



A Capital City Serving You...

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City Council Agenda

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

November 19, 2013

6:00 PM

Mayor: Larry E. Wolgast

Councilmembers

Karen A. Hiller	District No. 1	Chad Manspeaker	District No. 6
John Campos II	District No. 2	Elaine Schwartz	District No. 7
Sylvia E. Ortiz	District No. 3	Nathan Schmidt	District No. 8
Denise Everhart	District No. 4	Richard Harmon	District No. 9
Michelle De La Isla	District No. 5		

City Manager: Jim Colson

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.

☐ Back ☐ Print

INVOCATION:

PLEDGE OF ALLEGIANCE:

1. PROCLAMATIONS:

"None scheduled at this time."

2. PRESENTATIONS:

"2013 Budget Amendments"

"Franchise Fee Refund Program"

3. ROLL CALL:

4. CONSENT AGENDA:

A. Board Appointment - Human Relations Commission

☐ [ATTACHMENTS](#)

BOARD APPOINTMENT recommending the re-appointment of Joyce Grigsby to the Topeka Human Relations Commission for a term ending December 31, 2015. *(Council District No. 7)*

B. Board Appointment - Human Relations Commission

☐ [ATTACHMENTS](#)

BOARD APPOINTMENT recommending the appointment of Jean Darbyshire to the Topeka Human Relations Commission to fill an unexpired term ending December 13, 2013, followed by a two-year term ending December 31, 2015. *(Council District No. 7)*

C. Board Appointment -Topeka Landmarks Commission

☐ [ATTACHMENTS](#)

BOARD APPOINTMENT recommending the appointment of Nelda Gaito to the Topeka Landmarks Commission for a term ending December 31, 2016. *(Council District No. 6)*

D. Board Appointment - Topeka Metropolitan Transit Authority

☐ [ATTACHMENTS](#)

BOARD APPOINTMENT recommending the appointment of Scott Tummons to the Topeka Metropolitan Transit Authority for an unexpired term ending April 30, 2014. *(Council District No. 7)*

E. Resolution - Designating Depositories

☐ [ATTACHMENTS](#)

A RESOLUTION introduced by City Manager Jim Colson, naming banks and savings institutions that are designated as depositories for all City of Topeka accounts and authorizing signatories and rescinding City of Topeka Resolution No. 8465.

(Approval is necessary due to changes in staff and working titles to complete daily duties.)

F. Resolution - State of Kansas Municipal Investment Pool

☐ [ATTACHMENTS](#)

A RESOLUTION introduced by City Manager Jim Colson, concerning the City of

Topeka's participation in the State of Kansas Municipal Investment Pool and rescinding City of Topeka Resolution No. 8466.

(Approval is necessary to amend changes in staff and working titles.)

G. MINUTES of the regular meeting of November 12, 2013

H. APPLICATIONS:

5. UNFINISHED BUSINESS:

A. Project Budget, Ordinance and Notice of Intention - Woodbury South Court Drainage Correction Project No. T-151003.01

☐ [ATTACHMENTS](#)

A PROJECT BUDGET in the amount of \$899,458, **AN ORDINANCE** and **A NOTICE OF INTENTION** introduced by City Manager Jim Colson, authorizing Improvement Project No. T-151003.01 which provides for drainage improvements to SW Woodbury South Court, approving cost estimates of the proposed improvements, and doing all other things necessary and incidental thereto, and authorizing the use of utility operation funds and authorizing the publication of the Notice of Intention of the governing body of the City of Topeka, Kansas, to issue and sell revenue bonds of said City to make such improvements which constitutes improvements to the municipally owned water, water pollution control, and stormwater utility system of the City of Topeka, Shawnee County, Kansas, pursuant to K.S.A. 10-101 and 10-1201, et seq., and all amendments thereto. Final Reading.

Voting Requirement: Two-thirds vote of the Governing Body, including the Mayor.

(Approval would authorize a project budget increase from \$400,000 to \$899,458. The total debt service (principal and interest) to be paid over a 30-year period will be \$1,467,142.)

B. Ordinance - 2013 Standard Traffic Ordinance

☐ [ATTACHMENTS](#)

AN ORDINANCE introduced by City Manager Jim Colson, amending City of Topeka Code Section 10.15.010 and 10.15.020, specifically repealing said original sections, as well as creating Section 10.20.230, all concerning the adoption of the Standard Traffic Ordinance and amendments. Final Reading.

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

(Approval would adopt the 2013 edition of the Standard Traffic Ordinance. The City is currently operating under the 2012 edition.)

6. NEW BUSINESS:

A. Notice of Public Hearing - 2013 Budget Amendment

☐ [ATTACHMENTS](#)

AUTHORIZING a public hearing for December 10, 2013, for the purpose of hearing and answering objections of taxpayers relating to the proposed amendments to the 2013 Operating Budget.

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

(Approval authorizes publication of the Notice of Public Hearing in the November 25, 2013 edition of the Topeka Metro Newspaper. The amendment would increase the expenditure level of the 2013 Adopted Budget by \$910,000. These additional expenditures will be paid for by additional revenue collected or by fund balance.)

B. Applications - Retail Cereal Malt Beverage and Scrap Metal Dealers License

APPROVAL of Retail Cereal Malt Beverage and Scrap Metal Dealers License Applications.

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

(Retail Cereal Malt Beverage License applications and Scrap Metal Dealer applications must be approved by the governing body prior to issuance of the licenses.)

7. MISCELLANEOUS:

-

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

-

9. PUBLIC COMMENT:

-

10. ADJOURNMENT:

-



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

September 30, 2013

☐ Back ☐ Print

DATE:	November 19, 2013	
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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		PAGE #:

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STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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

DOCUMENT DESCRIPTION:

"2013 Budget Amendments"
"Franchise Fee Refund Program"

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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

DOCUMENT DESCRIPTION:

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

October 22, 2013

☐ Back ☐ Print

DATE: November 19, 2013
CONTACT PERSON: Mayor Larry Wolgast **DOCUMENT #:**
SECOND PARTY/SUBJECT: Joyce Grigsby **PROJECT #:**
CATEGORY/SUBCATEGORY 006 Communication / 005 Other
CIP PROJECT: No
ACTION OF COUNCIL: **JOURNAL #:**
PAGE #:

DOCUMENT DESCRIPTION:

BOARD APPOINTMENT recommending the re-appointment of Joyce Grigsby to the Topeka Human Relations Commission for a term ending December 31, 2015. (Council District No. 7)

POLICY ISSUE:

The commission will:

- (a) Support efforts to eliminate prejudice because of race, religion, creed, color, sex, disability, national origin or ancestry, age, sexual orientation or gender identity and further goodwill among all people of the city and promote goodwill, cooperation and conciliation within the city;
- (b) Promote and facilitate Town Hall meetings and public forums on issues of interest and concern to residents of Topeka;
- (c) Participate in outreach activities and public education;
- (d) Partner with groups that share similar goals;
- (e) By February 1st of each year, prepare and submit an annual report to the city and the city council of the commission's activities, identifying issues and problem areas within the Topeka community and, after reviewing the performance of the commission during the year, propose any modifications to the Topeka Municipal Code that would improve the effectiveness of the commission and better fulfill the antidiscrimination policies of the city.

STAFF RECOMMENDATION:

Councilmember Schwartz nominates and Mayor Wolgast recommends the re-appointment of Joyce Grigsby to the Topeka Human Relations Commission.

Item #6

BACKGROUND:

Pursuant to Ordinance 18382 the purpose of the Topeka Human Relations Commission is to endeavor to eliminate prejudice among various racial, ethnic and other groups in the city, and to further goodwill among all people of the city.

BUDGETARY IMPACT:

There is no budgetary impact to the City.

SOURCE OF FUNDING:

Not Applicable

ATTACHMENTS:

[JGrigsby_application](#)



CITY OF TOPEKA

Application for Appointment to a Board or Commission

RECEIVED
OCT 21 2013

You are seeking an appointment to a public board. Your appointment is subject to approval by the Mayor and City Council and is governed by certain city ordinances and in some instances, state statutes. The information provided in this application will be used to determine if you meet the requirements required by city ordinances and other applicable laws. Please note that the information provided on this application will be subject to the Kansas Open Records Act.

Please state your name:

Joyce A Grigsby _____
FIRST MIDDLE LAST SUFFIX

State the name of the board or commission to which you are seeking appointment:

Human Relations Commission

Are you a resident of the City of Topeka: ☒ YES ☐ NO

Please provide your HOME ADDRESS: (necessary for residency requirement)

4113 SW Misty Harbor Ave Topeka KS 66610
STREET CITY STATE ZIP CODE

785 266-3212 _____
HOME PHONE CELL PHONE BUSINESS PHONE

E-MAIL

Are you a registered voter: ☒ YES ☐ NO

Are you currently a full or part-time employee of the City of Topeka? ☐ YES ☒ NO

If yes, please advise in which department you work.

Are you or any immediate family member related to any city governmental official or employee?

☐ YES ☒ NO If yes, please advise who and how you are related.

If you are employed please provide the name and address of your employer.

Retired in 2007; State of Washington; after 40 yrs. work.

Are you or have you been a party to any civil litigation involving the City of Topeka? ☐ YES ☒ NO

If yes, please explain:

Are you delinquent in payment of any taxes, fees, fines or special assessments owed to the State of Kansas, Shawnee County or the City of Topeka? ☐ YES ☒ NO If yes, please explain:

Please state why you are interested in serving on this board or commission:

I believe deeply in diversity among all races; to eliminate
discrimination in City of Topeka; to make a better place all.

Please describe your education, experience and expertise including any honors or awards, civic, cultural, charitable or professional organization memberships that relate to the position you are seeking. (You may provide this as an attachment or use the back of this form.) To Supplement: Update bio on file:

I have - 2.5 yrs. College. My professionalism + desire to better lives of others.
Certificate of Merit; Plaque - 10 yrs. Washington State Patrol +
pin for employee. Governor Christine B. Gregoire + Chief John
Batista, WA State Patrol - retired me. Serve - Trustee Board - Second Baptist
Church.

Complete ONLY if you are applying for one of these boards: Building and Fire Appeals; Board of Electrical Appeals, Board of Plumbing Appeals, Board of Mechanical Appeals; Sustainability; Planning Commission

List any professional licenses you hold in Kansas and advise if they are current. (We reserve the right to request a copy of your license prior to approval of your appointment.)

I understand that the information I have provided may be used to determine my suitability to perform the duties required by the position I seek.

By checking this box, I declare under penalty of perjury that I am the person named above, and the information I have provided is true and correct. ☒

Please print your name and then sign below:

Print name: Joyce A. Briggsby

Signed by: Joyce A. Briggsby Date: Oct. 7, 2013

Electronic Signature: ☐ You may submit your signature electronically by checking this box.

