

## **Governing Body Minutes – June 20, 2017**

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, June 20, 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, Emerson, Jensen, Schwartz and Coen -6. Mayor Larry E. Wolgast presided -1. Absent: Councilmembers Ortiz, De La Isla and Harmon -3.

AFTER THE MEETING was called to order, Imam Omar Jaleel Hazim, Islamic Center of Topeka, gave the invocation.

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

Councilmember Ortiz entered the room.

Mayor Wolgast announced there is a request to add a resolution to the Council agenda granting Amos Walker a noise exception.

Upon hearing no objections, Mayor Wolgast announced the resolution would be added to the consent agenda as item 4E.

Councilmember Hiller announced Mr. Sabastian Coffell was present and would like to speak to item 4B, denial of a tort claim. She requested the item be removed from the consent agenda for separate consideration.

Councilmember De La Isla entered the room.

Doug Gerber, Interim City Manager, requested to withdraw item 4B from the consent agenda to allow further legal review.

Upon hearing no objections, Mayor Wolgast announced item 4B, denial of a tort claim submitted by Sabastian Coffell would be withdrawn from the Council agenda.

THE CONSENT AGENDA was presented as follows:

RESOLUTION NO. 8922 introduced by Councilmember Karen Hiller, granting Potwin Place Neighborhood Association an exception to the provisions of City of Topeka Code Section 9.45.150, et seq., concerning noise prohibitions was presented.

MINUTES of the regular meeting of June 13, 2017, and Special Meeting of June 14, 2017, and June 19, 2017, was presented.

RESOLUTION NO. 8923 introduced by Councilmember Sylvia Ortiz, granting Amos Walker an exception to the provisions of City of Topeka Code Section 9.45.150, et seq., concerning noise prohibitions was presented.

Councilmember Jensen moved to approve the consent agenda as amended. The motion seconded by Councilmember Schwartz carried. Councilmember Clear voted “no.” (8-1-0)

RESOLUTION NO. 8924 introduced by Interim City Manager Doug Gerber, approving the 2017 Neighborhood Event and Beautification Grant Program (Neighborhood Partnership Program) as recommended by the Neighborhood Partnership Program Grant Review Committee was presented.

Brendan Jensen provided a brief overview of the applicants and reported approval would confirm the expenditure of \$9,142.50 in 2017 for projects in designated neighborhoods.

Councilmember Jensen moved to approve the resolution. The motion was seconded by Councilmember Clear.

Councilmember Hiller asked if the applicants have communicated with the Shawnee County Parks and Recreation Department concerning park projects and activities; and if there would be another round of grant applications considered this year.

Councilmember Jensen stated the park projects and associated activities listed have been approved by Shawnee County.

Councilmember Ortiz asked if applicants could apply for more than one grant in the same year.

Councilmember Schwartz encouraged staff and neighborhood leaders to better promote the program so the funds could be utilized by neighborhoods.

Sasha Haehn, Department of Neighborhood Relations Director, reported beginning June 23, 2017, the second round of grant applications would be accepted, with approval by the Governing Body on August 22, 2017. She stated a program announcement would be distributed through a press release, social media outlets, neighborhood leaders and posted on the City's website. She noted the intent of the program was to allow applicants to apply only one time per year.

The motion to approve the resolution carried unanimously. (9-0-0)

RESOLUTION NO. 8925 introduced by Interim City Manager Doug Gerber, supporting the City of Topeka's application for funding from the Kansas Department of Transportation (KDOT) for Bikeways Phase III, Quincy Elementary Safe Routes to Schools and improvements to sidewalks on SE 29<sup>th</sup> Street, was presented.

Doug Gerber, Interim City Manager, reported approval would express support of the Governing Body for three applications to be submitted to KDOT for the Transportation Alternatives (TA) Program.

Bill Fiander, Planning Director, provided an overview of the three projects that include Phase III of the Bikeways Master Plan, Quincy Elementary Safe Routes to Schools and improvements to sidewalks on SE 29<sup>th</sup> Street. He noted an amended resolution has been distributed to exclude the sidewalk improvements on SW Topeka Boulevard.

