

Governing Body Minutes – July 3, 2018

CITY COUNCIL CHAMBERS, Topeka, Kansas, Tuesday, July 3, 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 and Lesser -8. Mayor De La Isla presided -1. Absent: Councilmember Coen -1.

AFTER THE MEETING was called to order, Councilmember Clear gave the invocation.

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

A PRESENTATION of the Troy Scroggins Award from the Human Relations Commission was presented to Topeka Police Officer Timothy Bell by Mayor De La Isla.

A PRESENTATION on the potential redesign of the City of Topeka flag and the process involved in creating a new design was presented by Leo Espinoza, Michaela Saunders and Gabriel O'Shea members of Momentum 2022.

BOARD APPOINTMENT recommending the reappointment of Thomas Woltkamp to the Board of Building and Fire Appeals for a term ending June 1, 2020, was presented.

Councilmember Jensen moved to approve the board appointment. The motion seconded by Councilmember Emerson carried unanimously. The Mayor does not vote. (8-0-0)

THE CONSENT AGENDA was presented as follows:

MINUTES of the special meeting of June 16, 2018, and regular meeting of June 19, 2018, was presented.

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

ORDINANCE NO. 20127 introduced by City Manager Brent Trout, amending the "District Map" referred to and made a part of the Zoning Ordinance by Section 18.50.050 of the Topeka

Municipal Code by providing for certain changes in zoning on property located at 336 SE 45th Street from “C-2” Commercial District to “M-1a” Limited Multi-Family District, was presented. (Z18/02)

Bill Fiander, Planning Director, reported approval would conform to zoning requirements enabling the owner to close on the sale of the property. He noted there was no opposition to the zoning changes expressed by neighboring residents and the Planning Commission has recommended approval.

Mayor De La Isla stated prior to proceeding with the vote, each member of the Governing Body who has engaged in ex parte communication with any individual either in favor of, or against, the matter being considered to indicate that even in light of having engaged in this communication they are able to fairly, objectively and impartially consider the measure based only upon the evidence provided on the record which includes the Planning Commission minutes, the Staff report and its attachments, the public comments made during the Planning Commission hearing and similar relevant information related to the matter. No ex parte communications were declared.

Councilmember Padilla moved to adopt the ordinance. The motion seconded by Councilmember Jensen carried unanimously. (9-0-0)

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

RESOLUTION NO. 9028 introduced by City Manager Brent Trout, approving the 2018 Neighborhood Event and Beautification Grant Program (Neighborhood Partnership Program) as recommended by the Neighborhood Partnership Program Grant Review Committee, was presented.

Sasha Haehn, Department of Neighborhood Relations Director, reported approval would confirm the allocation of \$1,200 in General Funds for the College Hill Neighborhood Association July 3rd and 4th event festivities.

Councilmember Ortiz moved to approve the resolution. The motion seconded by Councilmember Jensen carried unanimously. (9-0-0)

DISCUSSION of, and possible ACTION on, the 2019 Proposed City of Topeka Operating Budget was presented.

Nick Hawkins, Budget Manager, reported discussion would continue on the 2019 City Operating Budget with the intent to finalize decisions related to the proposed budget so the maximum taxes levied could be set on July 10, 2018, followed by final adoption of the budget on August 14, 2018.

Spencer Duncan, President of Topeka Performing Arts Center (TPAC) Board of Trustees, thanked the City for their support of TPAC. He reminded the Governing Body they are not requesting a funding increase only the reinstatement of funds that remain critical to TPAC operations.

Governing Body members expressed their support of TPAC; however, they remained concerned with utilizing the entire TPAC facility, increasing private fundraising efforts, improved customer service experience and marketing.

Councilmember Jensen moved to earmark the first \$50,000 of 2018 General Fund surplus to TPAC based on the performance measures set for TPAC. The motion was seconded by Councilmember Lesser.