Submission instructions: Email your completed form with attachments to Vicki Buening at vbuening@topeka.org or mail to Office of the Mayor, City Hall, 215 SE 7th St., Suite 350 Topeka, KS 66603-3914. For questions, call the Mayor's Office 785-368-3895.

The Mayor and City Council are seeking diversity among appointees. We have provided an optional voluntary self-identification form should you choose to provide that information with your application. (See page 3) Thank you.

VOLUNTARY SELF IDENTIFICATION

Name: Joyce A Briggsby

Race and ethnic designations as used by the Equal Employment Opportunity Commission do not denote scientific definitions of anthropological origins. Definitions of the race and ethnicity categories are as follows:

Put an **X** in the appropriate box.

☐

Hispanic or Latino - A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin regardless of race.

☐

White (Not Hispanic or Latino) - A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

☒

Black or African American (Not Hispanic or Latino) - A person having origins in any of the black racial groups of Africa.

☐

Native Hawaiian or Other Pacific Islander (Not Hispanic or Latino) - A person having origins in any of the peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

☐

Asian (Not Hispanic or Latino) - A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian Subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

☐

American Indian or Alaska Native (Not Hispanic or Latino) - A person having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment.

☐

Two or More Races (Not Hispanic or Latino) - All persons who identify with more than one of the above six races.

Joyce Grigsby

(785) 266-3212

I am interested in serving on the Topeka Human Relations Commission. Please find below a short resume indicating my experience.

- 1977 Worked for the District Court, State of Alaska, Third Judicial District
- 1978-80 Worked for the Tacoma Housing Authority after a brief stint at the Department Housing and Urban Development, Seattle
- 1992 Joined Workforce 2010, Department of Ecology, State of Washington, under then-Director, Christine O. Gregoire (now Governor of WA). Workforce 2010 focused on workforce diversity, recruitment, retention, and other workplace issues.
- 1997-2007 Worked for the Washington State Patrol, District 1, Tacoma WA under Capt. John Batiste.

After retirement I returned to my hometown of Topeka and have become involved in community issues. A list of my activities includes:

- President, Topeka Branch NAACP
- Volunteer, *Law Enforcement Partnership Panel*
- *Human Relations Commission*
- Board Trustee, Second Baptist Church
- Volunteer, Kids That Count Summer Program, Second Baptist Church

I'm also involved with the Brown Foundation and the National Historic Site as I am related to one of the attorneys that worked on the Brown v. Board of Education case. I also do what I can to support local minority-owned businesses.

I believe my life and work experience makes me an idea candidate to serve on the Topeka Human Relations Commission. I met the Director, Rio Cervantes-Reed, shortly after returning to Topeka and have expressed my interest to her and learned from her quite a bit about what the Commission does. I look forward to helping with their mission to eliminate discrimination in the City of Topeka.

Thank you for your consideration.

2009

Item #7

Councilmember Schwartz nominates and Mayor Wolgast recommends the appointment of Jean Darbyshire to the Topeka Human Relations Commission.

BACKGROUND:

Pursuant to Ordinance 18382 the purpose of the Topeka Human Relations Commission is to endeavor to eliminate prejudice among various racial, ethnic and other groups in the city, and to further goodwill among all people of the city.

BUDGETARY IMPACT:

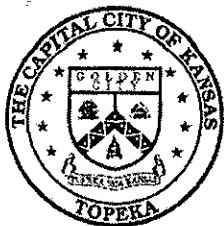
There is no budgetary impact to the City.

SOURCE OF FUNDING:

Not Applicable

ATTACHMENTS:

[JDarbyshire_application](#)



CITY OF TOPEKA

Application for Appointment to a Board or Commission

You are seeking an appointment to a public board. Your appointment is subject to approval by the Mayor and City Council and is governed by certain city ordinances and in some instances, state statutes. The information provided in this application will be used to determine if you meet the requirements required by city ordinances and other applicable laws. Please note that the information provided on this application will be subject to the Kansas Open Records Act.

Please state your name:

M. Jean Darbyshire
FIRST MIDDLE LAST SUFFIX

State the name of the board or commission to which you are seeking appointment:

Topeka Human Relations Commission

Are you a resident of the City of Topeka: ☒ YES ☐ NO

Please provide your HOME ADDRESS: (necessary for residency requirement)

4117 SW 34th St. Topeka KS 66614
STREET CITY STATE ZIP CODE
785-556-0695
HOME PHONE CELL PHONE BUSINESS PHONE

darbyshire.jean@gmail.com
E-MAIL

Are you a registered voter: ☒ YES ☐ NO

Are you currently a full or part-time employee of the City of Topeka? ☐ YES ☒ NO

If yes, please advise in which department you work.

Are you or any immediate family member related to any city governmental official or employee?

☐ YES ☒ NO If yes, please advise who and how you are related.

If you are employed please provide the name and address of your employer.

Are you or have you been a party to any civil litigation involving the City of Topeka? ☐ YES ☒ NO

If yes, please explain:

Are you delinquent in payment of any taxes, fees, fines or special assessments owed to the State of Kansas, Shawnee County or the City of Topeka? ☐ YES ☒ NO If yes, please explain:

Please state why you are interested in serving on this board or commission:

I have lived in Topeka for 5 years and have not other than a Little Free Library, given back to the city. My interests (over)

Please describe your education, experience and expertise including any honors or awards, civic, cultural, charitable or professional organization memberships that relate to the position you are seeking. (You may provide this as an attachment or use the back of this form.)

see attached resume

Complete ONLY if you are applying for one of these boards: Building and Fire Appeals; Board of Electrical Appeals, Board of Plumbing Appeals, Board of Mechanical Appeals; Sustainability; Planning Commission

List any professional licenses you hold in Kansas and advise if they are current. (We reserve the right to request a copy of your license prior to approval of your appointment.)

I understand that the information I have provided may be used to determine my suitability to perform the duties required by the position I seek.

By checking this box, I declare under penalty of perjury that I am the person named above, and the information I have provided is true and correct. ☒

M. Jean Darbyshire

Please print your name and then sign below:

Print name: *M. Jean Darbyshire*

Signed by: *M. Jean Darbyshire*

Date: *10/16/13*

Electronic Signature: ☐ You may submit your signature electronically by checking this box.

Submission instructions: Email your completed form with attachments to Vicki Buening at vbuening@topeka.org or mail to Office of the Mayor, City Hall, 215 SE 7th St., Suite 350 Topeka, KS 66603-3914. For questions, call the Mayor's Office 785-368-3895.

The Mayor and City Council are seeking diversity among appointees. We have provided an optional voluntary self-identification form should you choose to provide that information with your application. (See page 3) Thank you.

VOLUNTARY SELF IDENTIFICATION

Name: M. Jean Darbyshire

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Put an **X** in the appropriate box.

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☒

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Black or African American (Not Hispanic or Latino) - A person having origins in any of the black racial groups of Africa.

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Native Hawaiian or Other Pacific Islander (Not Hispanic or Latino) - A person having origins in any of the peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

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Asian (Not Hispanic or Latino) - A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian Subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

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American Indian or Alaska Native (Not Hispanic or Latino) - A person having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment.

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Two or More Races (Not Hispanic or Latino) - All persons who identify with more than one of the above six races.

M. Jean Darbyshire
 4117 SW 34th St.
 Topeka, Kansas 66614
 (785) 556-0695-Cell
darbyshire.jean@gmail.com

Areas of Specialty

- Organizational Development- Master's Report "Successful Libraries: High Performance World Class Organizations"
- Administrative Strategy and Management Strategy
- Strategic Planning and Future Planning Techniques
- Human Capacity Development and Talent Development Strategy
- Human Resource Planning and Development
- Budgeting and Finance
- Facilities Planning and Use
- Leader development and leaders for the future
- Teambuilding
- Collaboration and partnering
- Group facilitation
- Organization Analysis and Planning
- Process Improvement

Education

- Emporia State University, Emporia, Kansas 66801 Bachelors of Science in Education-Vocational Education
- Kansas State University, Manhattan, Kansas 66502 Master's of Public Administration with a focus on Organizational Development 1997
- Emporia State University, Emporia, Kansas 66801 Completed all classroom work for a PhD in Library and Information Management with a focus on Organization Administration and Development

Relevant Work Experience

- 1980-1988 Human Resource Manager-Kansas State University, Division of Human Resources-
- Responsible for classification and compensation of Civil Service system on campus, identifying the competencies needed to be successful in the positions, and for organizational effectiveness analysis and recommendations of improvement. Worked closely with the State of Kansas, Division of Personnel Services in maintaining, analyzing and improving the Kansas Civil Service System.

- 1988-2006 Director of Administrative Services-Kansas State University, Kansas State University Libraries
- Responsible for managing, planning, and tracking a 10+ million dollar annual budget, responsible for administering all aspects of human resource management program including planning, recruitment, benefits, employee relations, and training and development and responsible for the physical building and all of the infrastructure building services in Hale Library. Also participated in the planning, bidding, renovation and building of the Hale Library Building project. Other large (more than \$200,000) special projects involved specification writing and negotiated bidding process for an integrated library system and a sophisticated closed security system that would integrate into university systems for authentication and access data. Over the course of the years this position evolved beginning from a plain Personnel Officer to what is describe here. Not any two years were alike in this evolving organization.
- 2006-fall 2008- Organization Development Programs Director-Kansas State University, K-State Libraries. Responsible for planning and developing a new organization development program at K-State Libraries which is targeted at human capacity development. Projects such as strategic planning, diversity reporting and diversity program planning, electronic organization communication projects, group facilitations in organization communication and grant writing project, developed a national recruitment program, designed and coordinated a professional development conference for recently graduated librarians, administered climate surveys and recommended actions, developed an OD wiki for development opportunities and a planned training repository, functioned as a CQI judge for Engineering and developed an OD blog for expert information distribution. Also a founding member of the I-70 OD Coalition which is in it's infancy now.
- 2008-currently Working with the I-70 OD Coalition to present OD seminars and sessions at conferences, local, regional and national. A list or presentations is available upon request.

Articles and Presentations

Ratliff, R., Stockham, M., and Darbyshire, M.J.(2003). "Using an executive search firm to fill faculty library positions: One library's story". *College & Research Libraries News*, 64(8)523-525.

Darbyshire, M.J. (2004). "A Domain Analysis of Learning Organizations". Unpublished manuscript.

Darbyshire, M.J. (2004). "A Relationship of Tacit Knowledge to the Gendered Organizational Culture and Values". Unpublished manuscript.

Darbyshire, M.J. (2005). "Gendered Organization Theory: A Message to Scholars", unpublished manuscript.

Darbyshire, M.J., Coleman, T., Littrell, L., and Verhage, E. "Disabilities in the Workplace " workshop presented at Kansas State University, January 24, 2006.

