

Governing Body Minutes – June 6, 2017

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, June 6, 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, Rabbi Debbie Stiel, Temple Beth Sholom Topeka, gave the invocation.

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

BOARD APPOINTMENT recommending the reappointment of Paul Hoferer to the Washburn University Board of Regents for a term ending July 1, 2021, was presented.

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

Councilmember Harmon entered the room.

THE CONSENT AGENDA was presented as follows:

RESOLUTION NO. 8908 introduced by Councilmember Sylvia Ortiz, granting Randy Wheat an exception to the provisions of City of Topeka Code Section 9.45.150, et seq., concerning noise prohibitions was presented.

RESOLUTION NO. 8909 introduced by Councilmember Michelle De La Isla, granting Lynda Monroe an exception to the provisions of City of Topeka Code Section 9.45.150, et seq., concerning noise prohibitions was presented.

RESOLUTION NO. 8910 introduced by Councilmember Sandra Clear, granting Our Lady of Guadalupe an exception to the provisions of City of Topeka Code Section 9.45.150, et seq., concerning noise prohibitions was presented.

RESOLUTION NO. 8911 introduced by Councilmember Sandra Clear, granting Fiesta Mexicana an exception to the provisions of City of Topeka Code Section 9.45.150, et seq., concerning noise prohibitions was presented.

RESOLUTION NO. 8912 introduced by Councilmember Sandra Clear, approving a special event known as the 84th Annual Fiesta Mexicana was presented.

RESOLUTION NO. 8913 introduced by Councilmember Sandra Clear, granting a waiver to the provisions of City of Topeka Code Section 10.60.120 relating to parking on unimproved surfaces was presented.

RESOLUTION NO. 8914 introduced by Councilmember Sylvia Ortiz, granting Agustin Munoz an exception the provisions of City of Topeka Code Section 9.45.150, et seq., concerning noise prohibitions was presented.

RESOLUTION NO. 8915 introduced by Councilmember Karen Hiller, granting The Celtic Fox an exception to the provisions of City of Topeka Code Section 9.45.150, et seq., concerning noise prohibitions was presented.

RESOLUTION NO. 8916 introduced by Councilmember Karen Hiller, approving a special event known as Tap That After Party to be held on June 24, 2017, and rescinding Resolution No. 8898 was presented.

RESOLUTION NO. 8917 introduced by Councilmember Karen Hiller, approving a special event known as the 2017 Top City Interns Downtown Concert was presented.

MINUTES of the regular meeting of May 16, 2017, and Special Meetings of May 23, 2017, and May 25, 2017, were presented.

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

<u>Business Name</u>	<u>Address</u>
Seabrook Apple Market	1945 SW Gage Boulevard
Tilton's Oakland Market	1905 Seward Avenue
White Lakes 66	931 SW 37 th Street

APPROVAL of the following Open After Midnight License applications were presented:

<u>Business Name</u>	<u>Address</u>
The Car Wash	720 SW Gage Boulevard
The Car Wash	1814 SW 10 th Avenue

Councilmember Hiller moved to approve the consent agenda. The motion seconded by Councilmember Clear carried unanimously. (10-0-0)

RESOLUTION NO. 8918 introduced by Interim City Manager Doug Gerber, in accordance with Section 18.60.010 of the Topeka Municipal Code (TMC), approving an amendment to a Conditional Use Permit for a “Conference and Retreat Center and Youth Camp” on property zoned “R-1” Single Family Dwelling District and located along the north side of SE 10th Avenue, lying between SE Deer Creek Parkway and SE Payless Drive within the City of Topeka, Shawnee County, Kansas, was presented. *(CU04/3B)*

Bill Fiander, Planning Director, reported approval would allow the use of an undeveloped, wooded five acre tract to the east for low intensity outdoor events such as haunted trails, prayer walks and other similar activities and would ensure the vacant, undeveloped property is maintained. He noted the area residents support the use and staff recommends approval of the request.

Councilmember Ortiz moved to approve the resolution. The motion seconded by Councilmember Clear carried unanimously. (10-0-0)

RESOLUTION NO. 8919 introduced by Interim City Manager Doug Gerber designating the official city newspaper and rescinding Resolution No. 8238 was presented.

Doug Gerber, Interim City Manager, reported approval would continue the designation of the Topeka Metro News as the official City newspaper except under circumstances where time constraints dictate publication of legal notices on a day other than Monday.

Councilmember Ortiz spoke in support of designating the Topeka Capital Journal as the City's official newspaper because it would reach more citizens. She spoke in opposition of using two separate newspapers as she believes it would create confusion for citizens on where to view legal notices. She requested staff issue a Request for Proposal to establish a change in the City's official newspaper.

Doug Gerber reported publishing legal notices in the Topeka Metro News is substantially more cost-effective for the City.