Councilmember Clear spoke in opposition of earmarking funds solely for TPAC because she believes all organizations should be treated equally and given the same opportunities.

Councilmember Hiller spoke in support of earmarking the funds with the stipulation of TPAC meeting or exceeding formal performance-based goals or contingent on an approved contract.

Mayor De La Isla cautioned the Governing Body in earmarking funds based on parameters that have not yet been determined.

Brent Trout, City Manager, reported before allocating funds, staff would review the current contract as well as ensure TPAC was meeting performance guidelines as determined by the Governing Body.

Councilmember Jensen stated his intent to earmark funding was not to allocate or disperse funds without performance measures in place.

Lisa Robertson, City Attorney, raised a point of order. She stated the Governing Body must only discuss and consider the City's 2019 Operating Budget.

Councilmember Jensen withdrew his motion. The second concurred.

Councilmember Hiller spoke in support of additional funding for TPAC in the 2019 City Operating Budget if the funds would be contingent on contract parameters and/or performance-based goals.

Councilmember Clear asked staff to comment on why funding for TPAC was reduced.

Brent Trout reported staff reviewed where funding cuts could be made and reductions were made based on the ability to retain core functions of the City.

Councilmember Mays suggested the Governing Body determine a funding amount that could sustain TPAC before allocating additional funds.

Councilmember Padilla asked what core functions would be cut if funding for TPAC was reinstated.

Brent Trout stated he would review with staff and report back to the Governing Body.

Councilmember Clear questioned if the City's Grant Writer could help guide TPAC in securing grants.

Councilmember Ortiz moved to increase the TPAC budget by \$50,000. The motion was seconded by Councilmember Emerson.

Councilmember Jensen noted the City already provides financial support to TPAC in the amount of \$500,000. He questioned what fund the additional \$50,000 would be allocated from.

Councilmember Lesser commented on the economic impact TPAC could have on the community if the downtown area was revitalized as planned. He spoke in support of reinstating \$50,000 to the TPAC budget if performance measures are in place. He recommended a one-time use of reserve funds to support the additional funding for TPAC.

Brent Trout stated staff would review funding options including the use of reserve funds.

Councilmember Clear spoke in support of making sure performance measures serve as a stipulation of TPAC receiving additional funding.

Councilmember Ortiz stated funding could be approved at this time and performance measures could be outlined in a resolution approved by the Governing Body at a later date.

The motion to increase the TPAC budget by \$50,000 carried unanimously. (9-0-0)

Councilmember Ortiz moved to increase funding for the Topeka Way To Work (TWTW) Program in the amount of \$5,000. The motion was seconded by Councilmember Clear.

Councilmember Hiller spoke in support of the proposed 2019 program funding level which includes a reduction of \$5,000 and noted the full program funding amount has not been expended in the past. She expressed concern with the success of the program and suggested partnering with other local organizations to combine resources in the community.

Councilmember Emerson asked for assurance that only the funds necessary to run the TWTW Program would be spent if the Governing Body approves the full allocation of \$30,000.

Brent Trout stated only funds that are necessary for the program would be expended.

The motion to increase funding for the Topeka Way To Work (TWTW) Program in the amount of \$5,000 carried. Councilmembers Hiller and Clear voted “no.” (7-2-0)

Councilmember Clear requested staff research the possibility of Topeka Public Schools paying 100% of the cost for School Resource Officers (SRO) or hire their own officers for the next budget cycle.

Councilmember Ortiz questioned if the SROs were funded through grants and noted there may be funding stipulations to consider.

Councilmember Emerson noted approximately 80% of the City's operating budget consists of personnel costs and staff has requested an additional six positions in the proposed 2019 Operating Budget potentially adding \$600,000 in personnel costs. He expressed concern with small yearly personnel increases eventually consuming 100% of the City’s operating budget. He asked the City Manager to consider reducing the amount of positions being requested by staff.

