

## **Council Minutes – May 6, 2014**

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, May 6, 2014. The Councilmembers of the City of Topeka met in regular session at 6:00 P.M., with the following Councilmembers present: Councilmembers Hiller, Campos II, Ortiz, Everhart, De La Isla, Manspeaker, Schwartz, Schmidt and Harmon -9. Mayor Larry E. Wolgast presided -1.

AFTER THE MEETING was called to order, Pastor Carl Frazier, Southwest Baptist Church, gave the invocation.

THE PLEDGE OF ALLEGIANCE was recited by those present in the chamber.

A PRESENTATION on the Community Action Team (CAT) was presented by Monique Glaudé, Resident Liaison, City Manager's Office. Ms. Glaudé announced that January 2014, marked the inception of CAT, a Team created to improve interdepartmental communication with a common goal to bring resolution to constituent, neighborhood and business concerns and issues that impeded upon the quality of life of the constituents of the city of Topeka. She stated this task could not have been achieved without the collaboration of community partners who bring specialized services to the table. She reported CAT meets on a bi-weekly basis regarding areas of concern; adding members as the need arises; and brings resolution to a wide variety of concerns ranging from business zoning issues to life safety concerns. She introduced the members of the Team and commended them for their service to the community.

THE CONSENT AGENDA was presented as follows:

BOARD APPOINTMENT recommending the appointment of Mary Powell to the Topeka Sustainability Advisory Board to fill an unexpired term ending February 28, 2015, was presented.

BOARD APPOINTMENT recommending the appointment of Helen Crow to the Topeka Board of Zoning Appeals to fill an unexpired term ending November 30, 2015, was presented.

MINUTES of the regular meeting of April 15, 2014, were presented.

Open After Midnight License applications were presented for the following:

<u>BUSINESS NAME</u>	<u>ADDRESS</u>
Bob's Car Wash	2733 S.E. California Avenue
Bob's Car Wash	3158 S.E. 6 <sup>th</sup> Avenue
Joletta's	600 N.W. Paramore
IHOP	1731 S.W. Wanamaker Road

Councilmember De La Isla moved to approve the consent agenda. The motion seconded by Councilmember Schmidt carried unanimously. (9-0-0)

CHARTER ORDINANCE NO. 113 introduced by City Manager Jim Colson, amending City of Topeka Code Section A9-2 and repealing said original section concerning the Topeka Metropolitan Transit Authority was presented.

Councilmember Manspeaker gave the Policy and Finance Committee report and stated the Committee recommended the current mill levy of 4.2 mills continue for 2015 by a vote of 3-0-0.

Mayor Wolgast stated they are approving the mill levy cap at this time because TMTA's fiscal year begins July 1.

Councilmember Ortiz reported beginning in 2016, and subsequent years, the mill levy is scheduled to drop to 3 mills; however, she hopes the Council will consider raising the mill levy permanently which could support resuming night and weekend services, as well as, accommodate services to facilities such as the MARS Chocolate Plant.

Councilmember Manspeaker moved to adopt the charter ordinance. The motion seconded by Councilmember De La Isla carried unanimously. Mayor Wolgast voted "yes." (10-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Hiller, Campos II, Ortiz, Everhart, De La Isla, Manspeaker, Schwartz, Schmidt, Harmon and Mayor Wolgast -10.

ORDINANCE NO. 19901 introduced by City Manager Jim Colson, concerning Historic Preservation, amending City of Topeka Code Sections 2.60.010, 2.60.020, 18.255.020, 18.255.030, 18.255.040, 18.255.060, 18.255.070, 18.255.090, 18.255.110, 18.255.140, 18.255.160 and 18.255.170 and specifically repealing said original sections, as well as, repealing in their entirety Sections 18.255.050, 18.255.080, 18.255.100, 18.255.120; and 18.255.130 was presented. (ACZR13/1)

Bill Fiander, Planning Department Director, reported the issue was highlighted a few weeks ago during a Council discussion and would update the local historic landmarks ordinance in order to maintain the City's standing as a Certified Local Government with the Kansas State Historic Preservation Office. He stated the amendment was designed to improve and streamline the process used by the City of Topeka Planning Department and the Topeka Landmarks Commission in the performance of their duties as assigned by the Governing Body. He noted many discussions and public forums were held to help clarify and streamline the process.

Councilmember Campos II moved to adopt the ordinance. The motion was seconded by Councilmember Ortiz.

Councilmember Schmidt asked why the establishment of Topeka Landmarks Commission committees and subcommittees appointed by the chair would allow non-members to be appointed and what was the purpose of the change.

Bill Fiander stated it was added to increase flexibility because it limits the Landmarks Commission from appointing outside individuals who may have the necessary expertise relating to historic preservation.

Councilmember Hiller asked if the proposed ordinance adequately reflects the role of the Commission on behalf of the Governing Body.

Bill Fiander stated the role is governed by a separate document between the State of Kansas, City of Topeka and the National Park Service. He noted the purpose of the ordinance is to allow designation of local commercial historic landmark districts and would preserve the City's status as a Certified Local Government.

Councilmember Schwartz asked if local landmarks are grandfathered in or if those properties would be allowed time to meet the new requirements.

