

Governing Body Minutes – March 20, 2018

CITY COUNCIL CHAMBERS, Topeka, Kansas, Tuesday, March 20, 2018. The Governing Body members of the City of Topeka met in regular session at 6:00 P.M., with the following Councilmembers present: Hiller, Clear, Ortiz, Emerson, Padilla, Jensen, Mays, Coen and Lesser -9. Mayor Michelle De La Isla presided -1.

AFTER THE MEETING was called to order, Jeff Clinger, Topeka First United Methodist Church Lead Pastor, provided the invocation.

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

A PRESENTATION on the Shawnee County Health Rankings was presented by Linda Ochs, Director of the Shawnee County Health Department.

Councilmember Jensen asked how the City could assist in the efforts to improve the overall health of the community in regards to the City's 2019 budget priorities.

Linda Ochs expressed the importance of ensuring everyone has access to safe walking and biking trails as well as parks and walkability throughout the city.

Dr. Gianfranco Pezzino, Shawnee County Health Officer, stated any efforts that would narrow the gap of social economics would help improve the overall health of the community.

A PRESENTATION on the Topeka Police Department Reorganization was presented by Bill Cochran, Topeka Police Chief.

Councilmember Ortiz inquired on the duties of Community Officers and expressed the importance of positive relationships between Community Officers and citizens. She also inquired on the status of the Bicycle Unit.

Councilmember Padilla expressed the importance of the Brothers Latino Outreach Program. He asked if efforts were being made to seek adult Hispanic males as mentors for the program; and if there were plans to make the Detective Unit more active in community initiatives.

Councilmember Jensen asked how the changes would affect partnerships with schools.

Councilmember Hiller reported many of her constituents have expressed concern with the changes in the Community Officer program. She asked if the community officers would have the ability to use bicycles.

In response, Chief Cochran reported the following:

- Implementation of the Community Response Unit should provide some relief to community officers and allow them to become engaged in the community again and provide a resource for citizens that they can trust and confide in.
- The Brothers Program would be more robust but similar to the OK Program structure and would be available to everyone in the community.
- The involvement of officers as well as School Resource Officers should improve community relationships with adults and youths.
- The philosophy of community officers would be to focus on special projects and other important community engagements.
- Community officers have changed to ten hour shifts, resulting in more officers on the streets.
- All police officers would have access to use bicycles for patrol when needed.

BOARD APPOINTMENT recommending the appointment of Cynthia Hopp to the Topeka Human Relations Commission to fill an unexpired term ending March 21, 2020, was presented.

Councilmember Jensen moved to approve the board appointment. The motion seconded by Councilmember Coen carried unanimously. Mayor does not vote. (9-0-0)

THE CONSENT AGENDA was presented as follows:

RESOLUTION NO. 8984 introduced by Councilmember Karen Hiller, approving a special event known as 99.3 The Eagle Cruise Night 2018, was presented.

RESOLUTION NO. 8985 introduced by Councilmember Karen Hiller, granting Cumulus Broadcasting an exception to the provisions of City of Topeka Code Section 9.45.170 concerning noise prohibitions was presented.

ORDINANCE NO. 20113 introduced by City Manager Brent Trout, allowing and approving City expenditures for the period of February 3, 2018, through March 2, 2018, and enumerating said expenditures therein was presented.

MINUTES of the regular meeting of March 13, 2018, was presented.

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

<u>Business Name</u>	<u>Address</u>
American Legion Post 400	3029 NW US Highway 24
California BP	2740 SE California Avenue
Haags Express	1001 SW Wanamaker Road
Happy Bassett Brewing Co.	6044 SW 29 th Street
Holiday Square 66	2901 SW Topeka Boulevard
Kicks 66	3300 SW Gage Boulevard
Lazy Toad	5331 SW 22 nd Place #2
Quinton's Bar & Deli	4121 SW Huntoon Street
The Bar N Grill	2121 SW Belle Avenue
The Dugout	1545 SW Fairlawn Road
Topeka Country Club	2700 SW Buchanan Street
Walmart #1802	1501 SW Wanamaker Road
Walmart #2131	1301 SW 37 th Street
Walmart #5441	2600 NW Rochester Road

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

RESOLUTION NO. 8986 introduced by City Manager Brent Trout, in accordance with Section 18.60.010 of the Topeka Municipal Code (TMC), approving a Conditional Use Permit to allow for a "Parking, Surface Lot in Association With A Principal Use" for use primarily by employees of the Topeka and Shawnee County Public Library on property zoned "C-2" Commercial District and "M-1" Two-Family Dwelling District and located at the southwest

corner of SW 10th Avenue and SW Garfield Avenue in the City of Topeka, Shawnee County, Kansas, was presented. (CU18/01)

Brent Trout, City Manager, reported the request from the Topeka and Shawnee County Public Library was approved by the Topeka Planning Commission by a vote of 7-0-0 on February 19, 2018.

