

Governing Body Minutes – February 5, 2019

CITY COUNCIL CHAMBERS, Topeka, Kansas, Tuesday, February 5, 2019. 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, Curtis Pitts, Chairman of Faith and Hard Works Ministry, gave the invocation.

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

A PRESENTATION on the Utilities Citizen Academy was given by Bob Sample, Utilities Director.

BOARD APPOINTMENT recommending the reappointment of Marie Carter to the City of Topeka Americans with Disabilities Act Advisory Council for an expired term ending February 21, 2021, was presented.

BOARD APPOINTMENT recommending the appointment of Kim Montoya to the Topeka Human Relations Commission to fill an unexpired term ending February 4, 2021, was presented.

BOARD APPOINTMENT recommending the reappointment of Christine Steinkuehler to the Topeka Landmarks Commission for a term ending December 31, 2021, was presented.

BOARD APPOINTMENT recommending the reappointment of Linda Shove-Morgan to the Topeka Tourism Business Improvement District Advisory Board for a term ending December 31, 2020, was presented.

BOARD APPOINTMENT recommending the reappointment of Stephanie Gassen to the Topeka Tourism Business Improvement District Advisory Board for a term ending December 31, 2020, was presented.

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

THE CONSENT AGENDA was presented as follows:

MINUTES of the regular meeting of January 15, 2019, were presented.

APPROVAL of the following Dance Hall License applications, were presented:

<u>Business Name</u>	<u>Address</u>
Kansas Expocentre	One Expocentre Drive
The Villa Event Venue	2941 SE Fremont Street

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

<u>Business Name</u>	<u>Address</u>
Studio 62	816 N Kansas Avenue
The Villa Event Venue	2941 SE Fremont Street

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

ORDINANCE NO. 20169 introduced by City Manager Brent Trout, authorizing the City of Topeka, Kansas, to issue its Revenue Bond (Sunflower Foundation Project), Series 2019, in the principal amount of \$10,000,000 for the purpose of financing the acquisition, construction, renovation, furnishing and equipping of a nonprofit health care educational and resource facilities in the City and; authorizing the execution of a trust indenture between the City and Security Bank of Kansas City, as trustee; authorizing the execution of a lease agreement between the City and Sunflower Foundation: Health Care for Kansans, a Kansas nonprofit corporation; and authorizing and approving certain additional documents and actions in connection with the issuance of said bond was presented.

Brent Trout, City Manager, reported the public hearing was held on January 15, 2019. He stated there would be no liability, general obligation or budgetary impact to the City and staff recommends approval of the bond issue as proposed.

Councilmember Lesser moved to adopt the ordinance. The motion seconded by Councilmember Coen carried unanimously. (10-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Hiller, Clear, Ortiz, Emerson, Padilla, Jensen, Mays, Coen, Lesser and Mayor De La Isla -10.

ORDINANCE NO. 20170 introduced by City Manager Brent Trout, adopting the 2018 Standard Traffic Ordinance (STO) and local amendments thereto, amending TMC 10.15.010 and TMC 10.15.020 was presented.

Brent Trout, City Manager, reported discussion was held at the January 8, 2019, Governing Body meeting and staff recommends approval.

Councilmember Hiller distributed a revised ordinance outlining the following amendments for consideration:

- Beginning on Line 24 insert the sentence, “The Standard Traffic Ordinance, as amended shall also be posted on the City’s website.”
- Insert the following two new sections after Section 2(g) Lines 60-65:
 - (h)Section 131(d) of the Standard Traffic Ordinance, relating to usable bicycle paths, is hereby declared to be and is omitted and deleted.
 - (i)Section 133(c) relating to bicycle pedals, is hereby amended by adding the following exception:
Exception: Subsection (c) shall not apply where the design of the pedal does not allow attachment of reflectors.

Councilmember Hiller moved to adopt the ordinance as amended. The motion seconded by Councilmember Padilla carried unanimously. (10-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Hiller, Clear, Ortiz, Emerson, Padilla, Jensen, Mays, Coen, Lesser and Mayor De La Isla -10.

ORDINANCE NO. 20171 introduced by City Manager Brent Trout, adopting the 2018 Uniform Public Offense Code (UPOC) and local amendments thereto, amending TMC 9.05.080 was presented.

Brent Trout, City Manager, reported the discussion was held at the January 8, 2019, Governing Body meeting and staff recommends approval.

Councilmember Hiller distributed a revised ordinance outlining the following amendment for consideration:

- Beginning on Line 24 insert the sentence, “The Uniform Public Offense Code, as amended, shall also be posted on the City’s website.”

Councilmember Hiller moved to adopt the ordinance as amended. The motion seconded by Councilmember Jensen carried unanimously. (10-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Hiller, Clear, Ortiz, Emerson, Padilla, Jensen, Mays, Coen, Lesser and Mayor De La Isla -10.

DISCUSSION for the purpose of reviewing the Capital Improvement Plan policy and the financial parameters of the Capital Improvement Plan for 2020-2029 was presented.

Brent Trout, City Manager, reported the discussion would be a review of City of Topeka Policy for the Capital Improvement Program as well as the current financial guidelines for the 2020-2029 Capital Improvement Plan (CIP).

Nick Hawkins, Interim Administrative and Financial Services Director, stated the Governing Body will review projects in detail at the CIP Special Meeting Workshop on February 9, 2019, and will have the opportunity for further input with anticipation of adopting the CIP in early April. He provided an overview of the purpose of a CIP and the benefits it provides; projects and policies; funding sources and a calendar of the proposed timeline regarding adoption of the CIP.

UPDATE on City Hall Renovation Project and DISCUSSION about future project budget amendment was presented.