Bill Fiander stated the proposed ordinance would take precedence; therefore, if there are changes to be made to a structure, it would fall under the new code and noted the process of notification of demolition would change; however, the standards do not.

The motion to adopt the ordinance carried unanimously. Mayor Wolgast voted "yes."  
(10-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Hiller, Campos II, Ortiz, Everhart, De La Isla, Manspeaker, Schwartz, Schmidt, Harmon and Mayor Wolgast -10.

ORDINANCE NO. 19902 introduced by City Manager Jim Colson, amending the "District Map" referred to and made a part of the Zoning Ordinances by Section 18.50.050 of the Topeka Municipal Code, by providing for certain changes in zoning on property located at the northeast intersection of SW Westport Road and SW 22<sup>nd</sup> Terrace, City of Topeka, Shawnee County, Kansas from "M-3" Multiple Family Dwelling District TO "O&I-2" Office and Institutional District was presented. (Z14/3)

Bill Fiander, Planning Department Director, reported approval would amend the district zoning classification on an undeveloped property containing 5.26 acres and is consistent with the land use policies and principles of the Topeka Land Use and Growth Management Plan 2025.

Councilmember De La Isla moved to adopt the ordinance. The motion seconded by Councilmember Schwartz carried unanimously. Mayor Wolgast voted “yes.” (10-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Hiller, Campos II, Ortiz, Everhart, De La Isla, Manspeaker, Schwartz, Schmidt, Harmon and Mayor Wolgast -10.

AN ORDINANCE introduced by City Manager Jim Colson, amending the “District Map” referred to and made a part of the Zoning Ordinances by Section 18.50.050 of the Topeka Municipal Code, by providing for certain changes in zoning on property at 3337 NW Lower Silver Lake Road and the west half of property at 3311 NW Lower Silver Lake Road from “R-1” Single Family Dwelling District with a Special Use Permit (SUP) for a Vegetable Market ALL TO “I-1” Light Industrial District was presented. (Z14/4)

Bill Fiander, Planning Department Director, reported approval would amend the zoning classification on property which has been divided between industrial uses to the south of the railroad and single-family and agricultural tracts to the north and east along Lower Silver Lake Road. He noted the area was used for a produce stand and now the owner wants to use the area for storage of agriculture equipment. He stated the Planning Commission and the Topeka Planning Department recommended approval.

Councilmember Schmidt reported the Neighborhood Improvement Association voted unanimously against “I-1” Light Industrial District zoning with the primary disagreement being the use of open storage for large and agricultural equipment; however, the Neighborhood

Improvement Association did agree with “PUD” Planned Unit Development District zoning. He asked why City staff recommended “I-1” zoning instead of “PUD” zoning.

Bill Fiander reported the “PUD” zoning district was an option City staff presented to the Planning Commission; however, because the area was located in an industrial park and near railroad tracks, they recommended straight zoning because it was believed that the storage itself would not impact the adjacent properties because the applicant owns the adjacent residence to the property. He noted at the time, the Planning Commission did not believe “PUD” zoning designation would be a necessary option, as well as, City staff explored both options, and determined the site was very small and would not have great impact to the area.

Mayor Wolgast spoke in support of the request. He noted the zoning change would allow for a very small parcel of land to be part of the overall development of the entire area.

Councilmember Schmidt stated it appears from the photo the area already is being used for open storage of agricultural vehicles. He asked if the applicant is in violation of current zoning regulations.

Bill Fiander reported the property is already being used for storage and the request was submitted as a solution to mitigate the violation.

Councilmember Hiller spoke in support of the use of the parcel due to its small size; however, if the owner wants to sell the house the zoning district designation would remain with the property and she is concerned with the appearance of the area because it serves as part of the gateway to the Lower Silver Lake Road corridor. She asked what the Planning Department envisions for the corridor over the next 10 years. She noted the look of the industrial park is fairly organized and upscale and this would not be the case with the storage area. She reported north Topeka has always struggled with junk yards which may be the reason the NIA is sensitive

to the issue. She stated she would prefer to protect against the “junk yard” look and recommended “PUD” zoning which would include screening conditions.

Bill Fiander reported that because the parcel location is on the edge of an industrial area, the plan for the future would be light industrial uses. He noted the parcel is a transitional area from rural agricultural with no residential characteristics which would be consistent with the comprehensive plan and future use for the area. He confirmed “PUD” zoning would allow for screening conditions to be imposed.

Councilmember Schmidt asked what the process would be to amend the request to a “PUD” zoning district which would require any storage facility or junk yard to be screened from Lower Silver Lake Road.

Mayor Wolgast reported the Council has the option to (1) adopt the recommendation of the Planning Commission by a majority vote of the Governing Body; (2) override the recommendation of the Planning Commission by a two-thirds majority vote of the Governing Body; or (3) return the recommendation to the Planning Commission with a statement specifying the basis for the Governing Body's decision to approve or disapprove by a majority vote of the Governing Body.

Councilmember Schmidt moved to adopt the ordinance with the alternate Planned Unit Development “PUD” District zoning. The motion was seconded by Councilmember De La Isla.

Councilmember Hiller reported that historically when the Council considers a zoning case for the first time, they remand the request back to the Planning Commission with a statement of explanation. She stated she would be more comfortable with remanding the ordinance back to the Planning Commission to allow them to draft the appropriate language for screening of the area.