Bill Fiander, Planning Department Director, reported approval would allow the Topeka and Shawnee County Public Library to partially re-construct and utilize an off-site parking lot primarily for employees. He noted the site includes the recently demolished Medical Plaza Building located at 1001 SW Garfield Avenue; would accommodate future plans to widen 10th Street and include a landscape buffer along 10th Street. He stated no concerns were expressed by the neighborhood.

Mayor De La Isla asked members of the Governing Body to declare ex parte communications.

Councilmembers Ortiz, Jensen and Lesser declared ex parte communications in the form of emails and phone calls from proponents and opponents. They noted despite the communications received they were able to make a fair and objective decision on the application based on the evidence provided in the record.

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

DISCUSSION of the proposed 2019-2028 Capital Improvement Plan (CIP) and 2019-2021 Capital Improvement Budget (CIB) was presented.

Brent Trout, City Manager, stated discussion would continue on the 2019-2028 CIP from the meeting of March 13, 2018, and include an overview of the Utility Projects.

Nick Hawkins, Budget and Performance Manager, distributed a handout (Supplement 1: 2019-2028 CIP Council Question & Answer) that provides the responses to Governing Body members questions from the meeting of March 13, 2018.

Councilmember Hiller expressed concern with the amount of funds being spent on snow and ice removal. She requested a map of the proposed street improvement projects.

Councilmember Jensen encouraged the City to continue to meet with the Kansas Turnpike Authority (KTA) about the SE 29th Street Interchange Project, to insure the City has sufficient funding in place when KTA decides to move forward with the project.

Braxton Copley, Deputy Director of Utilities, highlighted the following Utility Projects:

- 2019- 2023 Water Main Replacement Project \$19.5 million in Revenue Bonds
- 2019 East Filter Rehab Project \$5.2 million in Revenue Bonds
- Oakland WWTP Solids Handling/Biogas Project \$2.7 million in Revenue Bonds
- 2019 In-situ Repair on Fairlawn Storm Sewer Project \$3.3 million in Revenue Bonds
- 2019 Grant- Jefferson Pump Station Rehab Project \$9 million in Revenue Bonds

Councilmember Hiller commented on the sale of methane gas and asked how those funds and renewable energy tax credits could offset the cost of the project at \$2.7 million.

Braxton Copley stated realistically the project should be paid over a 30 year period if a contract was drafted for the sale of methane gas; however, those sales would depend on market needs and how much funding was awarded through the renewable energy tax credits.

Councilmember Jensen commented on the lifespan of the infrastructure improvements and the debt service associated with them. He expressed his appreciation to staff for their foresight in planning for the future.

Councilmember Hiller expressed concern with increasing the City's bonded indebtedness and stated the City would have 50% more money to spend on improvement projects if projects were funded with cash.

Joseph Ledbetter stated he concurs with Councilmember Hiller's comments regarding the City's indebtedness and expressed the importance of the City preparing for future State funding changes in regards to infrastructure improvements. He expressed concern with the 20% increase of revenue bonds over the last four years as well as a 21% increase in debt service. He suggested the City review productivity to be more efficient and cost-effective.

DISCUSSION for the purpose of establishing priorities for the 2019 budget on or before the third Tuesday of May was presented.

Nick Hawkins, Budget and Performance Manager, provided an update on public input for the 2019 Budget Priorities and noted public safety remains the number one priority for citizens. He reported based on discussions the following language revisions were made to the resolution:

- The opening section beginning on line 9, would include language that would address priorities that would focus on improving Performance and Cost-Effectiveness; and on line 13, the language states priorities would be addressed with existing resources.
- Section 2. Continuing a Commitment to Public Safety, now includes language on line 25 to address police recruitment.
- Section 4. Selected Strategic Investments toward Quality of Life, now includes language on line 60 to consider public health impact in the budget decision-making process.

Mayor De La Isla commended Governing Body members for aligning budget priorities with the priorities of citizens.

Councilmember Hiller expressed concern with including strategic planning priorities in the budget priorities. She spoke in support of keeping budget priorities simple, and suggested addressing the use of existing resources for performance and cost-effectiveness to the critical aspects of the budget.

Joseph Ledbetter spoke in support of implementing a policy committee to review productivity of overall City operations and partially privatizing street services. He distributed a hard copy of an email regarding budget and pavement work in his neighborhood.