Councilmember Jensen stated he understands why the City uses the Topeka Metro news as it makes the most financial sense and would be the best use of taxpayer money. He encouraged the Governing Body to direct citizens to the City's website at www.topeka.org to view public notices free of charge as well as the Topeka Metro News.

Councilmember Hiller reported in the past municipalities attempted to change State law to eliminate publication requirements and the State compromised by allowing municipalities to publish ordinance summaries only. She noted progress has been made through consistent posting of legal notices to the City's website and they are saving money through shorter publications.

Councilmember Coen questioned why the City uses the Topeka Metro News as the official newspaper when the number of subscribers tends to be low.

Lisa Robertson, City Attorney, reported the City could bid the service at any time; however, the bid would most likely be awarded to the lowest bidder.

Councilmember Jensen asked which newspaper Shawnee County utilizes to publish legal notices.

Doug Gerber reported Shawnee County recently switched to the Topeka Capital Journal for publications.

Governing Body members requested staff consider issuing a Request for Proposal for this service in the future.

Councilmember Harmon moved to approve the resolution. The motion seconded by Councilmember De La Isla carried. Councilmember Ortiz voted “no.” (9-1-0)

DISCUSSION to provide an overview of economic development incentives was presented.

Doug Gerber, Interim City Manager, stated the discussion was for the purpose of explaining the various tax incentives and the role Governing Body plays in these processes.

Jeff White, Columbia Capital Management, LLC provided an overview of various tax incentives including Industrial Revenue Bonds, Community Improvement Districts (CID), Tax Increment Finance District (TIF) and STAR Bonds. He also highlighted potential legislative changes proposed to IRBs excluding the 10 mill state-wide school levy from abatement and some or all local school levies from abatement; TIF District in addition to the 20 mill school levy and 1.5 mill state levy and excluding some or all local school levies from capture and redirection.

Mayor Wolgast questioned if the tax exemption pertains exclusively to City taxes.

Jeff White reported it applies to every taxing entity within the project area.

Councilmember Emerson questioned if the City would be at risk either on a monetary basis or with their credit rating if the City “sponsors” an Industrial Revenue Bond and it defaults.

Jeff White reported the City’s credit rating would not be at risk in any way if an IRB defaults; however, it could make an impact on the City’s financial reputation.

DISCUSSION for the purpose of providing an overview of the June 19, 2017, Special Meeting of the Governing Body was presented.

Mayor Wolgast announced there would be a Special Meeting held on June 19, 2017, at the Law Enforcement Center, Classroom A at 5:30 p.m., for the purpose of continuing discussion on

the City Manager position finalists. He stated the discussion would be conducted in an executive session where no action would be taken and the applicants' names would not be released.

DISCUSSION on 2018 City of Topeka Departmental Budgets was presented.

Nick Hawkins, Budget and Performance Manager, provided an overview of departmental presentations and announced the next 2018 Budget Special Meeting would be held on June 7, 2017, at the Law Enforcement Center, Classroom A at 6:00 p.m. to continue discussions from the June 3, 2017 Budget Meeting.

Executive Department

Doug Gerber, Interim City Manager, provided a presentation on the Executive Department 2018 Operating Budget totaling \$1.4 million increasing 1.6% from 2017, consisting of 11 full-time employees. He provided a brief overview of key performance measures and department highlights.

Councilmember Ortiz questioned duplication in constituent services by several departments. She expressed the importance of having a one stop shop for this service.

Administrative and Finance Department

Nickie Lee, Finance Director, provided a presentation on the Administrative and Financial Services 2018 Operating Budget totaling \$2.5 million increasing 5.3% from 2017, consisting of 25 full-time employees. She provided an overview of key performance measures and department highlights.

Craig Duke, Topeka Fire Chief, announced it was with heavy heart that Topeka Fire Captain Gregg Bahr passed away earlier in the day. He expressed his sympathy to Fire Department employees and the Bahr family.

Fire Department

Fire Chief Duke gave a presentation on the Fire Department 2018 Operating Budget totaling \$27.6 million increasing 2.2% from 2017, consisting of 248 full-time employees. He provided an overview of key performance measures and department highlights.

Councilmember Schwartz asked if the Fire Department plans to utilize the three studies that have been conducted as well as the report provided by former Interim Fire Chief Tim Wayne. She also asked if they were moving towards accreditation.

Chief Duke confirmed management is considering all the information outlined in the studies as well as what was suggested in Tim Wayne's report. He noted there are many serious discussions and decisions that must be made in the near future.

Councilmember Ortiz stated the Fire Department has been in need of many upgrades to equipment and buildings as well as training and the Governing Body will need to allocate funds to accommodate departmental needs.

Department of Neighborhood Relations

Sasha Haehn, Department of Neighborhood Relations Director, provided a presentation on the Department of Neighborhood Relations 2018 Operating Budget totaling \$7.1 million increasing 18% from 2017, consisting of 31 full-time employees. She provided an overview of key performance measures and departmental highlights.