Councilmember Hiller made a substitute motion to remand the ordinance back to Planning Commission with the intent for them to reconsider Planned Unit Development “PUD” District zoning instead of the special use permit and include language that would accomplish screening from Lower Silver Lake Road, the train tracks and the industrial park. The motion was seconded by Councilmember Ortiz.

Councilmember Campos II reported he received input from citizens that reside along N.W. Furman Road and 18<sup>th</sup> Street. He stated they spoke in opposition of the light industrial use zoning and understands why the North Topeka Neighborhood Improvement Association voted against the request as well. He encouraged other Councilmembers to observe the poor condition of the old mill facility located near N.W. Crane and Jefferson Streets which is owned by the applicant. He spoke in support of remanding the ordinance back to Planning Commission.

The substitute motion to remand the ordinance back to Planning Commission with the intent for them to reconsider Planned Unit Development “PUD” District zoning instead of the special use permit and include language that would accomplish screening from Lower Silver Lake Road, the train tracks and the industrial park carried unanimously. Mayor Wolgast voted “yes.” (10-0-0)

ORDINANCE NO. 19903 introduced by City Manager Jim Colson, amending the “District Map” referred to and made a part of the Zoning Ordinances by Section 18.50.050 of the Topeka Municipal Code, by providing for certain changes in zoning on property at 800 SW Lane Avenue from “O&I-1” Office and Institutional District TO “MS-1” Medical Services District was presented. (Z14/5)

Bill Fiander, Planning Department Director, reported approval would allow for a crisis center, Type 1, which is necessary for the interior remodel of the community blood bank for the



applicant's youth care facility and temporary emergency shelter for family service and guidance for a maximum of 15 youths and a maximum stay of 72 hours.

Councilmember De La Isla moved to adopt the ordinance. The motion was seconded by Councilmember Schmidt.

Councilmember Manspeaker asked if the property would remain on the property tax rolls.

Mayor Wolgast noted the current business (Topeka Blood Bank) is considered a not-for-profit business (501c3).

Bill Fiander stated he did not believe so.

Jim Colson, City Manager, stated he would research the process and report back to Councilmember Manspeaker.

The motion to adopt the ordinance carried unanimously. Mayor Wolgast voted "yes."  
(10-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Hiller, Campos II, Ortiz, Everhart, De La Isla, Manspeaker, Schwartz, Schmidt, Harmon and Mayor Wolgast -10.

NO Retail Cereal Malt Beverage License applications were presented.

DISCUSSION on the Countywide Half-Cent Sales Tax was presented.

Jim Colson, City Manager reported the intent of the discussion is for the Council to draft a proposal regarding the Countywide Half-Cent Sales Tax and submit a resolution to Shawnee County Commissioners on the City's behalf. He stated staff would capture a summary of the discussion and draft a resolution for review and consideration by the Council at next week's Council meeting. He highlighted the following discussion points:

The City held three Town Hall meetings on the future of the Countywide Half-Cent Sales Tax. Meeting dates and attendance numbers were as follows:

- November 4, 2013, Holliday Building, approximately 75 attendees
- April 17, 2014, Avondale East, approximately 40 attendees

- April 21, 2014, Topeka/SNCO Public Library, approximately 95 attendees

What people supported:

- Thirteen people speaking in favor of Topeka Zoo Enhancements
- Ten speaking in support of bikeways and walkability
- Ten people spoke in support of city street improvements
- Nine people spoke in support of Kansas Expo Centre enhancements (many were equestrian related)
- Three spoke in support of allocating dollars toward economic development
  - Seven people cited the need for increased transparency regarding how economic development dollars are spent
- Four additional people recommended focus infrastructure improvements on the core of Topeka
- Two people expressed support for parks and recreation

#### Recommended Discussion Topics

1. Does the City support the extension of the countywide half-cent sales tax?
2. When would we prefer that the election ballot be considered by the voters?
3. What should be the length of the tax?
4. What would we support for funding?
  - a. Economic Development
  - b. Quality of Life Activities
    - i. Expo Centre
    - ii. Zoo
    - iii. Biking/Walking Trails
  - c. Infrastructure
    - i. Streets
    - ii. Bridges
    - iii. Other – sidewalks, etc...

#### Next Steps

1. Capture consensus from discussion.
2. Draft resolution for review in advance of next meeting.
3. Place item on agenda for action on May 13. Alternative council actions can include amending, adopting or rejecting resolution.
4. Results of council action will be forwarded to County for their consideration and action.

Mayor Wolgast stated Shawnee County has asked the City to provide input; however, the County will make the final decision on specifics to be included on the ballot question including amounts.

Jim Colson stated an interlocal agreement between the City and County would finalize how funds would be spent and the resolution would identify what would be on the ballot.

Councilmember Schwartz asked if some of the larger projects could be bonded ahead of time knowing the tax has passed allowing construction to start right away.

Jim Colson reported the current sales tax is in place until December 31, 2015; therefore the bonding would not be initiated until 2016.

Councilmember Campos II asked if it would be possible to include the sales tax initiative in the November 2016 elections.

Jim Colson reported there are many options available in regards to when the ballot question could be presented to voters.