Councilmembers Ortiz and Emerson spoke in support of the projects and commended staff for working to make much needed improvements throughout the City.

Councilmember Hiller thanked staff for their work on the proposals and asked if staff would comment on projects being proposed by other entities.

Bill Fiander reported Shawnee County as well as the Topeka Metropolitan Transit Authority plan to apply for TA program grants; therefore, improvements could be possible in each council district.

Councilmember Emerson moved to approve the resolution as amended. The motion seconded by Councilmember Clear carried unanimously. (9-0-0)

ORDINANCE NO. 20071 introduced by Interim City Manager Doug Gerber, 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 101 N. Kansas Avenue from “I-2” Heavy Industrial District TO “D-3” Downtown District, was presented. (Z17/1)

Bill Fiander, Planning Director, reported approval would accommodate the renovation and reuse of the existing building for residential apartments and parking spaces at basement and the first floor level. He stated the Planning Commission and Planning Department recommend approval.

Councilmember Hiller moved to adopt the ordinance. The motion seconded by Councilmember De La Isla carried unanimously. (9-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Hiller, Clear, Ortiz, Emerson, De La Isla, Jensen, Schwartz, Coen and Mayor Wolgast -9. Absent: Harmon -1.

DISCUSSION of, and possible ACTION on, the 2018 Proposed City of Topeka Operating Budget was presented.

Doug Gerber, Interim City Manager, reported the Governing Body met on June 3, 6, 7 and 14, 2017, to discuss the 2018 City of Topeka Operating Budget. He stated this meeting provides an opportunity for the Governing Body to consider proposed amendments to the budget so the maximum taxes levied could be set on July 11, 2017. He reported property tax evaluations are growing; however, revenue estimates were \$250,000 less than anticipated. He noted moving forward, the intent would be to not raise the mill levy and all amendments would be incorporated along with the \$250,000 needed for the General Fund.

Nick Hawkins, Budget and Performance Manager, provided an overview of Supplement No. 4: 2018 Council Budget Question & Answer document from the June 14, 2017, Budget Special Meeting.

Mayor Wolgast requested each Governing Body member, for the sake of discussion, provide a short summary of suggested amendments prior to making a motion. He asked how the proposed 2018 Operating Budget supports the 2018 priorities as approved by the Governing Body.

Nickie Lee, Finance Director, reported the budget strategically directs resources through investment of infrastructure, continuing a commitment to public safety and developing neighborhoods, selected strategic investment in quality of life and supports improved fiscal sustainability, performance and cost-effectiveness.

Councilmember Hiller stated the decreased revenue amount will have an effect on her planned proposed amendments; however, she would be willing to discuss funding amendments for Keep America Beautiful, Arts Funding, Downtown Incentives and the Topeka Performing Arts Center - all important quality of life issues.

Councilmember Clear stated she would propose to reduce Youth Employment by \$20,000 and add \$20,000 to Arts Funding; add funding for additional police officers to address incident response times; and reduce Neighborhood Event and Beautification Grant Program (Neighborhood Partnership Program) funds by \$10,000.

Doug Gerber reported Neighborhood Partnership Program funds have been reduced in the proposed 2018 budget from \$25,000 to \$12,500.

Councilmember Jensen stated the reduced amount reflects the amount of applications received in 2017.

Councilmember Ortiz stated she would propose funding in the amount of \$12,000 for AmeriCorp Vista Program; and add one full-time clerical staff position for the Fire Department Administration Building.

Councilmember Emerson stated he would propose funding for Keep America Beautiful in the amount of \$14,000; and funding for the 501 School District (Highland Park High School) Parent Child Learning Center in the amount of \$7,000.

Councilmember De La Isla stated the decreased revenue amount gives her pause to proposing amendments that would increase funding for Social Services and the Arts. She expressed the importance of making sure the necessary funding is in place to support vital services such as public safety and infrastructure improvements for residents.

