and alley vacation on property located at 1400 SE 34th Street

DEPARTMENTS:

- **Water Division:** X No Objection Objection
Comments:

- **Engineering:** X No Objection Objection
Comments: There are currently no sanitary or storm sewers located in the proposed public rights-of-way to be vacated. Easements for future public improvements will be dedicated by separate specific instruments at the time they are needed.

- **Parks Department:** X No Objection Objection
Comments:

- **County Refuse:** X No Objection Objection
Comments:

- **Fire Department:** X No Objection Objection
Comments:

- **Police Department:** X No Objection Objection
Comments:

UTILITY COMPANIES:

- **AT&T:** X No Objection Objection
Comments:

- **Westar:** X No Objection Objection
Comments:

- **Kansas Gas Service:** X No Objection Objection
Comments:

- **Cox Communications:** X No Objection Objection
Comments:

Annie Driver, Planner II
Prepared: October 21, 2011

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by Interim City Manager Daniel R. Stanley relating to the vacation of platted public street and alley rights-of-way on property located at 1400 SE 34th Street, City of Topeka, Shawnee County, Kansas. **(V11S/2) (Council District No. 4)**

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

Section 1. That pursuant to the requirements of K.S.A. 12-504 as amended, a petition by Unified School District #501, as property owners, has been filed with the office of the City Clerk, requesting the vacation of the following described platted street and alley rights-of-way located within the City of Topeka, Shawnee County, Kansas:

All in The Best Subdivision, in the City of Topeka, Shawnee County, Kansas: Illinois Avenue, extending from the South line of SE 33rd Street, formerly Neil Avenue, to the North line of SE 34th Street, formerly Burgess Avenue; Michigan Avenue, extending from the South line of SE 33rd Street, formerly Neil Avenue, to the North line of SE 34th Street, formerly Burgess Avenue;

Wisconsin Avenue, extending from the South line of SE 33rd Street, formerly Neil Avenue, to the North line of SE 35th Street, formerly Vesta Avenue; SE 34th Street, formerly Burgess Avenue, westerly from the East line of Minnesota Avenue to a line extending from the Northwest corner of Lot 51 to the Southwest corner of Lot 49, both lots on Wisconsin Avenue;

An alley between Indiana Avenue and Illinois Avenue, extending from the South line of SE 33rd Street, formerly Neil Avenue, to the North line of SE 34th Street, formerly Burgess Avenue; An alley between Illinois Avenue and Michigan Avenue, extending from the South line of SE 33rd Street, formerly Neil Avenue, to the North line of SE 34th Street, formerly Burgess Avenue;

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Section 2. That said petition has been duly published for two (2) consecutive weeks in a newspaper of general circulation and on **November 29, 2011**, the petition is ready for determination

by the Governing Body of the City of Topeka, Kansas.

Section 3. That the Governing Body of the City of Topeka, after being duly informed and hearing the evidence presented finds that:

- a. Legal notice was given as required by K.S.A. 12-504 as amended.
- b. No private rights will be injured or endangered by such vacation.
- c. The public will suffer no loss or inconvenience by such vacation.

Section 4. That the Governing Body of the City of Topeka does hereby find that justice requires the petition of vacation be granted and does hereby order the vacation of the below described platted street and alley public rights-of-way located within the City of Topeka, Kansas:

All in The Best Subdivision, in the City of Topeka, Shawnee County, Kansas: Illinois Avenue, extending from the South line of SE 33rd Street, formerly Neil Avenue, to the North line of SE 34th Street, formerly Burgess Avenue; Michigan Avenue, extending from the South line of SE 33rd Street, formerly Neil Avenue, to the North line of SE 34th Street, formerly Burgess Avenue;

Wisconsin Avenue, extending from the South line of SE 33rd Street, formerly Neil Avenue, to the North line of SE 35th Street, formerly Vesta Avenue; SE 34th Street, formerly Burgess Avenue, westerly from the East line of Minnesota Avenue to a line extending from the Northwest corner of Lot 51 to the Southwest corner of Lot 49, both lots on Wisconsin Avenue;

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Section 5. This vacation shall not effect any other underlying easements, or restrictions whether platted or by instrument.

Section 6. The City Clerk is hereby directed to certify a copy of this ordinance to the

Shawnee County Register of Deeds Office for appropriate recording.

Section 7. 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 on _____.

CITY OF TOPEKA

William Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk

To Be Codified ____

Not To Be Codified X



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

October 25, 2011

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DATE:	November 15, 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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Council Action Form

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214 SE 8th Street
Topeka, Kansas 66603

October 25, 2011

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DATE:	November 15, 2011	
CONTACT PERSON:		DOCUMENT #:
SECOND PARTY/SUBJECT:		PROJECT #:
CATEGORY/SUBCATEGORY		
CIP PROJECT:	No	
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BACKGROUND:

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ATTACHMENTS:

No Attachments Available



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214 SE 8th Street
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October 25, 2011

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ATTACHMENTS:

No Attachments Available