Mayor Wolgast asked Councilmembers to respond to the following topics as recommended by the City Manager:

(1.) Does the City support the extension of the Countywide Half-Cent Sales Tax?

Councilmember Hiller stated the possibility of extending the sales tax initiative has been received remarkably positive by the public.

Councilmember Schmidt requested they hear public comment before moving forward with the discussion.

Joseph Ledbetter spoke in opposition of extending the sales tax. He expressed concern with knowing all the details before expressing support of an extension and rushing the process. He asked the Governing Body to include repairs for Fremont hill and California Avenue from 29<sup>th</sup> Street to 45<sup>th</sup> Street and the importance of including transparency language on the ballot question. He expressed the need to turn the city around economically and insist that GO Topeka provide the economic growth they promise and increased transparency and accountability.

Councilmember De La Isla stated this is a wonderful opportunity to extend the sales tax and utilize input from citizens on how the funds should be spent.

Councilmember Manspeaker stated he supports the concept of a sales tax initiative; however, he would not support an extension if there are no details of how the funds will be used. He stated he would support developing the urban core of the city and promoting equity in the city more than anything else.

Deputy Mayor Everhart spoke in support of a valid sales tax initiative that allows city and county citizens to vote on something they want. She expressed the importance of the City and County working together as a team to develop a good plan for the use of funds and believes 10 years would be more appropriate. She stated she concurs with Councilmember Manspeaker and believes they should focus on infrastructure improvements.

Councilmember Schmidt stated he concurs with Councilmember Everhart and would support putting the sales tax to a vote and letting the citizens decide where they should focus the revenues.

Councilmember Ortiz concurs and believes constituents need to determine how the sales tax is spent; however, they must educate citizens on the process so they understand the language and they are clear on what they are voting on. She spoke in support of extending the sales tax initiative as it will benefit the entire city and county.

(2.) When would we prefer that the election ballot be considered by the voters?

Mayor Wolgast reported the County has proposed a longer time period than 10 years because a large portion of the revenues would be allocated to Expo Centre improvements. He noted they planned to bond the project and handle it in the same manner as the Topeka Boulevard Bridge.

Jim Colson stated it was his understanding they planned to have enough funds to complete all projects including the Expo Centre.

Councilmember Harmon stated he would prefer the ballot question be presented no sooner than the spring of 2015, and in no event would he support an excess of 15 years; and the length of the years should be determined by the projects they agree to fund.

Councilmember Campos II stated he concurs with Councilmember Harmon. He spoke in support of an interlocal agreement between the City and County to address economic development. He spoke in opposition of the County proposal because it would not address livability and quality of life which are vital in supporting area growth. He expressed the importance of having a comprehensive sidewalk plan and helping citizens understand what local government can do for them on a daily basis.

Councilmember Hiller stated she has no preference of when they present the ballot question to voters; however, it is crucial they educate people as stated by Councilmember Ortiz. She noted it is especially important for the public to understand the timeframe of projects.

Councilmember Everhart stated she would not support placing the question on the spring 2015 ballot if it would cause the City to incur extra costs.

Councilmember Schmidt stated he concurs with Councilmember Everhart and would support placing the sales tax question on the August 2014 Primary election ballot, with the understanding it may be more difficult to educate citizens due to the short time period.

Mayor Wolgast stated he supports what is best for citizens and believes it is important to educate them so they have a full understanding of what they are voting on.

Councilmember Schwartz expressed concern with the 2014 August Primary Election and believes it would be too soon. She stated she has a lot of questions concerning how revenues

were spent on the current sales tax initiative and what exactly will be placed on the ballot for consideration. She noted there would be a better voter turnout in November 2015; however, marketing would be more difficult as they would be competing with others.

(3.) What should be the length of the tax?

Councilmember Hiller distributed a handout (*Attachment A*) outlining possible scenarios to the proposed Countywide Half-Cent Sales Tax extension. She spoke in opposition of a 20 year tax initiative and noted the overall estimated cost of projects will average \$16.2 million annually and if they pay cash for the same number of projects being proposed the projects would be completed in 12 years with an estimated total cost of \$195 million.

Councilmember Campos II spoke in support of 12 to 15 year extension with a sunset. He expressed the importance of thinking outside the box and the need to be creative in how funds are utilized.

Councilmember Manspeaker spoke in support of 10 years. He stated because the proposed sales tax would be a regressive tax it should be used in the core of the city to help those who are paying the tax.

(4). What would we support for funding?

- a. Economic Development
- b. Quality of Life Activities
  - i. Expo Centre
  - ii. Zoo
  - iii. Biking/Walking Trails
- c. Infrastructure
  - i. Streets
  - ii. Bridges
  - iii. Other- Sidewalks, Etc...

Councilmember Campos II stated he has a proposed list he could forward to the City Manager for consideration.

Jim Colson, City Manager, stated he would prefer the Council discuss the ideas at this time so they could gather a consensus on the projects.

Councilmember Harmon stated it would be difficult to support the economic development portion of the funding proposal at this time because of the lack of detail. He reported the sales tax initiative has generally been received as a positive in terms of how it has been used; however, he believes they need to examine if the economic development model they have been using for the past 15 years is working or if it needs to be altered. He expressed the importance of understanding what other successful sales tax initiatives in other communities are being used for and the possibility of channeling sales tax funds in the same manner to enhance existing businesses, as well as, attracting new businesses in a variety of fields to the area.