Councilmember Jensen stated he concurs with Councilmember De La Isla. He commended staff for their work on the budget and helping the Governing Body make informed decisions.

Councilmember Schwartz stated she would not propose any amendments at this time. She commended staff for the clear format in which the budget was presented making it easier for citizens and the Governing Body to understand.

Councilmember Coen stated he would not propose any amendments at this time. He commended staff for working to find an additional \$2,000,000 for street improvements.

Councilmember Ortiz requested the total dollar amount of all new items and/or proposals included in the 2018 budget that are not included in the 2017 budget. She questioned if that amount would get them where they need to be in terms of the budget.

Nickie Lee stated she does not have the total dollar amount of the new items listed in the budget; however, a summary of new items was listed in the 2018 Budget Book by account number as well as each department provided an overview of all new items being proposed in their department budgets.

Doug Gerber reported the 2018 Budget was presented as a status quo budget with the exception of two major program changes to the General Fund which includes \$1,200,000 for the street program and \$500,000 for the Fire Department's Advanced Life Support (ALS) Program.

Councilmember Hiller noted in addition to the two new programs there are also four new positions being proposed in 2018 totaling approximately \$400,000.

Councilmember Clear moved to increase the Arts funding by \$20,000. The motion seconded by Councilmember Ortiz carried. Councilmember Coen voted "no." (8-1-0)

Councilmember De La Isla questioned if there were contingency funds available in the amount of \$500,000 to fund proposed amendments as well as make up for the revenue shortfall. She stated she would not support making operational cuts or department cuts.

Doug Gerber reported contingency funds could be used if needed; however, there is no intent to make major department and/or program cuts.

Councilmember Clear asked if the Police Department was fully staffed in regards to officers on the street.

Doug Gerber stated the issue stems more from a recruiting aspect which has been addressed by staggering the hiring dates (twice a year); interacting with the community earlier in the process; and implementing sign-on bonuses similar to surrounding communities.

Kris Kramer, Interim Police Chief, reported the City of Topeka has 277 sworn police officers and a departmental budget that would support 295 sworn police officers; the Topeka Police Department sits above the national average regarding police officers per capita; and 49 people applied in June 2017 for the police academy and only 20 passed the entry exam.

Councilmember Clear referenced overall police incident response times and the need to improve response times if there is sufficient personnel.

Councilmember Ortiz encouraged Governing Body members to attend a Police Department recruitment process and noted the City assists all recruits from start to finish and continues to review all aspects of recruiting across the board.

Councilmember Hiller questioned if an increase in police cadets would have an effect on estimates relating to vacancy credits in the budget.

Nickie Lee stated she believes increased recruitment should not have an effect on the budget in terms of vacancy credits.

Councilmember Emerson moved to allocate funding for Keep American Beautiful in the amount of \$10,000; funding for the 501 School District (Highland Park High School) Parent Child Learning Center in the amount of \$5,000; and funding for the Topeka Youth Project Youth Court in the amount of \$5,000 for a total funding allocation of \$20,000. The motion was seconded by Councilmember De La Isla.

Councilmember Clear spoke in opposition of the amendment. She stated she believes it defeats the purpose of the committee process and if funding is approved for one agency it should be approved for all agencies totaling over \$100,000.

Councilmember Hiller expressed concern with the proposed funding for Keep America Beautiful as it did not fit the definition of a human services program or the social service grant funding requirements. She noted she would not be comfortable in changing funding recommendations after the committee process has been completed and would not support the amendment as a package.

Councilmember Jensen stated he concurs with Councilmember Hiller.

Councilmember Ortiz questioned the committee process in regards to new applications.

Councilmember Schwartz spoke in opposition of the amendment and the importance of following through with the committee process and recommendations. She suggested the City grant writer assist small organizations in writing grants to help them obtain outside grant funding.

Councilmember Emerson stated he proposed the amendment because he believes the Parent Child Learning Center fills an important role in the community; and it was his understanding Keep America Beautiful would receive funding through other means and this was not the case.