Darbyshire, M.J., Coleman, T., Littrell, L., and Verhage, E. "Learning Disabilities in the Workplace" workshop presented at the Academic Chair Persons Conference, Orlando, February 8, 2006

Darbyshire, M.J., Coleman, T., Littrell, L., and Verhage, E. "Learning Disabilities in the Workplace." (publication) Proceedings of the Twenty-Second Annual Conference on Academic Chairpersons: Changing Leadership: Expectations for Chairs. Orlando, February 8-10, 2006.

Darbyshire, M.J., "Learning Disabilities in the Workplace". (Presentation) The Human Resources Network, Manhattan, Kansas—April 19, 2006.

Darbyshire, M.J., "How to Survive the Recruitment Process", presented at Conference for LIS students and new librarians, Manhattan, Kansas. Spring 2006.

Darbyshire, M.J., "How to Survive the Recruitment Process", presented at University of Missouri, School of Library and Information Science, Columbia, Spring 2006.

Darbyshire, M.J., "How to Survive the Recruitment Process", presented at University of Wisconsin, School of Library and Information Science, Madison, Spring 2006.

Darbyshire, M.J.(2006), "Planning for Survival or Thriving through Strategy", Unpublished manuscript.

Darbyshire, M.J. (2006), "Gendered Org Theory: A message to scholars", Unpublished manuscript

Darbyshire, M.J.(2007), "Tacit Knowledge, Mental Models, and the Future in Organizations", Unpublished manuscript.

Darbyshire, M.J. and Wilson, R. "Lifelong Leadership Development: Creating Learning Opportunities through Work & Life Experiences", A workshop presented at Kansas State University on June 5, 2007.

Darbyshire, M.J, "Leadership of the Future", Leadership Lounge presentation, Kansas State University, October, 2007.

Agnew, L., Darbyshire, M.J. & Russell, K. "Creating and nurturing an effective organization: How libraries can benefit from organization development and other disciplines", presented at College and University Library Section of the Kansas Library Association, October 2007.

Instruction

LI805-Team taught with Dr. Mirah Dow- Organization Theories for Administering Information Agencies, Emporia State University, School of Library and Information Management, Spring 2006.

LI863XA - Current Issues in Management of Information Agencies: Professional Development through Strategic Learning Decisions, Emporia State University, School of Library and Information Management, Spring 2007.

Groups, Teams, Task Forces, and Committees

K-State Leadership Seminar Planning Committee-Chair-University level committee that produces a seminar for more than 250 participants from the community

IRMC member and sub-committee chair-University level policy committee for IT

University ID card advisory committee member-University level committee for student ID information policy and card use development

MAT-Libraries upper level management team responsible for policy making and initiative implementation

COT-Libraries middle management level team responsible for operations in the organization

Budget Committee-Chair-Responsible for the planning, allocation and tracking of the library materials budget

University Training Advisory Committee-University level committee responsible for making recommendations regarding the training needed for the campus community

University Libraries Advisory Committee member-A group of university wide faculty that make recommendations and advise the Dean of Libraries

American's with Disabilities Act Program Team member-The group that monitored and improved accessibility to the services in the building and to the IT services

Strategic Planning-Staff Development Task Force member-One of several task forces that developed portions of the SP

Strategic Planning-Human Capacity Development Task Force facilitator-One of several task forces that developed portions of the SP

Strategic Planning Steering Committee-The group that developed the vision, mission, and values of the organization and generally guided the development process

President's Commission on Multi-cultural Affairs-A group of people appointed by the President to act as a steering committee and advocates for multi-cultural affairs

College Point People-A group with a member from each college that takes the information back from PCMA, develops programs, and implements

Temporary Advisory Task Force for Diversity facilitator-The group that develop the Strategic Plan for Diversity at K-State Libraries

Groups, Teams, Task Forces, and Committees-Community

PTA/PTO-Member and President

City of Manhattan Parks and Recreation Advisory Committee

School District 383 Technology Advisory Board

Kaw Valley Girl Scouts Board of Directors



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

November 4, 2013

☐ Back ☐ Print

DATE: November 19, 2013
CONTACT PERSON: Mayor Wolgast **DOCUMENT #:**
SECOND PARTY/SUBJECT: Board Appointment - **PROJECT #:**
Topeka Landmarks
Commission
CATEGORY/SUBCATEGORY 006 Communication / 005 Other
CIP PROJECT: No
ACTION OF COUNCIL: **JOURNAL #:**
PAGE #:

DOCUMENT DESCRIPTION:

BOARD APPOINTMENT recommending the appointment of Nelda Gaito to the Topeka Landmarks Commission for a term ending December 31, 2016. *(Council District No. 6)*

POLICY ISSUE:

The purpose of the Landmarks Commission is to advise the city council on historic assets and to safeguard the architectural and cultural heritage of the community through the preservation of historic resources, historic landmarks and districts. The commission may carry out these duties through the identification, documentation and designation of historic assets; development and implementation of a historic preservation plan; administration of ordinances governing the designation, alteration and removal of historic assets; assistance with educational and incentive programs, economic development and tourism, and coordination of public and private historic preservation activities.

STAFF RECOMMENDATION:

Mayor Wolgast recommends the appointment of Nelda Gaito for a three-year term that would end December 31, 2016. She is filling one of the four positions requiring that the member be an architect, engineer, professional or academic historian, archeologist, or a preservation consultant. She is a licensed architect.

BACKGROUND:

This is a city-created board where council nominations are not required. The Mayor appoints and the Council approves.

The Topeka Landmarks Commission is a nine member board and membership shall be comprised of people who have a demonstrated interest in historic preservation through their community and/or professional involvements. The members of the commission shall be drawn from such backgrounds as architecture,

Item #8

history, landscape architecture, architectural history, planning, archaeology, urban design, neighborhood and community development, geography, real estate, law, finance, building trades or related areas.

Topeka is a Certified Local Government under the National Parks Service, and under the terms of this designation, 4 of the nine members must be from a profession specifically relevant to their function as a Landmarks Commissioner. This appointment requires that the appointee be an architect, engineer, professional or academic historian, archeologist, or a preservation consultant.

BUDGETARY IMPACT:

There is no budgetary impact to the City.

SOURCE OF FUNDING:

Not Applicable.

ATTACHMENTS:

[NGaito_application_Landmarks](#)

[NGaito_appsupplement_Landmarks](#)



CITY OF TOPEKA

Application for Appointment to a Board or Commission

You are seeking an appointment to a public board. Your appointment is subject to approval by the Mayor and City Council and is governed by certain city ordinances and in some instances, state statutes. The information provided in this application will be used to determine if you meet the requirements required by city ordinances and other applicable laws. Please note that the information provided on this application will be subject to the Kansas Open Records Act.

Please state your name:

 FIRST MIDDLE LAST SUFFIX

State the name of the board or commission to which you are seeking appointment:

Are you a resident of the City of Topeka: ☐ YES ☐ NO

Please provide your HOME ADDRESS: (necessary for residency requirement)

 STREET CITY STATE ZIP CODE

 HOME PHONE CELL PHONE BUSINESS PHONE

 E-MAIL

Are you a registered voter: ☐ YES ☐ NO

Are you currently a full or part-time employee of the City of Topeka? ☐ YES ☐ NO

If yes, please advise in which department you work.

Are you or any immediate family member related to any city governmental official or employee?

☐ YES ☐ NO **If yes, please advise who and how you are related.**

If you are employed please provide the name and address of your employer.

Are you or have you been a party to any civil litigation involving the City of Topeka? ☐ YES ☐ NO

If yes, please explain:

Are you delinquent in payment of any taxes, fees, fines or special assessments owed to the State of Kansas, Shawnee County or the City of Topeka? ☐ YES ☐ NO If yes, please explain:

Please state why you are interested in serving on this board or commission:

Please describe your education, experience and expertise including any honors or awards, civic, cultural, charitable or professional organization memberships that relate to the position you are seeking. (You may provide this is an attachment or use the back of this form.)

Complete ONLY if you are applying for one of these boards: Building and Fire Appeals; Board of Electrical Appeals, Board of Plumbing Appeals, Board of Mechanical Appeals; Sustainability; Planning Commission

List any professional licenses you hold in Kansas and advise if they are current. (We reserve the right to request a copy of your license prior to approval of your appointment.)

I understand that the information I have provided may be used to determine my suitability to perform the duties required by the position I seek.

By checking this box, I declare under penalty of perjury that I am the person named above, and the information I have provided is true and correct. ☐

Please print your name and then sign below:

Print name: _____

Signed by: _____ Date: _____

Electronic Signature: ☐ *You may submit your signature electronically by checking this box.*

Submission instructions: Email your completed form with attachments to Vicki Buening at vbuening@topeka.org or mail to Office of the Mayor, City Hall, 215 SE 7th St., Suite 350 Topeka, KS 66603-3914. For questions, call the Mayor's Office 785-368-3895.

The Mayor and City Council are seeking diversity among appointees. We have provided an optional voluntary self-identification form should you choose to provide that information with your application. (See page 3)
Thank you.

VOLUNTARY SELF IDENTIFICATION

Name: _____

Race and ethnic designations as used by the Equal Employment Opportunity Commission do not denote scientific definitions of anthropological origins. Definitions of the race and ethnicity categories are as follows:

Put an **X** in the appropriate box.

☐

Hispanic or Latino - A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin regardless of race.

☐

White (Not Hispanic or Latino) - A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

☐

Black or African American (Not Hispanic or Latino) - A person having origins in any of the black racial groups of Africa.

☐

Native Hawaiian or Other Pacific Islander (Not Hispanic or Latino) - A person having origins in any of the peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

☐

Asian (Not Hispanic or Latino) - A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian Subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

☐

American Indian or Alaska Native (Not Hispanic or Latino) - A person having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment.

☐

Two or More Races (Not Hispanic or Latino) - All persons who identify with more than one of the above six races.

October 15, 2013

Supplement to application for Nelda Gaito

My current position with Washburn is as University Architect. I have held other positions in private practice and with the State of Kansas in the State Architect's office. As the University Architect I oversee all renovations, additions and the design and construction of new buildings on campus. Because tradition and heritage are important aspects for Washburn, I work hard in taking those common threads to the new buildings being built on campus. You can see this in the Morgan Hall renovation and addition as well as the proposed new Law School building. While not all the work is a new building, I do work on preserving the architectural integrity of the exterior of the existing buildings. Interior upgrades are vital to the life of the University. We are constantly working at improving the interior spaces to meet the ever changing needs of our students and I have taken great efforts to keep the historic perspective in keeping the exteriors the same or when needed additions that follow the architectural language of the building. This can be seen in the addition and renovation to the Phi Delta Theta house built in 1926 or the renovation to Whiting Field House built in 1927 or the addition and garden to the President's Residence built in 1928.

I hope this helps answer your question. Please let me know if you have additional questions. I am very excited for the opportunity to work with the City on the Landmarks Commission. I think Topeka is a great place with historical heritage everywhere that needs to be protected and enhanced.