Deputy Mayor Everhart stated she concurs with Councilmember Harmon. She stated she sees infrastructure as economic development and would support an infrastructure proposal as it is a key element and helps bring businesses to the area.

Councilmember Schmidt stated he concurs that this sales tax initiative is a regressive form of taxation and he would not be comfortable in listing general basic maintenance projects. He expressed the importance of improving and developing the core of the city and working to expand the population. He spoke in support of bonding funds for the purpose of improving the Expo Centre as it generates a lot of revenue for the community; paying cash for as many projects as possible; Topeka Zoo improvements; walking trails; and any other enhancements that would improve quality of life.

Councilmember De la Isla spoke in support of developing funding priorities based on citizen input; the importance of making the core of the city strong; enhancing quality of life;

working cohesively to strengthen the city; more education relating to economic development; increasing support of small businesses; and enhancements to the Expo Centre.

Councilmember Everhart expressed the importance of enhancing the Expo Centre and Topeka Zoo and noted both organizations generate a lot of revenue; however, all final decisions should be determined by the voters.

Councilmember Hiller stated she concurs with Councilmember Harmon and believes they need to consider other economic development models. She referenced her handout (*Attachment A.*) and highlighted points from Alternate A. and Alternate B. She noted with her proposal two street projects (Reo from Rochester to Lyman; and NW Tyler from Lyman to Highway 24) could be added and they could cut back on property tax obligation.

Councilmember Harmon provided a brief history of how the Expo Centre developed over the years. He stated because the event schedule appeals to a very narrow group he would suggest making the Expo Centre a world class equestrian and livestock arena, and fund a new event arena in the downtown area in the same manner as the City of Wichita, Kansas, and Kansas City, Kansas. He noted this proposal, as well as, many others need to be discussed in the community; therefore, the vote should be delayed until spring 2016.

In conclusion, Jim Colson, City Manager, stated they would compile a list of specifics based on the comments made by each Governing Body member and draft a resolution for consideration at next week's Council meeting.

DISCUSSION on the 2015-2019 Capital Improvement Program and 2015-2017 Capital Improvement Budget for General Obligation Bonds and Other Fund Project Budgets was presented.



Jim Colson, City Manager, reported there has been much discussion over the past several months in regards to the Capital Improvement Plan and Capital Improvement Budget process in order to get a more in depth look at the projects that are planned, and once approved it allows better design and flow of work so projects are not delayed or stalled. He stated discussion would provide an outline of the overall projects that would be brought forward to the Council for consideration within the next month.

Nicki Lee, Budget Manager, stated the intention of the discussion is to serve as a supplement to 2015-2019 Capital Improvement Plan (CIP) Book and the corresponding 2015-2017 Capital Improvement Budget (CIB). She reported the following:

- The new process includes a new format for the CIP book, adoption of the plan and budget prior to the 2015 operating budget, a 3-year CIB; and a global resolution to be presented to the Council for consideration on May 20, 2014.
- The prioritization criteria used in the CIP process included the fiscal impact; health, safety and environment; economic vitality and return on investment; and comprehensive plan and smart growth.
- The new book format was intended to present a more organized process that includes the types of projects, highlighted projects, funding sources, summary of projects, map of the projects and debt service obligations.
- The discussion would specifically highlight the general obligation bond projects and other funding sources that include City Half-Cent Sales Tax Street Repair projects and Federal Fund Exchange Projects.

Ms. Lee noted the Council would have the flexibility to amend projects separately if necessary. She gave a brief overview of the general obligation bond projects that include Neighborhoods, Public Safety, Traffic, Streets and Quality of Life. (*See Attachment B.*)

Mayor Wolgast referenced page 7 of the CIP book, a Summary of Projects by Funding Source. He asked if they could receive a list of projects for 2013 and 2014 and the status of each project. He noted it would be helpful when reviewing the projects for the future.

Brandon Kauffman, Chief Fiscal Officer, stated the projects would be included as part of the quarterly report to be presented at the May 13, 2014, City Council meeting.

Councilmember Hiller stated she understands the process format has changed; however, it is not only necessary to see the prior year's projects, it is also necessary to understand there are more projects happening than just general obligation bond projects within the 5-year span. She reported the CIP used to include a list of unspecified funding projects for items the Council would like to consider.

Nicki Lee stated they would include a list of unspecified funding projects as an addendum to the CIP book. She noted they would always evaluate the use of cash to pay for projects before bonding a project.

Councilmember Manspeaker expressed concern with the number of projects in Council District No. 6.

Councilmember Campos II asked if the projects as presented would require a mill levy increase to complete.

Nicki Lee reported the focus is to remain within the \$9 million dollar cap for bonded projects; however, there has been no projected increase to the mill levy for any of the projects being presented.

Doug Whiteacre, Public Works Director, highlighted the Traffic Safety and Traffic Signal Replacement projects. *(See Attachment B.)*

Councilmember Campos II asked if a matrix is used when removing traffic signals.

Doug Whiteacre stated the City of Topeka Traffic Engineer uses Federal guidelines to determine the need for replacement of a traffic signal.

