

Governing Body Minutes – May 16, 2017

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, May 16, 2017. The Governing Body members of the City of Topeka met in session at 6:00 P.M., with the following Councilmembers present: Hiller, Clear, Ortiz, Emerson, De La Isla, Jensen, Schwartz and Coen -8. Mayor Larry E. Wolgast presided -1. Absent: Councilmember Harmon -1.

AFTER THE MEETING was called to order, Councilmember Jensen asked for a moment of silent meditation.

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

A PRESENTATION on the City's Comprehensive Annual Financial Report for Yearend 2016 was presented by Audrey Odermann, Mize Houser & Company, P.A.

BOARD APPOINTMENT recommending the appointment of Cindy Wilson to the Topeka Public Building Commission for a term ending May 17, 2021, was presented.

Councilmember De La Isla moved to approve the board appointment. The motion seconded by Councilmember Clear carried unanimously. (8-0-0)

THE CONSENT AGENDA was presented as follows:

RESOLUTION NO. 8903 introduced by Councilmember Sandra Clear, granting Visit Topeka an exception to the provisions of City of Topeka Code Section 9.45.150, et seq., concerning noise prohibitions was presented.

RESOLUTION NO. 8904 introduced by Councilmember Sylvia Ortiz, granting Visit Topeka an exception to the provisions of City of Topeka Code Section 9.45.150, et seq., concerning noise prohibitions was presented.

RESOLUTION NO. 8905 introduced by Councilmember Sandra Clear, granting Kaw Valley Bank an exception to the provisions of City of Topeka Code Section 9.45.150, et seq., concerning noise prohibitions was presented.

ORDINANCE NO. 20067 introduced by Interim City Manager Doug Gerber, allowing and approving City expenditures for the period of April 1, 2017, through April 28, 2017, and enumerating said expenditures therein was presented.

MINUTES of the regular meeting of May 9, 2017, was presented.

APPROVAL of the following Cereal Malt Beverage License applications were presented:

<u>Business Name</u>	<u>Address</u>
California BP	2740 SE California Avenue
Dillons #47	2815 SW 29 th Street
Dillons #54	800 NW 25 th Street
Dillons #67	2010 SE 29 th Street
Dillons #87	5311 SW 22 nd Place
Dillons #88	4015 SW 10 th Street
Downtown BP	600 SE Quincy Street
Goose Express	2901 SE Fremont Street
Haag's Express	1001 SW Wanamaker Road
Herman's	823 NW Gordon Street
Holiday Square 66	2901 SW Topeka Boulevard
I-70 BP	1000 SW Wanamaker Road
Kicks 66	3300 SW Gage Boulevard
Lakeview 66	3000 SE Croco Road
Mike's Market	2620 NE Sardou Avenue
Oakmart BP	2518 NE Seward Avenue
Walmart #1802	1501 SW Wanamaker Road
Walmart #2131	1301 SW 37 th Street
Walmart #5441	2600 NW Rochester Road
Walmart #6392	2630 SE California Avenue
Walmart #6585	335 SW MacVicar Avenue

Councilmember Jensen moved to approve the consent agenda. The motion seconded by Councilmember Schwartz carried unanimously. (9-0-0)

RESOLUTION NO. 8906 introduced by Interim City Manager Doug Gerber, regarding the use of excess countywide retailers' sales tax that was in effect from January 1, 2005 to December 31, 2016, was presented.

Doug Gerber, Interim City Manager, gave a brief overview of past discussions. He reported the City Attorney would address the legal use of the funds and if affordable housing fits within the structure of economic development as referenced in the 2004 ballot question.

Lisa Robertson, City Attorney, reported staff researched the matter extensively. She stated there are documents connecting affordable housing incentives to economic development incentives by other governmental entities including the State, County and City. She stated it was the opinion of the City Legal Department, that the allocation of funds for affordable housing would be an appropriate use of funds that fits within the economic development piece of the 2004 ballot language.

Councilmember Clear stated she agrees affordable housing issues must be addressed in the community; however, there are other economic development needs that also need addressed. She questioned why affordable housing has taken precedence over other community issues such as mental health and supporting our youth. She also questioned the role City government should take in funding these types of issues.