Nelda Gaito, RA

University Architect

Washburn University



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www.topeka.org

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

October 28, 2013

☐ Back ☐ Print

DATE: November 19, 2013
CONTACT PERSON: Mayor Larry Wolgast **DOCUMENT #:**
SECOND PARTY/SUBJECT: Appointment Topeka **PROJECT #:**
Metropolitan Transit
Authority
CATEGORY/SUBCATEGORY 006 Communication / 005 Other
CIP PROJECT: No
ACTION OF COUNCIL: **JOURNAL #:**
PAGE #:

DOCUMENT DESCRIPTION:

BOARD APPOINTMENT recommending the appointment of Scott Tummons to the Topeka Metropolitan Transit Authority for an unexpired term ending April 30, 2014. *(Council District No. 7)*

POLICY ISSUE:

Board members provide assistance in establishing policy and legislative direction for the agency to maintain and operate public transportation within city limits.

STAFF RECOMMENDATION:

Councilmember Chad Manspeaker nominates and Mayor Wolgast recommends the appointment of Scott Tummons to the Topeka Metropolitan Transit Authority for an unexpired term ending April 30, 2017.

BACKGROUND:

This is a statutory board where the council nominates and the Mayor appoints. It is a seven-member board with each member serving a term of four years.

BUDGETARY IMPACT:

There is no budgetary impact to the City.

SOURCE OF FUNDING:

Not applicable.

ATTACHMENTS:

[Application](#)

Item #9



CITY OF TOPEKA

Application for Appointment to a Board or Commission

You are seeking an appointment to a public board. Your appointment is subject to approval by the Mayor and City Council and is governed by certain city ordinances and in some instances, state statutes. The information provided in this application will be used to determine if you meet the requirements required by city ordinances and other applicable laws. Please note that the information provided on this application will be subject to the Kansas Open Records Act.

Please state your name:

Scott

FIRST

Wayne

MIDDLE

Tummons

LAST

SUFFIX

State the name of the board or commission to which you are seeking appointment:

Topeka Metro Board

Are you a resident of the City of Topeka: ☒ YES ☐ NO

Please provide your HOME ADDRESS: (necessary for residency requirement)

3328 SW 46th St.

STREET

Topeka

CITY

Ks.

STATE

66610

ZIP CODE

785-608-9497

HOME PHONE

785-234-5688

BUSINESS PHONE

scott@uswalocal307.com

E-MAIL

Are you a registered voter: ☒ YES ☐ NO

Are you currently a full or part-time employee of the City of Topeka? ☐ YES ☒ NO

If yes, please advise in which department you work.

Are you or any immediate family member related to any city governmental official or employee?

☐ YES ☒ NO If yes, please advise who and how you are related.

If you are employed please provide the name and address of your employer.

Goodyear Tire and Rubber - Highway 24, Topeka, Ks. / USW Local 307 1603 NW Taylor, Topeka, Ks. 66610

Are you or have you been a party to any civil litigation involving the City of Topeka? ☐ YES ☒ NO

If yes, please explain:

Are you delinquent in payment of any taxes, fees, fines or special assessments owed to the State of Kansas, Shawnee County or the City of Topeka? ☐ YES ☒ NO If yes, please explain:

Please state why you are interested in serving on this board or commission:

See Attached

Please describe your education, experience and expertise including any honors or awards, civic, cultural, charitable or professional organization memberships that relate to the position you are seeking. (You may provide this as an attachment or use the back of this form.)

See Attached

Complete **ONLY** if you are applying for one of these boards: Building and Fire Appeals; Board of Electrical Appeals, Board of Plumbing Appeals, Board of Mechanical Appeals; Sustainability; Planning Commission

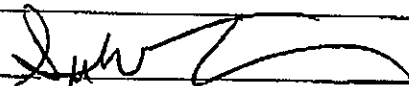
List any professional licenses you hold in Kansas and advise if they are current. (We reserve the right to request a copy of your license prior to approval of your appointment.)

I understand that the information I have provided may be used to determine my suitability to perform the duties required by the position I seek.

By checking this box, I declare under penalty of perjury that I am the person named above, and the information I have provided is true and correct. ☒

Please print your name and then sign below:

Print name: **Scott W Tummons**

Signed by: 

Date: **11/5/2103**

Electronic Signature: ☒ You may submit your signature electronically by checking this box.

Submission instructions: Email your completed form with attachments to Vicki Buening at vbuening@topeka.org or mail to Office of the Mayor, City Hall, 215 SE 7th St., Suite 350 Topeka, KS 66603-3914. For questions, call the Mayor's Office 785-368-3895.

The Mayor and City Council are seeking diversity among appointees. We have provided an optional voluntary self-identification form should you choose to provide that information with your application. (See page 3) Thank you.

VOLUNTARY SELF IDENTIFICATION

Name: Scott W Tummons

Race and ethnic designations as used by the Equal Employment Opportunity Commission do not denote scientific definitions of anthropological origins. Definitions of the race and ethnicity categories are as follows:

Put an **X** in the appropriate box.

☐

Hispanic or Latino - A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin regardless of race.

☒

White (Not Hispanic or Latino) - A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

☐

Black or African American (Not Hispanic or Latino) - A person having origins in any of the black racial groups of Africa.

☐

Native Hawaiian or Other Pacific Islander (Not Hispanic or Latino) - A person having origins in any of the peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

☐

Asian (Not Hispanic or Latino) - A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian Subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

☐

American Indian or Alaska Native (Not Hispanic or Latino) - A person having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment.

☐

Two or More Races (Not Hispanic or Latino) - All persons who identify with more than one of the above six races.

Scott W. Tummons
 3328 SW 46th St.
 Topeka, Ks. 66610
 (785) 608-9497

Work /Position History:

- 2009 – Present Financial Secretary for United Steelworkers Local 307.
- 2009 – Present Executive Board for United Steelworkers Local 307.
- 2011 – Present Chair of the By-Laws Committee for United Steelworkers Local 307.
- 2010 – Present Unites Steelworkers District 11 Wage and Policy Committee Member.
- 2010 - Present Treasure for Kansas State Industrial Union Council.
- 2009 – 2010 Trustee for Kansas State Industrial Union Council.
- 2001 - 2003 Executive Board for United Steelworkers Local 307.
- 2000 - 2003 Radial Truck Vice Chair for United Steelworkers Local 307.
- 1998 - 2001 United Steelworkers Local 307 C.O.P.E. Committee Member.
- 1992 - Hired as production for Goodyear Tire and Rubber Company.
 - 1999 -2007 Selected as Quality Assurance Technician for Goodyear.
 - 2007 - 2009 Selected as Earthmover Training Coordinator for Goodyear.
 - 2009 - Elected to office of Financial Secretary for Union.

Education:

- 1991 – 1992 University of Kansas.
- Spring of 1992 Kansas City Kansas Community College.
- 1989 – 1990 Dodge City Community College.
- 1988 - 1989 Kansas State University.

Experience:

- Member representation, contract interpretation and grievance resolution.
- Fiscal management, budget tracking, record keeping, auditing and office management.
- Training development, presentation and implementation.
- Policy and by-laws evaluation and drafts.
- Proficient with Windows PowerPoint, Excel, Word and QuickBooks.

Community Service

- United Way Ambassador.
- Treasure for Chicken Fly Committee.

Scott W. Tummons
3328 SW 46th St.
Topeka, Ks. 66610
(785) 608-9497

When initially approached about my interest in filling the current vacant seat on Topeka's Metro Board, I must admit I had not put much thought into putting my name in for a position on any board. The more it was discussed and I had time to reflect on the conversation the more I grew intrigued with this opportunity. Although I do not use the Metro system in Topeka, I generally use the metro systems in the many cities that I have had to travel to for business. With this experience I feel I have developed a great appreciation for a well developed, maintained and efficient transportation for the city and public. There are several reasons why it is a crucial must that cities have productive and useful transit systems. The two most critical issues surrounding the transit system would be the economy of the city as well as our one and only environment. The transit system is the only means of transportation for many of our residents of Topeka. This puts the responsibility to offer a vast system to allow people to perform the duties in their daily lives. This is beneficial for every business and employer within our city. The Metro system needs to be maintained affordable as well as useful, convenient and efficient. If all previous mentioned criteria are addressed effectively, we will have the opportunity to make positive effects on our environment. By making transportation useful as well as affordable, the City can hope to see the residents utilize public transportation more often and reduce the number of vehicles within the city. This is ultimately why I have decided to put my name forward as a nominee to be appointed to the Topeka Metro Board. With my past experience in the positions that I hold and have held, I feel I can provide an enthusiastic addition to continue and help the Metro grow for Topeka.

Thank you for your consideration,

Scott W. Tummons



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

November 13, 2013

☐ Back ☐ Print

DATE:	November 19, 2013	
CONTACT PERSON:	Tina M. Loyd	DOCUMENT #:
SECOND PARTY/SUBJECT:	Bank Depositories and Signature Requirements	PROJECT #:
CATEGORY/SUBCATEGORY	020 Resolutions / 005 Miscellaneous	
CIP PROJECT:	No	
ACTION OF COUNCIL:		JOURNAL #:
		PAGE #:

DOCUMENT DESCRIPTION:

A RESOLUTION introduced by City Manager Jim Colson, naming banks and savings institutions that are designated as depositories for all City of Topeka accounts and authorizing signatories and rescinding City of Topeka Resolution No. 8465.

(Approval is necessary due to changes in staff and working titles to complete daily duties.)

POLICY ISSUE:

Approval would update the resolution to reflect changes in staff members.

STAFF RECOMMENDATION:

Staff recommends the City Council move to approve the resolution.

BACKGROUND:

Approval is necessary to allow staff member to complete daily duties.

BUDGETARY IMPACT:

There is no budgetary impact to the City.