Councilmember Ortiz questioned the training being provided by the NeighborWorks America Leadership. She suggested the City bring back the enhancement program to support neighborhood incentives and improvements while utilizing volunteers.

Sasha Haehn reported the training includes community leadership training for neighborhood improvement associations to help create a grassroots approach to community engagement and all that it entails.

Governing Body members commended staff for implementing NeighborWorks America Leadership Training for neighborhood leaders in 2018.

Human Resources Department

Shawn Maisberger, Human Resources Manager, provided a presentation of the Human Resources Department 2018 Operating Budget totaling \$1.4 million increasing 6.20% from 2017, consisting of 13 full-time employees. She provided an overview of key performance measures and department highlights.

Councilmember Harmon left the room.

Information Technology

Mark Biswell, Information Technology Director, provided a presentation of the Information Technology 2018 Operating Budget totaling \$4.2 million increasing 0.40% from 2017, consisting of 17 full-time employees. He provided an overview of key performance measures and department highlights.

Legal Department

Lisa Robertson, City Attorney, provided a presentation of the Legal Department 2018 Operating Budget totaling \$3.1 million decreasing 3.5% from 2017, consisting of 15 full-time employees. She provided an overview of key performance measures and department highlights.

Municipal Court

Denise Vaughn, Municipal Court Clerk, provided a presentation of the Municipal Court 2018 Operating Budget totaling \$2.1 million increasing 1.5% from 2017, consisting of 23 full-time employees. She provided an overview of key performance measures and department highlights.

Planning Department

Bill Fiander, Planning Director, provided a presentation of the Planning Department 2018 Operating Budget totaling \$2.9 million increasing 124% from 2017, consisting of 28 full-time

employees. He reported the increase was due to the transfer of the Development Services Division consisting of 18 employees to the Planning Department. He provided an overview of key performance measures and department highlights.

Police Department

Darin Scott, Deputy Police Chief, provided a presentation of the Topeka Police Department 2018 Operating Budget totaling \$38 million increasing 2.6% from 2017, consisting of 351 full-time employees. He provided an overview of key performance measures and department highlights.

Councilmember Clear expressed concern with filling vacancies in a timely manner and upgrading vehicles used by School Resource Officers.

Councilmember Hiller questioned if they are seeing a difference in crime prevention through the increase use of social media outlets and how it relates to performance measures outlined by the Police Department.

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

Brenda Younger, City Clerk, provided an overview of the June 13, 2017 Council agenda.

Doug Gerber, Interim City Manager, announced the City received a \$300,000 grant from the Environmental Protection Agency for river revitalization.

Mayor Wolgast announced the City received a \$35,000 Refuel Topeka grant to assist with feeding the youth in the community. He referenced the May 28, 2017 edition of the New York Times newspaper which featured Topeka in an article regarding the use of body cameras on police officers.

Councilmember Schwartz thanked staff for their budget presentations. She commented on the Shawnee County Food Assessment outlining the health of the community and noted the City

should be involved in the effort. She announced the Brew At The Zoo Festival at the Topeka Zoo on June 10, 2017.

Councilmember Coen announced the Topeka Gives Event occurred on June 6, 2017 at the Fairlawn Plaza.

Councilmember Hiller stated there are a number of meal sites in her district that are not listed on the Refuel Topeka list distributed by the Mayor and requested all sites be listed on the flyer. She announced the Sunflower Music Festival starts June 9, 2017 and encouraged the community to participate in the events. She also announced that Amtrak is partnering with BNSF to feature an inspection train to inspect all train stations from Oklahoma City, Oklahoma to Newton, Kansas.

Councilmember Clear announced the Garfield Park Concert Series would occur June 19, June 26 and July 10, 2017 at 7:30 p.m. in the park gazebo.

Councilmember Ortiz encouraged Governing Body members to use Neighborhood Improvement Association and Neighborhood Association newsletters to feature important community information to get the word out to citizens. She commented on the Super Sunday Dinner events sponsored by the Brown Silverbakks which occurs every Sunday at 11:30 a.m. at 501 SW Jackson Street and encouraged the community to attend.

Councilmember Emerson announced he attended the Highland Acres Neighborhood Improvement Association meeting on June 5, 2017, and commended the Topeka Fire Department for their quick response at the Colonial Apartments. He commented on the City's SeeClickFix reporting tool and commended Water Pollution Control for the fast response to cleaning out inlets. He congratulated the Shawnee Heights High School Girls Softball team for winning the 5A State Softball Tournament.

Councilmember De La Isla thanked Topeka West High School students for allowing her to speak during their Government class on local government.

Councilmember Jensen announced the Annual Cornerstone Fundraiser would be held on June 8, 2017, at 5:30 p.m. at the Heritage Hall, Kansas Expo Centre.

NO FURTHER BUSINESS appearing the meeting was adjourned at 9:31 p.m.

Brenda Younger
City Clerk