Councilmember De La Isla stated poverty remains the number one problem in the community and affordable housing funds could help facilitate proper housing for individuals in this area. She spoke in support of allocating \$500,000 towards affordable housing as economic development ties into successful neighborhoods and road improvement projects.

Doug Gerber reported the revised resolution proposes the excess funds be dedicated completely to pavement management; however, staff will work to develop a plan for affordable housing over the next few months to be presented to the Governing Body for consideration.

Councilmember Clear asked if outside funding sources would be considered.

Doug Gerber reported staff continues to work on identifying internal and external funding sources.

Mayor Wolgast spoke in support of the resolution. He stated drafting a plan to address affordable housing in the community seems to be a logical strategy at this time due to the total amount of excess sales tax funds being less than anticipated.

Councilmember Jensen commented on the issues facing the City's infrastructure and the need to possibly increase taxes to help address the problem.

Councilmember Ortiz stated she believes there are many important issues that need to be addressed in the community; however, she questioned how much of a role local government should participate in these issues. She spoke in support of using the excess sales tax funds for street improvements as voted on by constituents in 2004. She spoke in support of creating public-private partnerships to help address other areas of concern in the community.

Councilmember De La Isla stated she believes a well-rounded approach should be conducted to figure out the best way the funds could serve the community as there are no parameters set out in the resolution. She questioned if the Economic and Community Development Committee should be tasked with evaluating and refocusing priorities in order to move forward and possibly shift funding for next year's grants.

Councilmember Coen moved to approve the resolution. The motion was seconded by Councilmember Schwartz.

Councilmember Jensen questioned if an amendment to the resolution could include the intent to split the spending over three years to be used for something else if funds are still available.

Councilmember Harmon entered the room.

Raymond Barry and Jane Williams, Topeka JUMP members and Joseph Ledbetter spoke in support of allocating \$500,000 towards affordable housing.

Councilmember Hiller spoke in support of the proposed resolution and the City's commitment to move forward with street maintenance. She reported staff not only plans to work on a proposal to address affordable housing they also plan to review internal funding sources within the Department of Neighborhood Relations. She commended JUMP for their efforts in educating the community about affordable housing and encouraged the organization to research, test and raise funds to assist in addressing the affordable housing issue.

Councilmember Emerson spoke in support of the resolution and following through with what voters approved in 2004 to improve City infrastructure. He expressed concern with the continued funding cuts of non-profit organizations and the effect it has on the services they provide to the community.

The motion to approve the resolution carried. Councilmember De La Isla voted "no."
(9-1-0)

DISCUSSION for the purpose of providing an update on the Zoo's Strategic Plan and presentation of a new Strategic Plan covering the years 2017-2020 was presented.

Brendan Wiley, Topeka Zoo Director, gave a brief overview of the Topeka Zoo's Strategic Plan for 2017-2020 and noted the new strategic plan would incorporate all areas of the Zoo and continue to be an asset to the community. He reported the Zoo worked with a consultant in 2011

to help develop profound statements and to re-identify what it would entail to be a part of the world famous zoo distinction. He highlighted the following:

- Vision, Mission, Values, Strategy and Diversity of the Plan
- Plan Design & Evaluation Process
- Organizational Excellence
- Animal Wellness
- Engagement & Inspiration
- Guest Service Standards - IMPACTing Guest Experience through World Class Service Topeka Zoo & Conservation Center

Councilmember Harmon thanked Brendan Wiley for the presentation and commended Zoo staff and the direction Mr. Wiley has taken the Zoo through inspiring and strengthening the relationship with Zoo staff, animals and the Friends of the Topeka Zoo organization.

Councilmember Schwartz spoke in support of the strategic plan and expressed her appreciation to Zoo staff for their work and dedication. She asked if the Kay's Asian Garden project and the Camp Cowabunga project would be under construction at the same time.

Mayor Wolgast asked for an update on the elephants.

Councilmember Ortiz thanked Zoo staff for their work on the strategic plan and asked if there would be a movie night event at the Zoo this summer.