Councilmember Ortiz asked if the City should be paying for City owned culverts located in City right-of-way. She suggested a 50/50 program similar to the 50/50 Sidewalk Program be created to assist homeowners.

Councilmember Jensen asked staff to consider all aspects of the budget in regards to the financial impact it has on public health and where it might make sense to contract services to outside sources.

Councilmember Lesser stated he would implore City Manager Trout to look at situations where the local private sector could be used specifically relating to health insurance costs and noted they need to look at all options as they move forward.

Councilmember Clear referenced Topeka Metropolitan Transit Authority (TMTA) and the need to increase their budget to support operations. She asked if their budget had to be funded through property taxes.

Brent Trout stated he believes property taxes serve as the best funding source to support TMTA. He reported staff has researched the issue and determined the matter could be handled through an amendment of the charter ordinance as opposed to holding a public vote.

Councilmember Hiller thanked the City Manager and staff for presenting a budget as requested by the Governing Body including funding for streets.

Councilmember Ortiz asked how much savings the City has realized since the Parks and Recreation Department consolidation with Shawnee County.

Doug Gerber, Deputy City Manager, stated the funds have allowed the City to absorb extra expenses over the past couple of years; however, he believes this funding resource has been exhausted. He noted he would research the amount and report back to the Governing Body.

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

Brenda Younger, City Clerk gave a brief overview of the July 10, 2018, Governing Body agenda.

Brent Trout, City Manager, announced the extension of the Citywide Half Cent Sales Tax would be presented for consideration by the Governing Body at the July 17, 2018, Governing

Body meeting. He stated the City would begin enforcing vendor requirements throughout the city and asked people to contact the City Clerk's office for more information.

Mayor De La Isla stated she has held discussions with residents near Ripley Park about the issues and needs of the area and they look forward to partnering with the City to resolve the challenges in their community. She stated she would not be attending the July 10, 2018, Governing Body meeting.

Councilmember Clear reminded people of the City's 50/50 Sidewalk Program and to contact the City's Engineering Division at 785-368-3842 for more information. She announced the 2018 Fiesta Mexicana would start July 7, 2018, with a parade and 5K event, and the Fiesta would be held July 10-14, 2018. She also announced the North Topeka Historic East neighborhood was looking for volunteers for National Night Out events on August 11, 2018. She noted anyone who was interested in volunteering could attend the Neighborhood Improvement Association meeting held every Monday at 6:00 p.m. at The Pad Restaurant.

Councilmember Ortiz stated she believes Ripley Park continues to be an underutilized area of the city and she hopes the area could become a thriving park for the neighborhood. She thanked City Street crews for resurfacing the Municipal Building and Shawnee County Courthouse parking area. She stated she hopes everyone will participate in the 2018 Fiesta Mexicana events occurring July 10-14, 2018.

Councilmember Emerson encouraged everyone to participate in the Spirit of Kansas event on July 4, 2018, at Lake Shawnee.

Councilmember Padilla reported he attended the National Association of Latino Elected and Appointed Officials (NALEO) conference in Phoenix, Arizona, July 20-23, 2018, and thanked the Topeka Police Department for the continued work they are doing in the Latino community.

He stated the Smart City concept was a wonderful plan to move Topeka into the future. He also announced the 2018 Fiesta Mexicana events during July 10-14, 201.

Councilmember Jensen announced the annual College Hill 4th of July Neighborhood Parade would be held on July 4, 2018.

Councilmember Lesser expressed his condolences to the Riley Pfannenstiel family.

Councilmember Hiller thanked Steven Massey for his work in the community and local theaters. She thanked Topeka Fire and Police Departments for their positive work in enforcing fireworks regulations. She announced the Potwin and Holiday Park neighborhoods have various 4th of July events planned.

Willard Steinkuehler and Myron Holter appeared to speak under public comment.

NO FURTHER BUSINESS appearing the meeting was adjourned at 8:04 p.m.

Brenda Younger
City Clerk