Councilmember Ortiz expressed the importance of finding a way to utilize both City Half-Cent Sales Tax funds and Countywide Sales Tax funds to cut the cost of overall street improvements.

Councilmember Hiller stated it was her understanding if the SW 6<sup>th</sup> Avenue Street Project (SW Gage Boulevard to SW Fairlawn Road) is funded with Countywide Sales Tax funds then that would release those funds from the bonded project list.

Doug Whiteacre stated Councilmember Hiller was correct.

Jim Colson referenced the Kansas Avenue Streetscape Project in the amount of \$888,000. He clarified the reason the project was presented in this manner, was due to the private sector raising nearly \$2.4 million in private funds, more than was anticipated; therefore, the City is moving forward with the funding of the project

Councilmember Hiller referenced the Zoo Pond Repair and Stormwater Management project in the amount of \$231,300. She expressed concern that there is not a place holder in 2016 CIB for the project budget. She asked if they were making progress in establishing funding in the overall Public Work's master plan to pay cash for engineering design costs.

Brenden Wiley, Zoo Director, stated the Zoo operating budget could not support cash based engineer design projects at this time.

Doug Whiteacre, Public Works Director stated an engineering design fund has not been built into the operating budget at this time.

Joseph Ledbetter, President for the Highland-Crest Neighborhood Improvement Association, distributed pictures of the 2100 block of S.W. Freemont and areas south of 29<sup>th</sup> street near Iowa Street and Colfax. He expressed concern with the bad condition of the streets and noted the Hi-Crest area is slated to receive \$1.7 million for street repairs. He asked if the mill and overlay work could be done this year and more funding needs to be allocated to make repairs around the park area. He reported residents in the Hi-Crest area are requesting a 4 to 5 lane upgrade for S.E. California Avenue similar to S.E. Croco Road and noted the poor condition

of S.E. California Avenue is hurting the economic development of S.E. 29<sup>th</sup> Street and California Avenue.

Doug Whiteacre continued the discussion on the City Half-Cent Sales Tax Street Repair and Federal Fund Exchange Projects. *(See Attachment C.)*

Councilmember Hiller questioned if sales tax funds could be used for snow removal.

Chad Sublet, City Attorney, confirmed it has been determined sales tax funds could be used for the maintenance of roads.

Councilmembers Manspeaker, Schwartz and Ortiz expressed their support of using sales tax funds for snow removal purposes.

Councilmember Campos II questioned if staff has identified other revenue sources for the maintenance of streets; if ADA ramps are installed randomly where needed; and if staff has identified a funding source for street cleaning.

Doug Whiteacre stated ADA ramps are only installed where there are connecting sidewalks unless it is a new construction project; and they have not identified a funding source for street cleaning.

Jim Colson stated staff is currently researching this issue and would report back to the Council.

Councilmember Hiller inquired on the status of the Public Works Street Maintenance Fleet Vehicles and if any additional motor fuel tax funds have been identified for possible use to upgrade or replace fleet vehicles.

Doug Whiteacre stated they have identified some funds that could be used to upgrade trucks; however, moving forward they have to work to better fund a replacement plan.

Mayor Wolgast asked why the CIP did not include improvements to any City buildings.

Jim Colson stated he understands there are a lot of expenses that have not been addressed for a very long time including fleet and maintenance items. He reported staff will consider funding repairs to City facilities with cash when possible and if there are significant improvements to be made they will be presented in the CIP for consideration.

ANNOUNCEMENTS BY THE CITY MANAGER, MAYOR AND MEMBERS OF  
THE COUNCIL;

The City Clerk provided a brief overview of the May 13, 2014 Council agenda.

Jim Colson, City Manager, invited the community to join him for a 4-mile bicycle ride through Topeka, in celebration of Bike to Work Week on May 15, 2014, at 12:00 p.m. and stated those interested in participating will meet in front of City Hall, located at 215 S.E. 7th Street. He commended City4 staff members for the audio and video enhancements and noted it is work in progress.

Mayor Wolgast announced the Kansas Avenue Groundbreaking Kick-off event on May 12, 2014, at S.E. 7th Street and S. Kansas Avenue where project leaders would report on the fantastic public-private partnerships and City officials would report on specific project details. He reminded the community that businesses would remain open during construction.

Councilmember Schwartz thanked the citizens of Topeka for remaining active in the many community events. She encouraged everyone to take part in National Night Out Against Crime event on August 9, 2014. She commended City staff members for moving forward with the community garden ordinance proposal; and Keep America Beautiful event volunteers for their weekend of "Get Down Get Dirty." She reminded citizens this is the last week for the Parade of Homes and Designer Show Case Home events.

Councilmember Schmidt congratulated City4 staff members on the new video and audio equipment. He reported he attended the final addition of the community-wide book read sponsored by USD 501 on May 5, 2014, at the Topeka-Shawnee County Public Library and stated it was a great event and well attended by the community. He listed a series of events happening during the month of May at the Brown v. Board of Education Historical Site in celebration of the 60th Anniversary of the event.

Councilmember Hiller encouraged the community to participate in the many events planned at the Brown v. Board of Education Historical Site in honor of the 60th Anniversary of the event. She encouraged Councilmembers, citizens and City staff to read "Courageous Conversations" a powerful book used by USD 501 in the community-wide book read.