Brendan Wiley thanked Governing Body members for their compliments and stated every City department plays a role in the success of the zoo. He reported the following:

- Construction in and around the Zoo will continue throughout the summer; however, the Zoo would continue to hold great events and ensure easy access for customers.
- The elephants are doing well and in good health. He reported a USDA Elephant Specialist brought in a group from around the nation to observe the elephant program at the Zoo.
- The first phase of Camp Cowabunga is underway.
- There are plans to hold a movie night at the Zoo with a date to be determined.

Councilmember Hiller commended Zoo staff for the improvements made at the Zoo and the positive results of the relationship between the Asian and African elephants.

DISCUSSION for the purpose of providing an overview of the May 23, 2017, Special Meeting of the Governing Body was presented.

Mayor Wolgast reported the May 23, 2017 Special Meeting of the Governing Body would be held to discuss, in Executive Session, the qualifications and characteristics of individuals included in the first round of applicants for the city manager. He stated there would be no action taken at the meeting and the names of the applicants would not be disclosed.

Joseph Ledbetter expressed the importance of choosing the right candidate that has a clear understanding of the position and community.

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

Doug Gerber, Interim City Manager, reported the City's Planning Department received three grants from the State of Kansas for historical building surveys in three local neighborhoods. He announced a 2018 Budget Public Input Event would be held May 18, 2017 from 6:00 p.m. to 7:30 p.m. at the Law Enforcement Center; Coffee on Your Corner would be held May 17, 2017 at the McDonald's Restaurant, 2880 SE California Avenue; and The Bike Ride with the Mayor and City Manager would be held May 17, 2017 from 1:00 p.m. to 3:00 p.m. to celebrate bikeways infrastructure and bike month.

Councilmember Schwartz announced this week's "gem" of Topeka is French Middle School for hosting a Science Project Event for 8th grade students with a goal to explore ways to benefit Topeka. She also announced a Transient Guest Tax Committee meeting would be held May 17, 2017 from 3:30 p.m. to 6:30 p.m. in the 1st Floor Conference Room, 620 SE Madison Street, Cyrus K. Holliday Building; and the 37th Annual Designers' Showhouse event would be held April 29-May 21, 2017, a fundraiser benefitting Childcare Awareness of Eastern Kansas.

Councilmember Coen thanked Councilmembers Clear and Emerson for volunteering to fill committee seats.

Councilmember Hiller announced she would not attend the 2018 Budget Public Input Event on May 18, 2017 due to previously scheduled Neighborhood Improvement Association meetings. She commented on the Nick Chiles Memorial Bridge dedication on May 11, 2017 and commended Mr. Del Wilburn for his role in the renaming of the bridge. She congratulated the Leadership of Greater Topeka class of 2017. She encouraged the community to participate in the Menards NHRA Heartland Nationals, May 19-21, 2017 at Heartland Park.

Councilmember Ortiz announced children 18 and under can ride free for the summer on the Topeka Metro's fixed route buses beginning May 15, 2017, through August 15, 2017. She requested City staff assess the parking lot between City Hall and the Shawnee County Courthouse, as it is in desperate need of repair.

Councilmember Emerson referenced an article in the Topeka Capital Journal newspaper written by Pat Michaelis regarding the Affordable Housing Credit Improvement Act of 2017. He stated he takes comfort in knowing the Federal government is working on a comprehensive plan to expand and strengthen the Low-Income Housing Tax Credit (Housing Credit). He congratulated the 2017 Shawnee Heights High school graduates.

Joseph Ledbetter appeared to speak under public comment.

Councilmember Jensen moved to recess into executive session for a time period not to exceed 10 minutes to discuss personnel matters. To aid the Governing Body in discussion, the following individual was requested to attend: Interim City Manager. The motion seconded by Councilmember Coen carried unanimously. (10-0-0)

At 8:07 p.m., the Governing Body reconvened into open session and Mayor Wolgast announced no action was taken.

NO FURTHER BUSINESS appearing the meeting was adjourned at 8:07 p.m.

Brenda Younger
City Clerk