SOURCE OF FUNDING:

Not applicable

ATTACHMENTS:

[Resolution](#)

Item #10

RESOLUTION NO. _____

A RESOLUTION introduced by ~~Jim Colson~~, City Manager Jim Colson, naming banks and savings institutions that are designated as depositories for all City of Topeka accounts and authorizing signatories and rescinding City of Topeka Resolution No. 8465.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS that the following named banks and savings institutions are hereby designated to be depositories which can accept deposits from any and all accounts of the City:

Alliance Bank	Heritage Bank Fidelity State Bank & Trust
Bank of America <u>Merrill Lynch</u>	Intrust Bank Heritage Bank
Capital City Bank	Kaw Valley State Bank & Trust Intrust Bank
Capitol Federal Savings	Landmark National Bank Kaw Valley State Bank & Trust
Central National Bank	Lyndon State Bank Landmark National Bank
Community National Bank Citizens Bank & Trust	Silver Lake Bank
CoreFirst National Bank Columbian Bank	Sunflower Bank
Denison State Bank	UMB Bank
Equity Bank	US Bank
Fidelity State Bank	Vision Bank
Community National Bank	UMB Bank
CoreFirst National Bank	US Bank
Denison State Bank	Vision Bank

BE IT FURTHER RESOLVED that the above-named banks and savings institutions may accept all checks, drafts, bills of exchange, or other orders for the payment of money when drawn on or addressed to any of the banks and savings institutions, if the *facsimile* signatures of both the following persons are imprinted thereon:

City Manager: Jim Colson

Finance: Tina M. Loyd

BE IT FURTHER RESOLVED that any of the above-named banks and savings institutions may accept *manually* drafted checks, drafts, bills of exchange, or other orders for payment of money, when drawn on any of the banks and savings institutions, with the proper dual signatures. The dual signatures will come from the persons listed below and *require at least one signature* being the Finance Director, City Controller/Treasurer, or Accounting Manager:

Title	<u>City Manager</u>	Name	<u>Jim Colson</u>
Title	<u>Finance Director</u>	Name	<u>vacant</u>
Title	<u>City Controller/Treasurer</u>	Name	<u>vacant</u>
Title	<u>Accounting Manager</u>	Name	<u>Tina M. Loyd</u>
Title	<u>Accountant II</u>	Name	<u>Amy Vail</u>
Title	<u>Accountant II</u>	Name	<u>Amanda Meyer</u>

BE IT FURTHER RESOLVED that checks, drafts or other instruments for payment of money drawn to the order of the City of Topeka shall, when properly endorsed, be accepted by the banks and savings institutions for deposit only to the credit of the City of Topeka.

BE IT FURTHER RESOLVED that Resolution No. 8465 is rescinded and that the foregoing powers and authority outlined herein are to be continued until written notice or revocation has been given to the banks and savings institutions by the City of Topeka.

This Resolution shall become effective after it is adopted and approved by the City Council.

ADOPTED and APPROVED by City Council _____.

CITY OF TOPEKA, KANSAS

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ATTEST:

Larry E. Wolgast, Mayor

Brenda Younger, City Clerk



A Capital City Government Working For You...

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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

November 13, 2013

☐ Back ☐ Print

DATE:	November 19, 2013	
CONTACT PERSON:	Tina M. Loyd	DOCUMENT #:
SECOND PARTY/SUBJECT:		PROJECT #:
CATEGORY/SUBCATEGORY	020 Resolutions / 005 Miscellaneous	
CIP PROJECT:	No	
ACTION OF COUNCIL:		JOURNAL #:
		PAGE #:

DOCUMENT DESCRIPTION:

A RESOLUTION introduced by City Manager Jim Colson, concerning the City of Topeka's participation in the State of Kansas Municipal Investment Pool and rescinding City of Topeka Resolution No. 8466.

(Approval is necessary to amend changes in staff and working titles.)

POLICY ISSUE:

Approval would update the resolution to reflect changes in staff members.

STAFF RECOMMENDATION:

Staffs recommends the City Council move to approve the resolution.

BACKGROUND:

The revisions are necessary due to changes in staff members and working titles.

BUDGETARY IMPACT:

No budgetary impact to the City.

SOURCE OF FUNDING:

Not applicable

ATTACHMENTS:

[Resolution](#)

1 RESOLUTION NO. _____
2

3 A RESOLUTION introduced by City Manager Jim Colson, concerning the City of
4 Topeka's participation in the State of Kansas Municipal Investment Pool
5 and rescinding City of Topeka Resolution No. 8466.
6

7 WHEREAS, the City of Topeka is a municipality, as defined in K.S.A. 12-1675a,
8 hereinafter referred to as "Participant," and from time to time has funds on hand in excess
9 of current needs; and

10 WHEREAS, it is in the best interests of Participant and its inhabitants to invest funds
11 in investments that yield a favorable rate of return while providing the necessary liquidity
12 and protection of the principal; and

13 WHEREAS, the Pooled Money Investment Board, hereinafter referred to as "PMIB,"
14 operates the Municipal Investment Pool, hereinafter referred to as "MIP," a public funds
15 investment pool, pursuant to K.S.A. 12-1677a, and amendments thereto; and

16 WHEREAS, the MIP is a permitted investment of the City under K.S.A 12-1675.

17 NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
18 TOPEKA, KANSAS:

19 1. That Participant approves the establishment of an account in its name in the
20 MIP for the purpose of transmitting funds for investment, subject to the MIP Participation
21 Policy adopted by the PMIB, and Participant acknowledges it has received a current copy
22 of such Participation Policy. Participant's taxpayer identification number assigned by the
23 Internal Revenue Service is 48-6028701.

24 2. That the following individuals are officers or employees of Participant and are
25 each hereby authorized to transfer funds for investment in the MIP, to withdraw funds from
26 time to time, to issue letters of instruction, and to take all other actions deemed necessary
27 or appropriate for the investment of funds upon submission of dual signatures. The dual

signatures will come from the persons listed below and requires at least one signature by the Finance Director, City Controller/Treasurer or Accounting Manager:

Title Finance Director Name vacant

Title Controller/Treasurer Name vacant

Title Accounting Manager Name Tina M. Loyd

Title Accountant II Name Amy Vail

Title Accountant II Name Amanda Meyer

3. That notices required by the PMIB's Municipal Investment Pool Participant Policy shall be provided to:

Finance Department
215 SE 7th, Room 358
Topeka, Kansas 66603
785-368-2544
785-368-3975 (fax)

4. That this Resolution and its authorization shall continue in full force and effect until amended or revoked by the Participant and until the PMIB receives a copy of any such amendment or revocation, the PMIB is entitled to rely on same.

BE IT FURTHER RESOLVED that the City of Topeka Resolution No. 8466 is hereby rescinded.

ADOPTED and APPROVED by City Council on _____.

CITY OF TOPEKA, KANSAS

Larry E. Wolgast, Mayor

ATTEST:

Brenda Younger, City Clerk



A Capital City Government Working For You...

www.topeka.org

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

September 30, 2013

☐ Back ☐ Print

DATE:	November 19, 2013	
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



A Capital City Government Working For You...

www.topeka.org

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

September 30, 2013

☐ Back ☐ Print

DATE:	November 19, 2013	
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



A Capital City Government Working For You...

www.topeka.org

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

November 5, 2013

☐ Back ☐ Print

DATE: November 19, 2013

CONTACT PERSON: Don Rankin **DOCUMENT #:**

SECOND PARTY/SUBJECT: SW Woodbury South Court Drainage Correction Project **PROJECT #:** T-151003.01

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

CIP PROJECT: Yes

ACTION OF COUNCIL: 11/12/13 First Reading. **JOURNAL #:**

PAGE #:

DOCUMENT DESCRIPTION:

A PROJECT BUDGET in the amount of \$899,458, AN ORDINANCE and A NOTICE OF INTENTION introduced by City Manager Jim Colson, authorizing Improvement Project No. T-151003.01 which provides for drainage improvements to SW Woodbury South Court, approving cost estimates of the proposed improvements, and doing all other things necessary and incidental thereto, and authorizing the use of utility operation funds and authorizing the publication of the Notice of Intention of the governing body of the City of Topeka, Kansas, to issue and sell revenue bonds of said City to make such improvements which constitutes improvements to the municipally owned water, water pollution control, and stormwater utility system of the City of Topeka, Shawnee County, Kansas, pursuant to K.S.A. 10-101 and 10-1201, et seq., and all amendments thereto. Final Reading.

Voting Requirement: Two-thirds vote of the Governing Body, including the Mayor.

(Approval would authorize a project budget increase from \$400,000 to \$899,458. The total debt service (principal and interest) to be paid over a 30-year period will be \$1,467,142.)

POLICY ISSUE:

This project would involve design and construction improvements along the Woodbury South Court Drainage channel that would increase the channel's capacity to capture storm water run-off that is causing localized flooding in this neighborhood. Authorization of the project and the expenditure of funds would allow for the prevention of further flooding and damage to residential properties in this community.

STAFF RECOMMENDATION:

Staff recommends the Governing Body move to approve the project budget and notice of intention and adopt the ordinance.

Item #14

BACKGROUND:

During design assessments for this project, three options were considered.

Option one, the original solution was proposed and authorized by the City Council for \$400,000 in 2011 (Ordinance 19552). This option was in accordance with normal street flooding design for a 10 year event. Further research determined that the Woodbury Court drainage channel must be designed to carry stream flows and handle a 100 year storm event to prevent future flooding.

The second option was designed to handle a 100 year storm event but it did not provide the benefits of normal stream vegetated infiltration. Upon further evaluation, it was determined that option three would be the preferred design alternative. This option includes design to handle a 100 year storm event that replicates stream-like conditions such as natural ground infiltration, minimization of erosion opportunities and aesthetically pleasing attributes for the neighboring community. The estimated cost for this option is \$899,458.

BUDGETARY IMPACT:

The total project budget is \$899,458 with the total debt service interest to be paid from utility operating funds in the amount of \$567,684 for a total debt service of \$1,467,142.

SOURCE OF FUNDING:

Utility operating funds, revenue bonds, general obligation bonds, temporary notes, or Kansas Department of Health and Environment SRF Loan.

ATTACHMENTS:

[Project Fact Sheet](#)

[Project Budget](#)

[Project Debt Service](#)

[Ordinance](#)

[Notice of Intent](#)

[Map](#)



FACT SHEET

T-151003.01

SW Woodbury South Court Drainage Correction Project

SW Woodbury South Court – Northeast of SW 6th and Gage Blvd.

PROJECT ADMINISTRATION

Don Rankin, Utilities Superintendent

Jennifer Harrell, P.E., Stormwater Project Engineer

PROJECT SUMMARY

During most rainfall events, the channel in the area of SW Woodbury South Court overflows causing substantial flooding because the houses were built within the stream channel. This project will re-align the stream channel to behind the houses in order to eliminate localized flooding from the stream flows.

BACKGROUND

During the design assessments, for this project, three options were studied. Option one, the original solution, was proposed and authorized by the City Council for \$400,000 in 2011 (Ordinance 19552). This option was in accordance with normal street flooding design for a 10 year event. Further research determined that the Woodbury Ct. drainage channel is actually a stream. The houses were built along the original stream channel alignment and the existing drainage is not sufficient to handle stream flows. This means that the channel must be designed to carry stream flows and should be designed to handle a 100 year storm event to prevent future flooding. This makes Option 1 untenable.

The second option was designed to handle a 100 year storm event but has some significant drawbacks. It does not provide the benefits of normal stream vegetated infiltration and included the installation of concrete piping infrastructure that would discharge in front of a neighboring residential property to which the property owner objects. The estimated budget for this option is \$690,961.