Councilmember Campos II congratulated USD 501 on the opening of the Kanza Education and Science Park, Topeka's newest business park, developed as a place for bioscience and renewable energy companies with over 80 acres of land for bioscience/research companies and includes an exploration learning center for USD 501 students, a STEM High School, wind power generation and emerging technology. He also congratulated the Topeka Symphony on a great season.

Councilmember Everhart congratulated the Topeka Zoo on the birth of three baby Sumatran tigers on May 4, 2014, and noted the tigers are considered endangered species.

Councilmember De La Isla congratulated City4 staff members on the new audio and video equipment and noted the significant visible progress in the upgrades. She thanked all the people who attended the sales tax meetings and encouraged the community to keep sending their comments, ideas and questions to the Council for more discussion.

Councilmember Manspeaker stated he has been working with the Silverbackks, a volunteer organization and a good resource in the community to clean up Shunga Creek. He reported it is disappointing to see the condition of Shunga Creek and commented on the impact it can have on surrounding neighborhoods. He encouraged citizens to help care for the City's storm sewer systems by making sure leaves and debris are cleared from streets. He announced he would be presenting ordinances concerning Domestic Partnership Registry and Unlawful Employment Acts to be placed on a future Council agenda.

Mayor Wolgast stated there are many good events happening in the city and each Council District is very important to the quality of life in Topeka.

Joseph Ledbetter appeared to speak under public comment.

NO FURTHER BUSINESS appearing the meeting was adjourned at 9:48 p.m.

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Brenda Younger  
City Clerk

Councilwoman Karen Hiller

5-6-14

## Countywide ½ Cent Sales Tax Extension – Possible Scenarios

**Overall:** Est. \$16.2 million per year average, 12 years, all cash, \$195 million total

### Alternate A:

#### Projects:

Bikeways and Trails – Complete Master Bikeways Plan and Master Trails Plan Total Need \$40 million; remainder raised through grants, fundraising, other	\$30 Million
Carlson Road Bridge (Willard Bridge)	\$20 million
City Street Projects (to be itemized by the City)	\$30 million
Zoo Phase 1 (with FOTZ commitment to raise as much again for next phases)	\$9.8 million
Expocentre (including Domer Arena)	\$45 million
<b>Economic Development:</b> \$5 million per year	\$60 million
<b>TOTAL</b>	<b>\$195 million</b>

### Alternate B:

#### Projects:

Bikeways and Trails – Complete Master Bikeways Plan and Master Trails Plan Total Need \$40 million; remainder raised through grants, fundraising, other	\$30 Million
City Street Projects (to be itemized by the City)	\$60 million
Expocentre (including Domer Arena)	\$45 million
<b>Economic Development:</b> \$5 million per year	\$60 million
<b>TOTAL</b>	<b>\$195 million</b>



**All cash** on the attached scenario saves taxpayers over \$80 million. (\$135 million in projects x .63 financing costs = \$85,050,000.) That allows the sales tax extension to be only 12 years instead of 20 years. On the savings side, the \$80+ million is money that is saved instead of spent on interest and costs. On the project side, the \$80 million savings makes funds available, if we choose to spend them, for other projects and our economic development investment.

**Bikeways and Trails Detail** Staff estimates are \$3.5 million to complete Bikeways Plan, \$35 million plus bridges and right-of-way.

### **City Street Projects**

SW 6 <sup>th</sup> – Gage to Fairlawn	Reo – Rochester to Lyman (added)
12 <sup>th</sup> Street (2 lanes) – Gage to Kansas Avenue	NW Tyler – Lyman to Hwy 24 (added)
Huntoon (2 lanes) – Gage to SW Harrison	
SW 17 <sup>th</sup> Street, Adams to Washburn	
SW 17 <sup>th</sup> Street, Macvicar to Interstate 470	
Topeka Blvd (5 lanes) – 15 <sup>th</sup> to 21 <sup>st</sup>	
SW 29 <sup>th</sup> Street, Fairlawn to Wanamaker	
SW 37 <sup>th</sup> Street, Scapa Place to Burlingame	
SE California – 37 <sup>th</sup> to 45 <sup>th</sup>	
SW 37 <sup>th</sup> Street, Kansas to Adams	
NE Seward – Sumner to Forest	

### **Other Possibilities:**

**Sidewalks/Walkable City** City sidewalks came up as a new idea. The Council could discuss in May and consider options of including an initiative for sidewalks into a special offering to city voters. A proposal, for instance, for 1/20 of a cent sales tax for 2 years would yield roughly \$2,600,000 – enough to do 100-250 blocks or more of sidewalks.

**City Debt Reduction Guarantee** The programs above, if voted in, would allow the City to fund over \$2.5 million per year of priority projects with cash instead of borrowing. The City Council could adopt a resolution dropping our borrowing cap from \$9 million per year to \$6.5 or 7 million per year for four years or more as a companion resolution to this effort. That effort should result not only in a reduction in the City's debt load of at least \$10 million, but should also result in a drop in the City's annual debt service, paid for by property taxes, of at least \$1 million per year by the end of the fourth year.

