

Council Minutes – August 11, 2015

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, August 11, 2015. The Councilmembers of the City of Topeka met in regular session at 6:00 P.M., with the following Councilmembers present: Councilmembers Hiller, Clear, Ortiz, De La Isla, Jensen, Schwartz, Coen and Harmon -8. Mayor Larry E. Wolgast presided -1. Absent: Councilmember Schumm -1.

AFTER THE MEETING was called to order, Pastor Cordell Fisher, The Great I AM Church, gave the invocation.

Mayor Wolgast stated Councilmember Schumm was absent due to a family emergency.

A PRESENTATION and update on the Topeka Pedestrian Master Plan was provided by Bill Fiander, Planning Department Director.

Governing Body members asked for further explanation of the funding source used to draft the Plan; if the City was on schedule in terms of the end goal of the Plan; what model would be used to consider sidewalk access to schools and parks; and what routes are utilized most and would those routes be included in the priorities.

Bill Fiander reported a federal transportation grant in the amount of \$100,000 would be used to draft the Plan which deals exclusively with sidewalk projects. He stated the end goal would be to connect neighborhoods through network coverage of connecting arterials and conductors. He reported schools were identified as a high priority of the Plan by providing access within a half-mile radius of each school.

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

THE CONSENT AGENDA was presented as follows:

MINUTES of the regular meeting of August 4, 2015, was presented.

Councilmember De La Isla moved to approve the consent agenda. The motion seconded by Councilmember Jensen carried unanimously. Mayor Wolgast voted “yes.” (9-0-0)

PUBLIC HEARING NOTICE

A PUBLIC HEARING for the purpose of obtaining public input on the 2016-2020 City of Topeka Consolidated Action Plan and the City of Topeka's 2016 Action Plan was presented.

Mayor Wolgast opened the public hearing and asked if there was anyone present who would like to speak to the matter.

Teresa Miller spoke in support of hiring additional code compliance officers.

Joseph Ledbetter spoke in support of funding programs that would increase economic development in neighborhoods through homeownership.

Lazone Grays expressed the importance of allocating funds to implement broadband communication in low-income neighborhoods.

Upon hearing no further comments, Mayor Wolgast announced the public hearing was closed.

APPROVAL of the City of Topeka 5-Year Consolidated Action Plan for 2016-2020 including the 2016 Action Plan Budget was presented.

Sasha Stiles, Department of Neighborhood Relations Director, provided a financial overview of the Consolidated Action Plan and Budget.

Councilmember Ortiz questioned if staff has reviewed broadband funding opportunities within the HOME Program Plan.

Mayor Wolgast stated there have been ongoing discussions to establish broadband communications in the community and Shawnee County has been chosen as one of the five counties to receive funding from the State of Kansas for this purpose.

Jim Colson, City Manager, reported no action has been finalized at this time regarding broadband communications; however, he would provide information to the Governing Body as the process moves forward.

Councilmember Ortiz expressed concern with the Topeka community falling behind and asked if funding could be earmarked for this purpose at this time.

Sasha Stiles stated funding could be earmarked for this purpose; however, if the amount was more than 10% of the total amount allocated by the U.S. Department of Housing and Urban Development for program plans, the allocation document would have to be amended.

Jim Colson clarified only the 2016 Consolidated Action Plan Budget would be approved at this time and the five-year Consolidated Action Plan could be amended at any given time. He reported staff has identified specific programs from an economic development perspective that would be addressed in the countywide interlocal agreement to be considered in September by the Governing Body.

Governing Body members expressed concern with allocating funds for broadband communications before a long-term plan was established.

Councilmember Ortiz stated she would oppose the plan because she would like to allocate funding for broadband communications at this time.

Councilmember De La Isla stated she would abstain from voting to avoid a conflict of interest relating to her employment with Habitat for Humanity.

Councilmember Harmon moved to approve the City of Topeka 5-Year Consolidated Action Plan for 2016-2020 including the 2016 Action Plan Budget. The motion seconded by Councilmember Hiller carried. Mayor Wolgast voted “yes.” Councilmember Ortiz voted “no.” Councilmember De La Isla abstained. (7-1-1)

PUBLIC HEARING NOTICE

A PUBLIC HEARING to obtain public input and answer questions and objections from taxpayers regarding the proposed 2016 City of Topeka Operating Budget was presented.

Mayor Wolgast opened the public hearing and asked if there was anyone present who would like to speak to the matter.

Teresa Miller spoke in support of hiring additional administrative support for the Code Compliance Division.

Joseph Ledbetter spoke in opposition of tax increases. He spoke in support of improving productivity on all levels of government, installing GPS in all City vehicles to support improved productivity and to continue street improvements in the Hi-Crest area.

Upon hearing no further comments, Mayor Wolgast announced the public hearing was closed.

ORDINANCE NO. 19962 introduced by City Manager Jim Colson, approving and adopting the operating budget for calendar year 2016 and appropriating the amounts for the purpose set forth therein was presented.

Councilmember Hiller stated the amendments outlined in the Budget Committee Report were included in the proposed ordinance.

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

Councilmember Schwartz stated she would oppose the budget as presented due to the following:

1. Allocation of funding in the amount of \$800,000 for the purpose of street cleaning instead of street repairs.
2. Over spending in public safety as outlined in the 2014 Resource Allocation Study.
3. The need to give money back to the taxpayers because water rates were increased in 2015.

Councilmember Ortiz asked if any fire stations would be closed if the budget was approved as presented.

Jim Colson, City Manager, stated there are no fire stations slated for closure and the budget as presented, will fund 245 Fire Department employees as in previous years.