The third option incorporates a design approach that replicates stream-like conditions such as natural ground infiltration, minimization of erosion opportunities, and aesthetically pleasing attributes for the neighboring community. The estimated cost for this option is \$899,458. Upon evaluation and consultation with the impacted residents, it was determined that option three is the preferred design alternative.

Option 3 is designed to handle a 100 year storm event and accomplishes the following:

- Recreates many of the natural stream channel features that existed prior to development in this area. The natural bottom promotes infiltration.
- Meets US Army Corp of Engineers requirement for a natural bottom structure.
- Provides easier access to the sanitary sewer interceptor, on the east side of neighboring properties, for maintenance and construction.
- Has less impact to residential properties and its aesthetical design elements are pleasing to local residents and Hayden High School officials.
- Addresses the structural and erosion issues with the existing front yard channel.

TOTAL PROJECT BUDGET COST

The requested project budget is \$899,458 and includes an additional \$499,458 that is not currently in the adopted CIB.

Currently in adopted 2011 CIB - \$250,000

Currently in adopted 2012 CIB - \$150,000

Total Project Budget	\$899,458
Annual Debt Service	\$48,905
Annual Debt Service as Percent of Total	5.4%
Total Debt Service (principal and interest)	\$1,467,142
Difference Project Cost and Total Debt Service	\$567,684

SOURCE OF FUNDING

Utility operating funds, revenue bonds, general obligation bonds, temporary notes, or Kansas Department of Health and Environment SRF Loan.

COUNCIL DISTRICT

9

DESIGN ENGINEER

Professional Engineering Consultants (PEC)

CONTRACTOR

Construction inspection and staking will be performed by City of Topeka. Construction Contractor will be determined by competitive bid.

PROJECT SCHEDULE

Design 2012-2013

Construction 2014-2015



PROJECT BUDGET
T-151003.01
SW Woodbury South Court Drainage Improvement

LOCATION:

SW Woodbury South Court -- Northwest of SW 6th and Gage Blvd.

DESCRIPTION OF PROJECT:

This project was originally proposed and authorized for \$400,000 to correct a drainage issue that caused severe localized flooding. The proposed amendment to the budget would incorporate the design approach outlined in Option 3 of the engineering assessments. This option includes improvements to the channel south of SW Woodbury South Court and continuing north easterly approximately 300 feet.

SOURCE OF FUNDS:

Utility operating funds, revenue bonds, general obligation bonds, temporary notes, or Kansas Department of Health and Environment SRF Loan.

	<u>Approved Budget</u>	<u>Additions</u>	<u>City Funds</u> (Revised)
<u>COST ESTIMATE:</u>			
Construction:	\$255,000	\$357,580	\$612,580
Design:	\$25,000	\$45,000	\$70,000
Construction Service Fees:			
<i>Construction Inspection (8%)</i>	\$15,600	\$16,121	\$31,721
<i>Construction Staking (5%)</i>	\$7,800	\$8,578	\$16,378
Administrative Fees (2%):			
<i>Legal Dept. Admin.</i>	\$7,800	\$5,578	\$13,378
<i>Engineering Admin.</i>	\$5,200	\$7,052	\$12,252
Right-of Way Acquisition:	\$20,000	\$0	\$20,000
Contingency Amount:	\$9,920	\$6,245	\$16,165
Temporary Note Interest	\$12,121	-\$234	\$11,887
COI (2%)	\$6,927	\$8,922	\$15,849
Bond Reserve (10%)	\$34,632	\$44,615	\$79,247
	\$400,000	\$499,458	\$899,458

PUBLIC HEARING:

PROJECT AUTHORITY:

- Statutes:
- Capital Budget Year:
- Improvement District:
- City at Large:
- Method of Assessment:

2013

PROJECT ENGINEER:

Jennifer Harrell



PROJECT DEBT SERVICE

T-151003.01

SW Woodbury South Court Drainage Improvement

Interest rate	3.50%
Number of Years	30
Cost of Issuance	2.00%
Bond Reserve	10.00%
Temp Note interest	1.500%
Principal	\$792,474
Plus Temp Note Interest	\$11,887
Plus Cost of Issuance	\$15,849
Bond Reserve	<u>\$79,247</u>
Total Project Budget	\$899,458
Annual Debt Service	\$48,905
Annual Debt Service as Percent of Total	5.4%
Total Debt Service (principal and interest)	\$1,467,142
Difference Project Cost and Total Debt Service	\$567,684

1 (Published in the Topeka Metro News _____)

2
3 ORDINANCE NO. _____

4
5 AN ORDINANCE introduced by City Manager Jim Colson, authorizing Improvement
6 Project No. T-151003.01 which provides for drainage improvements
7 to SW Woodbury South Court, approving cost estimates of the
8 proposed improvements, and doing all other things necessary and
9 incidental thereto, and authorizing the use of utility operation funds
10 and authorizing the publication of the Notice of Intention of the
11 governing body of the City of Topeka, Kansas, to issue and sell
12 revenue bonds of said City to make such improvements which
13 constitutes improvements to the municipally owned water, water
14 pollution control, and stormwater utility system of the City of Topeka,
15 Shawnee County, Kansas, pursuant to K.S.A. 10-101 and 10-1201, *et*
16 *seq.*, and all amendments thereto, authorizing issuance of general
17 obligation bonds to pay the costs of the project which further
18 constitutes a general improvement to the City's sanitary and/or
19 stormwater and sewage disposal system pursuant to City of Topeka
20 Code § A12-1, and authorizing the borrowing of funds from the KDHE
21 SRF Loan to pay the cost thereof as well as repealing Ordinance No.
22 19552.

23
24 WHEREAS, the City is a municipality as defined by K.S.A. 10-101 and 10-1201 *et*
25 *seq.* and all amendments thereto; and

26 WHEREAS, the City is authorized by the laws of the State of Kansas to issue and
27 sell revenue bonds of the City for the improvement of its water, water pollution control, and
28 stormwater utility system (the "System") pursuant to K.S.A. 10-1201 *et seq.* and all
29 amendments thereto; and

30 WHEREAS, it is deemed by the governing body of the City to be necessary and
31 advisable that the City to improve its System by drainage improvements for SW Woodbury
32 South Court. Drainage Improvement Project No. T-151003.01 will provide for the design
33 and construction of improvements to the channel south of SW Woodbury South Court and
34 continue northeasterly approximately 300 feet, including related appurtenances for a
35 complete project and doing all things necessary and incidental thereto (the "Project") and

36 that the preliminary plans, specifications and cost estimates for the Project heretofore duly
37 prepared and filed in the office of the City Clerk of said City, which estimates show a total
38 cost of the improvements to be approximately eight hundred ninety-nine thousand four
39 hundred fifty-eight dollars (\$899,458.00), be approved; and

40 WHEREAS, it is found by the governing body that such Project will not cause a
41 duplication of existing utility service furnished by a private utility; and

42 WHEREAS, the City of Topeka, Shawnee County, Kansas, is authorized pursuant to
43 City of Topeka Code § A12-1, to issue general obligation bonds for the purposes of paying
44 for improvement, repair or extension to the City's waterworks system and sanitary and
45 stormwater sewage disposal system; and

46 WHEREAS, the City desires to issue and sell revenue bonds and/or general
47 obligation bonds of the City and/or to borrow funds from the KDHE SRF Loan to fund the
48 cost of the improvements or any combination thereof.

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

51 Section 1. That the estimates of costs of the Project as contained in the project
52 budget, in the total amount of eight hundred ninety-nine thousand four hundred fifty-eight
53 dollars (\$899,458.00), which are set out on the project budget attached hereto and on file
54 in the office of the City Clerk of said City, be and the same are hereby approved.

55 Section 2. That Drainage Improvement Project No. T-151003.01 will provide for
56 the design and construction of improvements to the channel south of SW Woodbury South
57 Court and continue northeasterly approximately 300 feet, including related appurtenances
58 for a complete project and doing all things necessary and incidental thereto.

59 Section 3. That notice be given by the governing body of the City of its intention
60 to complete the Project in accordance with the plans, specifications and cost estimates and
61 to use utility operation funds and/or to sell revenue bonds and/or general obligation bonds
62 of the City and/or to borrow funds from the State of Kansas Loan Funds in a total amount
63 not exceeding eight hundred ninety-nine thousand four hundred fifty-eight dollars
64 (\$899,458.00) to pay the cost thereof. Such notice shall be signed by the Mayor and
65 attested by the City Clerk and shall be published in the official City newspaper. Such
66 notice shall describe the nature of the proposed improvements and shall state the amount
67 of revenue and/or general obligation bonds proposed to be issued and/or loan funds to be
68 borrowed, or any combination thereof for the payment of the cost of the project and
69 otherwise, the notice shall be in the form as provided by law.

70 Section 4. That unless written protests against such proposed improvements
71 signed by not less than twenty percent (20%) of the qualified electors of the City are filed
72 with the City Clerk within fifteen (15) days after publication of the notice herein authorized
73 the City both reasonably expects and intends to finance the costs as hereinbefore
74 described from the proceeds of revenue bonds and/or general obligation bonds and/or loan
75 funds or any combination thereof, payable from the rates, fees and charges of the System.
76 The City does hereby express its official intent to reimburse any expenditures made in
77 connection with the Project from System enterprise fund, or obligations incurred by, on or
78 after the date which is sixty (60) days before the effective date of this Ordinance from the
79 proceeds of its revenue bonds as aforesaid in the maximum principal amount previously
80 described in accordance with U.S. Treasury Regulation 1.150-2. This Ordinance, as the
81 expression of the governing body's official intent regarding the matters described herein,

will be available, for public inspection in the City Clerk's office at City Hall during regular business hours of the City.

Section 5. That this Ordinance shall take effect and be in force from and after its adoption by the Council of the City by at least a two-thirds (2/3) vote of the members thereof and publication in the official City newspaper.

Section 6. That Ordinance No. 19552, passed and approved on April 26, 2011, with a project budget of \$400,000 is hereby repealed.

PASSED and APPROVED by the Governing Body on _____.

CITY OF TOPEKA, KANSAS

Larry E. Wolgast, Mayor

ATTEST:

Brenda Younger, City Clerk

1 (Published in the Topeka Metro News _____)

2
3 NOTICE OF INTENTION

4
5 NOTICE OF INTENTION of the governing body of the City of Topeka, Kansas, to make
6 improvements under Improvement Project No. T-151003.01
7 which provides for the drainage improvement to SW Woodbury
8 South Court and to use utility operating funds and to issue and
9 sell revenue bonds of said City pursuant to K.S.A. 10-101 and
10 10-1201, *et seq.*, and all amendments thereto, and to issue
11 general obligation bonds pursuant to City of Topeka Code §
12 A12-1, and to borrow funds from the KDHE SRF Loan, or any
13 combination thereof, to pay the cost of the project.
14

15 Notice is hereby given that as provided by Ordinance No. _____ of the City of
16 Topeka, Shawnee County, Kansas, (the "City") that the Governing Body of the City intends
17 to make improvements to the City-owned water, water pollution control, and stormwater
18 utility system (the "System") under Improvement Project No. T-151003.01 which provides
19 for the drainage improvement to SW Woodbury South Court. This project will provide for
20 the design and construction of improvements to the channel south of SW Woodbury South
21 Court and continuing northeasterly approximately 300 feet and related appurtenances for a
22 complete project (the "Project").