# Discussion: GO Bonds

	Capital Improvement Budget			Capital Improvement Plan			Page #
	Proposed	Proposed	Proposed	Proposed	Proposed	5 Year	
	2015	2016	2017	2018	2019	Total	
<b>General Obligation Bond Projects</b>							
<b>Neighborhoods</b>							
Neighborhood Infrastructure	\$1,400,000	\$1,400,000	\$1,400,000	\$1,400,000	\$1,400,000	\$7,000,000	12
<b>Public Safety</b>							
Purchase Two Engine Apparatus (Engines 3 & 11)	\$1,116,500					\$1,116,500	13
South Fire Station		\$212,000	\$2,132,720			\$2,344,720	14
Purchase One Aerial Apparatus (Aerial 8)		\$1,378,000				\$1,378,000	15
Secure Staging Facility		\$555,000				\$555,000	16
Purchase 1 Truck Apparatus (Truck 10)			\$705,500			\$705,500	17
Purchase Two Engine Apparatus (Engines 1 & 12)				\$1,349,500		\$1,349,500	18
Purchase Two Engine Apparatus (Engines 7 & 8)					\$1,417,500	\$1,417,500	19
<b>Traffic</b>							
Traffic Safety Projects	\$185,000	\$185,000	\$185,000	\$185,000	\$185,000	\$925,000	20
Traffic Signal Replacement	\$640,000	\$640,000	\$640,000	\$640,000	\$640,000	\$3,200,000	21
<b>Streets</b>							
Complete Streets	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$500,000	22
Infill Sidewalks	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$750,000	23
Citywide Infrastructure	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000	\$1,000,000	24
SW37th Street -- SW Burlingame Rd to Gage Blvd.	\$2,900,000	\$300,000				\$3,200,000	25
SW6th Ave -- SW Wanamaker Rd to W of I-70 Bridge	\$600,000					\$600,000	26
SE California Ave. -- 33rd St. to 37th St.	\$300,000	\$3,300,000				\$3,600,000	27
SE California Ave. -- 29th St. to 33rd St.	\$200,000	\$100,000	\$2,900,000			\$3,200,000	28
SW6th Avenue -- SW Gage Blvd. to SW Fairlawn Road			\$500,000	\$200,000	\$5,600,000	\$6,300,000	29
Kansas Avenue Streetscape	\$888,032					\$888,032	30
Bike Lanes on SE 6th & SE 10th Ave Bridges over I-70					\$500,000	\$500,000	31
<b>Quality of Life</b>							
Zoo Pond Repair and Stormwater Management	\$231,300					\$231,300	32
Zoo Green House and Storage Building		\$154,200				\$154,200	33
<b>TOTAL GO Bond Projects</b>	<b>\$8,910,832</b>	<b>\$8,674,200</b>	<b>\$8,913,220</b>	<b>\$4,224,500</b>	<b>\$10,192,500</b>	<b>\$40,915,252</b>	
<b>Total Annual Target</b>	<b>\$9,000,000</b>	<b>\$9,000,000</b>	<b>\$9,000,000</b>	<b>\$9,000,000</b>	<b>\$9,000,000</b>	<b>\$45,000,000</b>	
<b>Difference Target to Subtotal</b>	<b>\$89,168</b>	<b>\$325,800</b>	<b>\$86,780</b>	<b>\$4,775,500</b>	<b>(\$1,192,500)</b>	<b>\$4,084,748</b>	

# Discussion: Other Funds

Capital Improvement Budget			Capital Improvement Plan			Page #
Request	Request	Request	Request	Request	5 Year	
2015	2016	2017	2018	2019	Total	

## Other Funding Sources

### City Half-Cent Sales Tax Street Repair

Maintain & Improve Existing Streets	\$14,100,000	\$14,300,000	\$14,500,000	\$14,700,000	\$14,900,000	\$72,500,000	78
ADA Street Curb Repair	\$300,000	\$300,000	\$300,000	\$300,000	\$300,000	\$1,500,000	79
Curbs, Gutters and Street Maintenance and Repair	\$1,500,000	\$1,500,000	\$1,500,000	\$1,500,000	\$1,500,000	\$7,500,000	80
Alley Repair	\$250,000	\$250,000	\$250,000	\$250,000	\$250,000	\$1,250,000	81
Sidewalk Repair 50-50	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000	\$300,000	82
Subtotal Half-Cent Sales Tax	\$16,210,000	\$16,410,000	\$16,610,000	\$16,810,000	\$17,010,000	\$83,050,000	

### Federal Fund Exchange

Bridge on Cherokee St over Ward Cr.		\$70,000	\$50,000	\$730,000		\$850,000	83
Bridge on 3rd St over Ward Cr.			\$75,000	\$50,000	\$750,000	\$875,000	84
SW 6th Ave -- SW Wanamaker Rd to W of I-70 Bridge	\$400,000					\$400,000	26
Subtotal Fed Fund Exchange	\$400,000	\$70,000	\$125,000	\$780,000	\$750,000	\$2,125,000	

<b>Total Other Sources</b>	<b>\$16,610,000</b>	<b>\$16,480,000</b>	<b>\$16,735,000</b>	<b>\$17,590,000</b>	<b>\$17,760,000</b>	<b>\$85,175,000</b>	
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