Councilmember Emerson spoke in support of bidding projects as early as possible for better overall project management.

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

Brent Trout, City Manager, provided an overview of the preliminary Governing Body agenda for April 3, 2018.

Doug Gerber, Deputy City Manager, reported the Behavioral Insights Team (BIT) visited Topeka and will provide data-driven organization training to staff for the next two to three months.

Mayor De La Isla thanked BIT for providing training and input to make City processes more efficient. She announced the East Topeka Learning Center celebrated their ground breaking ceremony on March 15, 2018; The Pennant opened in downtown Topeka on March 16, 2018, and Fellowship Bible Church opened the Hi-Crest Campus on March 18, 2018. She commended the State of Kansas for recognizing women who serve in the public service sector. She thanked the YWCA, Shawnee County Sherriff's Office, Topeka Police Department, Topeka Fire Department, Topeka Rescue Mission and Shawnee County District Attorney's office and others for partnering on the Mayor's Task Force Against Domestic and Sexual Violence.

Councilmember Coen commended Mayor De La Isla for launching a new Task Force on Domestic and Sexual Violence. He thanked everyone for volunteering and participating in the St. Patrick's Day festivities on March 17, 2018.

Councilmember Lesser commended the Topeka Police Department for their customer service.

Councilmember Hiller announced the Council District No. 1 Crime Summit would be held on April 7, 2018, at Topeka High School. She thanked everyone for allowing her to serve as Parade Marshall for the St. Patrick's Day Parade on March 17, 2018. She announced the Topeka Performing Arts Center would host Jesus Christ Superstar on March 23 and 24, 2018. She encouraged everyone to visit www.teamusa.com to vote for Topeka native and Navy Lt. Commander Dan Clossen as the Best of the Paralympic Games at the 2018 Paralympic Winter Games in PyeongChang, South Korea. She suggested honoring him at the 2018 Topeka Veterans Day Parade in November.

Councilmember Ortiz encouraged everyone to participate in the Topeka Fire Department Free Smoke Alarm Program.

Councilmember Emerson thanked Governing Body members for attending the East Topeka Learning Center ground breaking ceremony. He announced a dedication ceremony would be held at the Hillcrest Community Center Park on March 24, 2018, at 12:30 p.m. for the installation of outdoor fitness equipment which was funded through a SORT Grant.

Councilmember Padilla commended the community for attending the opening of Fellowship Bible Church Hi-Crest Campus. He announced the Topeka Police Department Citizen Academy would provide training on April 7, 2018, and invited the Governing Body to attend and participate in the training. He thanked City employees who also serve in the military.

Councilmember Jensen acknowledged the private/public partnership in regards to parking in the downtown area. He noted The Pennant customers could park in the City Centre Parking Garage free of charge. He thanked all those involved in planning and implementing public safety for large events such as the St. Patrick's Day Parade on March 17, 2018. He commended

the Topeka Fire Department for providing safety information and how to plan for an emergency in a home.

Neill Kennedy and Chance Larimer appeared to speak under public comment.

Councilmember Jensen moved to recess into executive session for a period of time not to exceed 15 minutes for consultation with the City's legal counsel to discuss attorney-client privileged matters regarding economic development, as justified by K.S.A. 75-4319(b)(2). In order to aid the discussion, the following individuals should be present: Governing Body members; City Manager, Brent Trout; Deputy City Manager, Doug Gerber; Financial and Administrative Services Director, Nickie Lee; Deputy City Attorney, Mary Feighny and City Attorney, Lisa Robertson. The motion seconded by Councilmember Clear carried.

Councilmember Lesser did not vote. (9-0-0)

Following a 15 minute time period, the Governing Body reconvened into open session and Mayor De La Isla announced no action was taken.

Councilmember Emerson moved to recess into executive session for a period of time not to exceed 10 minutes to continue consultation with the City's legal counsel to discuss attorney-client privileged matters regarding economic development, as justified by K.S.A. 75-4319(b)(2). In order to aid the discussion, the following individuals should be present: Governing Body members; City Manager, Brent Trout; Deputy City Manager, Doug Gerber; Financial and Administrative Services Director, Nickie Lee; Deputy City Attorney, Mary Feighny and City Attorney, Lisa Robertson. The motion seconded by Councilmember Ortiz carried.

Councilmember Clear did not vote. (9-0-0)

Following a 10 minute time period, the Governing Body reconvened into open session and Mayor De La Isla announced no action was taken.

NO FURTHER BUSINESS appearing the meeting was adjourned at 8:45 p.m.

Brenda Younger
City Clerk