23 Notice is further given that as provided by Ordinance No. _____ of the City, the
24 Governing Body of the City intends to use utility operating funds and/or to issue and sell
25 one or more separate series of revenue bonds of the City pursuant to K.S.A. 10-1201 *et*
26 *seq.* and all amendments thereto, and/or to issue general obligation bonds pursuant to City
27 of Topeka code § A12-1, and/or to borrow funds from the State of Kansas Loan Funds, or
28 any combination thereof, payable from revenues of the System, in an aggregate principal
29 amount not to exceed eight hundred ninety-nine thousand four hundred fifty-eight dollars
30 (\$899,458.00) and to so improve the System and make public improvements to the City by

31 completing the Project.

32 Unless written protests against the proposed Project signed by not less than twenty
33 percent (20%) of the qualified electors of the City are filed with the City Clerk within fifteen
34 (15) days after the publication of this Notice, the Governing Body will proceed in
35 accordance with the intention as set forth above to complete the Project and issue and sell
36 its revenue bonds and/or general obligation bonds and/or borrow funds from the State of
37 Kansas Loan Funds, payable from revenues of the System as above stated.

38 Done by order and direction of the Governing Body of the City of Topeka, Shawnee
39 County, Kansas, this _____ day of _____, 2013

40 CITY OF TOPEKA, KANSAS

41
42
43
44 _____
45 Larry E. Wolgast, Mayor

46 ATTEST:

47
48
49
50 _____
51 Brenda Younger, City Clerk



**Drainage Improvement Project
#T-151003.01**



1 inch = 125 feet



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

October 29, 2013

☐ Back ☐ Print

DATE: November 19, 2013

CONTACT PERSON: Luther Ganieany, Chief of Prosecution **DOCUMENT #:**

SECOND PARTY/SUBJECT: 2013 STO adoption **PROJECT #:**

CATEGORY/SUBCATEGORY 013 Ordinances - Codified / 142 Traffic and Vehicles

CIP PROJECT: No

ACTION OF COUNCIL: 11/12/13 First Reading. **JOURNAL #:**

PAGE #:

DOCUMENT DESCRIPTION:

AN ORDINANCE introduced by City Manager Jim Colson, amending City of Topeka Code Section 10.15.010 and 10.15.020, specifically repealing said original sections, as well as creating Section 10.20.230, all concerning the adoption of the Standard Traffic Ordinance and amendments. Final Reading.

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

(Approval would adopt the 2013 edition of the Standard Traffic Ordinance. The City is currently operating under the 2012 edition.)

POLICY ISSUE:

The Standard Traffic Ordinance is designed to provide a comprehensive traffic code for Kansas cities. It does not take effect in a city until the Governing Body has passed and published an ordinance incorporating it by reference under the authority and the procedure prescribed by K.S.A. 12-3009 through 12-3012 and K.S.A. 12-3301 and 12-3302.

STAFF RECOMMENDATION:

Staff recommends the Governing Body move to adopt the ordinance.

BACKGROUND:

The Standard Traffic Ordinance is a codification of state traffic laws published in book format by the League of Kansas Municipalities and is designed to provide cities with a comprehensive traffic code which can be adopted and incorporated by reference.

The Standard Traffic Ordinance, in large part, parallels the state traffic statutes. A city may delete articles or

Item #15

sections which are unnecessary for the city and may modify sections provided those modifications do not conflict with an equivalent state statute.

The adoption of the 2013 edition of the STO with the following deletions and/or changes is recommended:

1. Continue to delete Section 33 relating to maximum speed limits, Section 50 relating to right, left and U-turns, Section 67 relating to use of right half of crosswalks, Section 104 relating to inattentive driving, Section 107 relating to unattended motor vehicles, Section 116 relating to driving on sidewalks, Section 119 relating to parades and processions, and Section 198 relating to vehicle license tags. These sections are historically deleted by the City with substitute provisions already in place.
2. Section 194 relating to driving while license is canceled, suspended or revoked and Section 195.1 relating to operation of a motor vehicle when a habitual violator have been omitted in previous years due to third offenses requiring a mandatory 90 day jail sentence. After discussions with the Shawnee County District Attorney, it is proposed that the City prosecute 1st and 2nd offenders and the DA's Office would prosecute the 3rd offenses requiring the mandatory 90 day jail sentence.
3. It is recommended that section 194 be included with the exception of those provisions in subsections (b) and (c) related to 3rd offenses.
4. It is recommended that section 195.1 be omitted and the substitute provision which does not contain 3rd offenses be adopted.

BUDGETARY IMPACT:

There is no budgetary impact to the City.

SOURCE OF FUNDING:

Not applicable.

ATTACHMENTS:

[Memo](#)

[Ordinance](#)



CITY OF TOPEKA

Legal Department
215 SE 7th St., Room 260
Topeka, KS 66603-3914
Tel: (785) 368-3910
Fax: (785) 368-3104

Chad Sublet, City Attorney

Luther Ganieany
Chief of Prosecution
lganieany@topeka.org

MEMORANDUM

To: City Councilmembers, Mayor Wolgast
From: Luther Ganieany, Chief of Prosecution
Re: 2013 edition of the Standard Traffic Ordinance
Date: October 10th, 2013

The purpose of this memo is to explain the proposed adoption of the 2013 edition of the Standard Traffic Ordinance (STO). The STO is a codification of state traffic laws published in book format by the League of Kansas Municipalities and is designed to provide cities with a comprehensive traffic code which can be adopted and incorporated by reference.

The STO, in large part, parallels the state traffic statutes. A city may delete articles or sections which are unnecessary for the city and may modify sections provided those modifications do not conflict with an equivalent state statute.

The adoption of the 2013 edition of the STO with the following deletions and/or changes is recommended:

1. Continue to delete Section 33 relating to maximum speed limits, Section 50 relating to right, left and U-turns, Section 67 relating to use of right half of crosswalks, Section 104 relating to inattentive driving, Section 107 relating to unattended motor vehicles, Section 116 relating to driving on sidewalks, Section 119 relating to parades and processions, and Section 198 relating to vehicle license tags. These sections are historically deleted by the City with substitute provisions already in place.
2. Section 194 relating to driving while license is canceled, suspended or revoked and Section 195.1 relating to operation of a motor vehicle when a

habitual violator have been omitted in previous years due to third offenses requiring a mandatory 90 day jail sentence. After discussions with the Shawnee County District Attorney, it is proposed that the City prosecute 1st and 2nd offenders and the DA's Office would prosecute the 3rd offenses requiring the mandatory 90 day jail sentence.

3. It is recommended that section 194 be included with the exception of those provisions in subsections (b) and (c) related to 3rd offenses.
4. It is recommended that section 195.1 be omitted and the substitute provision which does not contain 3rd offenses be adopted.

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by City Manager Jim Colson, amending City of Topeka Code Sections 10.15.010 and 10.15.020, specifically repealing said original sections, as well as creating Section 10.20.230, all concerning the adoption of the Standard Traffic Ordinance and amendments.

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

Section 1. That section 10.15.010, Incorporation of Standard Traffic Ordinance, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Incorporation of Standard Traffic Ordinance.

(a) Generally – Copies. There is hereby incorporated by reference for the purpose of regulating traffic within the corporate limits of the city of Topeka, Kansas, the Standard Traffic Ordinance for Kansas Cities, 41st Edition of 2012(2013), prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas, save and except such articles, sections or parts or portions as are hereafter omitted, deleted, modified or changed. No fewer than three copies of the Standard Traffic Ordinance shall be marked or stamped “Official Copy as Adopted by Ordinance No. ~~19774~~_____,” with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of the ordinance codified in this chapter and filed with the city clerk to be open to inspection and available to the public at all reasonable hours. ~~The police department, municipal judge and all administrative departments of the city charged with enforcement of the ordinance shall be supplied, at the cost of the city, such number of official copies of the~~

~~Standard Traffic Ordinance similarly marked as may be deemed expedient.~~

(b) Traffic Infractions and Traffic Offenses.

(1) A traffic infraction is a violation of any section of this title or of the Standard Traffic Ordinance that prohibits or requires the same behavior as that prohibited or required by a statutory provision that is classified as a traffic infraction in K.S.A. 8-2118, and amendments thereto.

(2) All traffic violations which are included within this title and which are not traffic infractions as defined in subsection (b)(1) of this section shall be considered traffic offenses.

Section 2. That section 10.15.020, Amendments, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Amendments.

The current edition of the Standard Traffic Ordinance for Kansas Cities, as adopted by reference, shall be amended as follows:

(a) Section 33 of the Standard Traffic Ordinance, relating to maximum speed limits, is hereby declared to be and is omitted and deleted and the provisions set forth at TMC 10.20.060 shall be substituted therefor.

(b) Section 50 of the Standard Traffic Ordinance relating to right, left and U-turns at intersection – obedience to, is hereby declared to be and is omitted and deleted and the provisions set forth at TMC 10.20.200 shall be substituted therefor.

(c) Section 67 of the Standard Traffic Ordinance, relating to pedestrians to use right half of crosswalks, is hereby declared to be and is omitted and deleted.

(d) Section 104 of the Standard Traffic Ordinance, relating to inattentive

53 driving, is hereby declared to be and is omitted and deleted and the provisions set forth
54 at TMC 10.20.100 shall be substituted therefor.

55 (e) Section 107 of the Standard Traffic Ordinance, relating to unattended
56 motor vehicles, is hereby declared to be and is omitted and deleted and the provisions
57 set forth at TMC 10.20.125 shall be substituted therefor.

58 (f) Section 116 of the Standard Traffic Ordinance, relating to driving upon
59 sidewalks, is hereby declared to be and is omitted and deleted and the provisions set
60 forth at TMC 10.20.127 shall be substituted therefor.

61 (g) Section 119 of the Standard Traffic Ordinance, relating to parades and
62 processions, is hereby declared to be and is omitted and deleted and the provisions set
63 forth in Chapter 10.50 TMC shall be substituted therefor.

64 (h) Section 194**(b) and (c)** of the Standard Traffic Ordinance, relating to
65 driving while license canceled, suspended or revoked, is hereby declared to be and is
66 omitted and deleted.

67 (i) Section 195.1 of the Standard Traffic Ordinance, relating to operation of a
68 motor vehicle when a habitual violator, is hereby declared to be and is omitted and
69 deleted and the provisions set forth at TMC 10.20.230 shall be substituted therefor.