Councilmember Ortiz stated she would oppose the budget as presented due to the following:

1. The need to add additional manpower to the Police and Fire Departments to address recent crime activity.
2. Provide the necessary equipment to the Code Compliance Division to eliminate the need to hire more Code Compliance Officers.
3. Address compression issues for all City employees, not just Police and Fire.

Councilmember Clear asked if the budget includes sufficient funding to cover costs associated with labor negotiations that could result in impasse for the Police and Fire Departments.

Jim Colson stated the budget allows for sufficient funding.

The motion to adopt the ordinance carried. Councilmembers Ortiz, Schwartz and Coen voted “no.” (6-3-0)

The ordinance was adopted on roll call vote as follows: Ayes: Hiller, Clear, De La Isla, Jensen, Harmon and Mayor Wolgast -6. Noes: Ortiz, Schwartz and Coen -3. Absent: Schumm -1.

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

Brenda Younger, City Clerk, provided a brief overview of the August 18, 2015 Council agenda.

James Brown, Police Chief, provided a handout regarding the Strategic Anti-Crime Summit Report for Council District No. 1 and stated it provides a great template for other Council districts to follow. He thanked Deputy Mayor Hiller, citizens and Topeka High School Superintendent Linda Wiley for giving their full support and helping with the Council District No. 1 Anti-Crime Summit efforts. He commented on the National Night Out (NNO) events

hosted throughout the city on August 8, 2015, and stated the events were a great opportunity to engage residents and support efforts to reduce crime in the community.

Jim Colson, City Manager, thanked the community for the great NNO events which provided City staff members and residents an opportunity to get to know people and observe the great partnerships that help make the city a great success. He announced the 16th Annual Harley Party sponsored by the Boys and Girls Club of Topeka would be held on August 15, 2015, from 6:00 p.m. to 10:00 p.m. at SW 8th and Jackson Streets.

Mayor Wolgast commended neighborhood residents for their efforts in helping reduce crime and participating in the NNO events.

Councilmember De La Isla reported the Briarwood neighborhood held their first neighborhood association meeting on August 10, 2015. She commended the NetReach program in Hi-Crest for making a positive impact in the community. She thanked Safe Streets for coordinating the various NNO events.

Councilmember Jensen commented on the City of Topeka Neighborhood Service Map handout and stated it is a great example of how citizens view the operations of the City and surrounding organizations.

Councilmember Schwartz announced this week's "gem" of Topeka is its citizens.

Councilmember Harmon commended new Governing Body members for their contributions to the budget process. He thanked Deputy Mayor Hiller for her leadership in the Budget Committee meetings as well as City staff and senior members of the Governing Body for their important role in the budget process.

Councilmember Hiller stated it was an honor to lead the budget process and thanked City staff for their quick responses to questions or concerns of the Governing Body. She commended Nickie Lee, Budget Manager, for her knowledge and understanding during the budget process.

She also commended the various neighborhoods that participated in the NNO events. She thanked all those involved in helping coordinate the Anti-Crime Summit for Council District No. 1 and the great impact it will have on the community moving forward.

Councilmember Clear reminded citizens to be cautious of students returning to school this week.

Councilmember Ortiz thanked the Topeka Police Officers who participated in the NNO events in various neighborhoods. She stated the Council District No. 1 Anti-Crime Summit was a great idea and plans to move forward with it in Council District No. 3. She announced Shawnee County Parks and Recreation Department would hold a public meeting on August 12, 2015, at 6:30 p.m. at the Hillcrest Community Center located at 1800 SE 21st Street to discuss a proposed spray park at Dornwood Park.

Joseph Ledbetter appeared to speak under public comment.

Councilmember Harmon moved to recess into executive session for a time period not to exceed five minutes to discuss workers' compensation settlements and to include the Governing Body, City Manager, Administrative and Financial Services Director, Interim City Attorney, Human Resources Director and staff. The motion seconded by Councilmember De La Isla carried unanimously. (9-0-0)

At 7:58 p.m., the Governing Body reconvened into open session and Mayor Wolgast announced that no action was taken.

Councilmember Jensen moved to recess into executive session for a time period not to exceed five minutes to discuss attorney-client privileged matters relating to potential litigation and to include the Governing Body, City Manager, Administrative and Financial Services Director, Interim City Attorney and staff. The motion seconded by Councilmember De La Isla carried unanimously. (9-0-0)

At 8:04 p.m., the Governing Body reconvened into open session and Mayor Wolgast announced that no action was taken.

Councilmember De La Isla moved to recess into executive session for a time period not to exceed 20 minutes to discuss employer-employee negotiations related to the Teamsters and AFT contracts and to include the Governing Body, City Manager, Administrative and Financial Services Director, Budget Manager, Interim City Attorney and staff and Human Resources Director. The motion seconded by Councilmember Jensen carried unanimously. (9-0-0)

At 8:22 p.m., the Governing Body reconvened into open session and Mayor Wolgast announced that no action was taken.

Councilmember Ortiz moved to recess into executive session for a time period not to exceed 10 minutes to discuss attorney-client privileged matters relating to potential litigation and to include the Governing Body and Interim City Attorney. The motion seconded by Councilmember Clear carried. Councilmembers Coen and Harmon left the room. (7-0-0)

Councilmembers Coen and Harmon entered the room.

At 8:30 p.m., the Governing Body reconvened into open session and Mayor Wolgast announced that no action was taken.

NO FURTHER BUSINESS appearing the meeting was adjourned at 8:30 p.m.

Brenda Younger
City Clerk