The motion to allocate funding for Keep American Beautiful in the amount of \$10,000; funding for the 501 School District (Highland Park High School) Parent Child Learning Center in the amount of \$5,000; and funding to the Topeka Youth Project Youth Court in the amount of \$5,000 for a total funding allocation of \$20,000 failed. Councilmembers Hiller, Clear, Jensen, Schwartz, Coen and the Mayor voted “no.” (3-6-0)

Councilmember De La Isla moved to increase the Downtown Revitalization Budget by \$50,000. The motion seconded by Councilmember Hiller failed. Councilmembers Clear, Emerson and Coen voted “no.” Councilmember Jensen abstained. (5-3-1)

Councilmember Emerson asked staff to comment on the proposed reduction in funding for TPAC in the amount of \$150,000.

Doug Gerber reported TPAC would receive \$300,000 in 2017 and \$150,000 in 2018, providing them with 18 months of guaranteed funding to accomplish outlined goals and objectives.

Councilmember Hiller noted the Governing Body would have an opportunity to review TPAC’s 2<sup>nd</sup> Quarter Report before making a final funding decision in August 2018.

Councilmember Ortiz moved to add a full-time clerical position for the Fire Department Administrative Building in the amount of \$50,000. The motion was seconded by Councilmember Clear.

Councilmembers Emerson and Jensen asked if staff would provide more background on the need for the position.

Doug Gerber noted the position request was not approved by the Position Review Committee last year; however, since that time a temporary employee has been hired to serve the Fire Department.

Councilmember Hiller spoke in opposition of the amendment and noted the issue should be handled through the Human Resources Department.

Councilmember Jensen stated he would support approving budget authorization pending further review by staff regarding the need for the position.

The motion to hire one full-time clerical position for the Fire Department Administrative Building in the amount of \$50,000 failed. Councilmembers Hiller, Clear, De La Isla, Jensen, Schwartz, Coen and the Mayor voted “no.” (2-7-0)

Joseph Ledbetter suggested reducing engineer design costs instead of funding for much needed social services. He expressed concern with citizens not receiving the best services for their tax dollar in regards to street improvements.

Mayor Wolgast announced staff would present a budget for consideration including approved amendments on July 11, 2017.

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

Brenda Younger, City Clerk, provided an overview of the June 26, 2017, Special Meeting to discuss the Wheatfield TIF District at SW 29th Street and Fairlawn Road.

Doug Gerber, Interim City Manager, announced a ribbon cutting ceremony for the extension of the Shunga Trail would be held on June 24, 2017 at 1:00 p.m.; an informational meeting on the NW Tyler Street improvement project would be held on June 22, 2017 from 4:30 p.m. to 6:00 p.m. at the Seaman Church; the sharrows have been installed along S. Kansas Avenue; and the City Employee Picnic would be held on June 22, 2017, beginning at 5:30 p.m. at the Topeka Zoo.

Mayor Wolgast commended Governing Body members and staff for a successful budget process over the past month.

Councilmember Schwartz announced this week's "gem" of Topeka is Brett Ballard, Washburn University Men's Basketball Coach.

Councilmember Coen announced a new Casey's General Store has opened at SW 21st Street and SW Urish Road.

Councilmember Hiller commended City staff for launching a good quality internal survey on City departments. She also commended the Topeka Capital Journal for the supplement on Downtown Topeka which included information on downtown development, businesses and revitalization.

Councilmember Clear announced the Topeka Art and Antique Fair would occur on June 24, 2017, along N. Kansas Avenue from 10:00 a.m. to 6:00 p.m.

Councilmember Emerson commended City staff for the demonstration of the micro-surfacing process along 19<sup>th</sup> Street and encouraged Governing Body members to look at the surface change in the road.

Councilmember Jensen thanked the Topeka Capital Journal for highlighting the good things in the community and citizens for continuing to make positive contributions.

NO FURTHER BUSINESS appearing the meeting was adjourned at 8:50 p.m.

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Brenda Younger  
City Clerk