70 (~~j~~**h**) Section 198 of the Standard Traffic Ordinance, relating to vehicle license –
71 illegal tag, is hereby declared to be and is omitted and deleted and the provisions set
72 forth at TMC 10.05.060 shall be substituted therefor.

73 (~~k~~**i**) Section 204(b) of the Standard Traffic Ordinance, relating to fines doubled
74 in school zones, is hereby declared to be and is omitted and deleted and the provisions
75 set forth at TMC 10.20.170 shall be substituted therefor.

by adding a section, to be numbered 10.20.230, which said section reads as follows:

Except as allowed under subsection (d)(4) of K.S.A. 8-235, and amendments thereto, operation of a motor vehicle in this state when one's driving privileges are suspended pursuant to K.S.A. 8-286 and amendments thereto shall be punished by imprisonment for not more than one year or fined not to exceed \$2,500, or both such punishment and imprisonment.

of Topeka, Kansas, are hereby specifically repealed.

passage, approval and publication in the official City newspaper.

or portions thereof, which are in conflict with the provisions of this ordinance.

ordinance as a whole, or any part thereof, other than the part so declared to be invalid.

PASSED AND APPROVED by the Governing Body on _____.

CITY OF TOPEKA, KANSAS

Larry E. Wolgast, Mayor

ATTEST:

105
106

Brenda Younger, City Clerk



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

September 19, 2012

☐ Back ☐ Print

DATE: November 19, 2013

CONTACT PERSON: Pam Simecka/tml **DOCUMENT #:**

SECOND PARTY/SUBJECT: Budget **PROJECT #:**
Amendment/Establish
Public Hearing Date

CATEGORY/SUBCATEGORY 004 Budgets or Appropriations / 001 Operating Budget - City

CIP PROJECT: No

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

DOCUMENT DESCRIPTION:

AUTHORIZING a public hearing for December 10, 2013, for the purpose of hearing and answering objections of taxpayers relating to the proposed amendments to the 2013 Operating Budget.

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

(Approval authorizes publication of the Notice of Public Hearing in the November 25, 2013 edition of the Topeka Metro Newspaper. The amendment would increase the expenditure level of the 2013 Adopted Budget by \$910,000. These additional expenditures will be paid for by additional revenue collected or by fund balance.)

POLICY ISSUE:

As required by State law, the Governing Body must hold a public hearing to consider amendments to the 2013 Operating Budget. Approval would set a public hearing date of December 10, 2013, and authorize the publication of the public hearing notice in the Topeka Metro Newspaper on November 25, 2013.

STAFF RECOMMENDATION:

Staff recommends the Governing Body move to set the public hearing date on December 10, 2013, and authorize publication of the public hearing notice in the Topeka Metro Newspaper on November 25, 2013.

BACKGROUND:

The proposed amendments to the 2013 budget are:

Downtown Business Improvement District (216) – This expenditure and revenue amendment of \$30,000 would come from the additional revenue generated this year due to a change in the fee charged to
item #16

businesses. This additional expenditure authority would allow the City to use Business Improvement District funds rather than General funds to be used for the display of Christmas lights in the downtown area. If the amendment is not passed, then the City would need to find another source of funds to cover the expense.

Employee Separation Fund (284) – This is a new fund the City established due to the issuance of taxable bonds in fall, 2013, due to the expected peak of retirements over the next few years. This fund is to be used to pay the outstanding balance of vacation, sick leave and compensation time at the time of retirement or layoff. This fund was not established at the time of the 2013 budget approval; therefore, it is not authorized for budget expenditures. Staff is recommending the funds are used to begin paying for the vacation, sick leave and compensation time as stated above for 2013. Staff is requesting \$600,000 in authority for 2013. If the amendment is not passed, the City will be in budgetary violation under state statutes.

KP&F Equalization Fund (287) – This fund is used to pay the penalty assessed when a fireman or police officers final check is more than 15% of their average pay. So far this year, \$166,613 has been paid to KP&F for the penalty. The additional budget authority of \$200,000 is to pay the penalty for expected retirements for the balance of 2013, funded by a bond issue. If the amendment is not passed, the City may be in budgetary violation under state statutes.

Community Improvement District (294) – The Council authorized a Capital Improvement District for the Holliday Square Shopping Center. They asked the City to levy an additional 1% of sales tax on any sales within the district for 20 years. The developer provided the City with invoices of all the improvements made in the district that comply with state law and the agreement with the City for reimbursement. So as the sales tax receipts are received by the City, the City will pay the developer until all the certified costs are paid. Since Holliday Square District is new, the expenditures to reimburse the developer were not budgeted. The request for \$80,000 is to allow the City to pay the developer the sales tax received by the City. If the amendment is not passed, the City will be in budgetary violation under state statutes and will need to withhold further payments to the developer.

BUDGETARY IMPACT:

The amendment would increase the expenditure level of the 2013 Adopted Budget by \$910,000.

SOURCE OF FUNDING:

Downtown Business Improvement District - Current revenue and fund balance

Employee Separation Fund - Current revenue

KP & F Equalization Fund - Current revenue and fund balance

Community Improvement District- Current revenue

ATTACHMENTS:

[Summary](#)

[Budget Sheet Amendments](#)

[Legal Notice](#)

Budget Amendments for 2013 Operating Budget

Downtown Business Improvement District (216) – This expenditure and revenue amendment of \$30,000 would come from the additional revenue generated this year due to a change in the fee charged to businesses. This additional expenditure authority would allow the City to use Business Improvement District funds rather than General funds to be used for the display of Christmas lights in the downtown area. If the amendment is not passed, then the City would need to find another source of funds to cover the expense.

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City of Topeka, Kansas Operating Budget for Fiscal Year 2013

Summary of Resources and Appropriations

Resources and Appropriations	2013 Adopted	2013 Amended	Difference
<u>216 DOWNTOWN IMPROVEMENT DISTRICT</u>			
FUND BALANCE, BEGINNING	\$ 32,957	\$ 32,957	
REVENUE:			
SERVICE ASSESSMENT	161,384	196,217	34,833
	-	-	-
Subtotal Revenue	161,384	196,217	34,833
TOTAL BALANCE AND REVENUE	194,341	229,174	34,833
EXPENDITURES:			
CONTRACTUAL SERVICES	166,217	196,217	30,000
TOTAL EXPENDITURES	166,217	196,217	30,000
RESIDUAL EQUITY TRANSFER	-	-	-
FUND BALANCE, ENDING	\$ 28,124	\$ 32,957	

City of Topeka, Kansas Operating Budget for Fiscal Year 2013

Summary of Resources and Appropriations

Resources and Appropriations	2013 Adopted	2013 Amended	Difference
<u>284 EMPLOYEE SEPARATION BENEFIT</u>			
FUND BALANCE, BEGINNING	\$ -	\$ -	
REVENUE:			
BOND PROCEEDS	-	5,058,353	5,058,353
	-	-	-
Subtotal Revenue	-	5,058,353	5,058,353
TOTAL BALANCE AND REVENUE	-	5,058,353	5,058,353
EXPENDITURES:			
PERSONNEL SERVICES	0	600,000	600,000
TOTAL EXPENDITURES	-	600,000	600,000
RESIDUAL EQUITY TRANSFER	-	-	-
FUND BALANCE, ENDING	\$ -	\$ 4,458,353	

City of Topeka, Kansas Operating Budget for Fiscal Year 2013

Summary of Resources and Appropriations

Resources and Appropriations	2013 Adopted	2013 Amended	Difference
<u>287 KP&F Fund</u>			
FUND BALANCE, BEGINNING	\$ 1,250,599	\$ 1,250,599	
REVENUE:			
BOND PROCEEDS	-	-	-
	-	-	-
Subtotal Revenue	-	-	-
TOTAL BALANCE AND REVENUE	1,250,599	1,250,599	-
EXPENDITURES:			
PERSONNEL SERVICES	200,000	400,000	200,000
TOTAL EXPENDITURES	200,000	400,000	200,000
RESIDUAL EQUITY TRANSFER	-	-	-
FUND BALANCE, ENDING	\$ 1,050,599	\$ 850,599	

City of Topeka, Kansas Operating Budget for Fiscal Year 2013

Summary of Resources and Appropriations

Resources and Appropriations	2013 Adopted	2013 Amended	Difference
<u>294 CID</u>			
FUND BALANCE, BEGINNING	\$ -	\$ -	
REVENUE:			
CID SALES TAX	-	80,000	80,000
	-	-	-
Subtotal Revenue	-	80,000	80,000
TOTAL BALANCE AND REVENUE	-	80,000	80,000
EXPENDITURES:			
PERSONNEL SERVICES	0	80,000	80,000
TOTAL EXPENDITURES	-	80,000	80,000
RESIDUAL EQUITY TRANSFER	-	-	-
FUND BALANCE, ENDING	\$ -	\$ -	

NOTICE OF BUDGET HEARING AMENDING THE 2013 BUDGET

The governing body of the CITY OF TOPEKA, KANSAS will meet on the **10th day of December** at 6:00 pm,
at the CITY COUNCIL CHAMBERS at 214 E. Eighth Street, for the purpose of hearing and answering
objections of taxpayers relating to the proposed amended use of funds.

Detailed budget information is available at OFFICE OF FINANCE, CITY HALL and will be available at this hearing.

The amendments would increase the expenditure limit for the Downtown Improvement District, Employee Separation Fund, KP&F Equalization Fund, and Community Improvement District. Total increase to 2013 budget expenditure is \$910,000.

Fund	Adopted Budget 2013			Proposed Amendment 2013
	Actual Tax Rate	Amount of Ad Valorem Tax	Expenditures	Expenditures
Downtown Improvement District (216)			\$ 166,217	\$ 196,217
Employee Separation Fund (284)	--	\$ -	\$ -	\$ 600,000
KP&F Equalization Fund (287)			\$ 200,000	\$ 400,000
Community Improvement District (294)			\$ -	\$ 80,000

By Order of the governing Body:

City Clerk



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

September 30, 2013

☐ Back ☐ Print

DATE: November 19, 2013
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 and Scrap Metal Dealers License Applications.

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

(Retail Cereal Malt Beverage License applications and Scrap Metal Dealer applications must be approved by the governing body prior to issuance of the licenses.)

POLICY ISSUE:

Approval helps ensure businesses are in compliance with City regulations.

STAFF RECOMMENDATION:

Staff recommends the Governing Body move to approve the license application(s) as presented.

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.

Pursuant to TMC 5.170.040 and L.2011, Ch. 86, Section 2, Scrap Metal Dealer applications have to be approved by the governing body prior to issuance of registration.

BUDGETARY IMPACT:

Budgetary impact is based on the number of licenses issued.

SOURCE OF FUNDING:

City Clerk's Operating Budget

ATTACHMENTS:

No Attachments Available

Item #17



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

September 30, 2013

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DATE:	November 19, 2013	
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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September 30, 2013

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POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available