Doug Gerber, Deputy City Manager, reported staff has developed an amended request to complete the base phase of the renovation project for City Hall. He referenced the memorandum provided to the Governing Body in the agenda packet providing detail responses to questions and feedback received since the November 13, 2018, Governing Body meeting.

Jason Peek, Public Works Director, reported the amendment request for the base phase of City Hall would not address needs of Municipal Court or the Council Chambers. He stated the design for the City Hall renovation reflects opportunities identified during the design process to improve City operations and maximize utilization of the building. These items include (1) Consolidating departments and divisions based on synergy and workflow; (2) Creating shared spaces for reception areas and conference rooms; (3) Ensure the building meets current building code requirements and fire safety needs; and (4) Improve security of building operations while maintaining a welcoming public building. He reported the additional cost to complete the base phase of City Hall would be \$4,739,226 and was due to the following items that were not anticipated in the original project causing an approximate increase of \$1,115,674 or 14% in construction costs since the project was submitted.

• Fire Service Line replacement	\$115,607
• I.T. Server Room Relocation	\$85,020
• Program Scope, ADA Analysis, Chiller Noise Study	\$136,340
• Chillers/Cooling Towers MEP	\$1,720,579
• Roof	\$177,606
• Masonry Repairs	\$262,460
• Asbestos Removal	\$50,000
• City Hall Elevator Rehabilitation	\$129,600
• Furniture, Fixtures and Equipment	\$743,561
• Design work for additional MEP and Elevator	\$202,779

Discussion continued on the estimated tax credit for eligible project expenses and varying construction costs based on many factors.

Brent Trout, City Manager, stated the focus has been on the opportunity to move departments closer together to increase communications and efficiencies and bring the building into compliance. He expressed the importance of moving forward with the base phase and working towards implementation of Phases 2 and 3 at a later date.

Councilmember Ortiz requested that all additional information and questions that have been sent to staff be distributed to the entire Governing Body. She questioned what other City facilities are in need of renovation; if all the space in City Hall was being utilized; and what was the purpose or intent of the proposed “community area” as outlined in the design plan.

Councilmember Clear questioned if any significant investments have been made to improve City Hall.

Councilmember Lesser questioned how much has been spent on asbestos removal to date; if the inclusion of costs for furniture, fixtures and equipment was a revision in the project budget or a change in project direction; and how was the 14% increase of construction costs determined.

Jason Peek stated building space would be addressed in Phase 2 of the project in regards to fully utilizing space more efficiently; building improvements have been unsystematic over the years making this project one of the largest to date; and the 14% increase was based on cost estimates.

Doug Gerber reported it has been past practice not to include furniture replacement in City Hall projects. He stated the proposed cost does not include replacement of all furniture in City Hall as some offices have newer furniture and fixtures that could be used.

Councilmember Hiller stated the proposed project budget would increase the base phase to approximately \$12 million and Phases 2 and 3 would cost an additional \$10 million. She expressed concern with the entire scope of the project and how it will exceed the \$9 million bond cap. She questioned the need to prioritize the many needs throughout City facilities, and if the proposed security design would be considered a good fit for the building.

Jason Peek reported the next two phases would have to be approved by the Governing Body to be included in the CIP and noted delaying any or all phases of the project would make it more expensive in the long term. He stated he believes the proposed security plan was a good fit for City Hall and noted it was the same security concept used in city halls in other cities.

Councilmember Emerson thanked staff for the presentation and expressed appreciation for the work on the project. He stated that he continues to question the need for renovations that would fall outside the scope of the base phase, such as those outlined in Phases 2 and 3. He asked if the City has any spaces available that could be leased to other agencies or organizations that would help pay for project costs.

Mayor De La Isla reported the vacant spaces within City Hall are due to departments relocating in anticipation of construction renovations.

Doug Gerber reported the City leases space at the Kansas Armory; however, staff would have to research if there are other spaces being leased by the City. He noted staff has envisioned what departments could work cohesively such as Municipal Court and Probation as well as Human Resources, Financial Services and Contracts & Procurement and tried to determine the design accordingly.

Councilmember Jensen questioned if Fire Administration offices could relocate to City Hall and the City sell the Fire Administration building.

Mayor De La Isla expressed the importance of the City implementing a plan to maintain current assets (facilities) and consider sensible financing options in the same manner as the City's pavement management program.

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

Brenda Younger, City Clerk, gave a brief overview of the February 12, 2019, Governing Body agenda.

Brent Trout, City Manager, announced Jessica Lamendola has accepted the position as the City's Administrative and Financial Services Director.

Mayor De La Isla encouraged everyone to participate in the celebration of Black History Month during February. She gave a report from the Bloomberg Harvard Leadership Initiative which continues to work on a report regarding value proposition for citizens and understanding inclusive prosperity and equal opportunity. She commented on the Grand Opening of the Cyrus Hotel and all the new businesses that have recently opened in the downtown area. She noted there have been many discussions regarding the development of a City Youth Commission in collaboration with the Greater Topeka Partnership and many other local organizations for funds and resources to get young people engaged in the community. She also encouraged the community to show acts of kindness towards others in the community.

Councilmember Padilla reported the Bloomberg Harvard Leadership Initiative was a great experience and stated it was rewarding to see how other cities are looking to Topeka for guidance. He expressed the importance of commitment to implementation, and stated active participation, communication and relationship building are extremely important in connecting a community to improve quality of life and help citizens understand economic development.

Councilmember Hiller commented on the Manhattan/Emporia/Topeka/Lawrence (METAL) luncheon she attended which was a combination of chamber of commerce representatives from surrounding cities. She congratulated the Cyrus Hotel on its Grand Opening, and stated it was an amazing addition to the downtown area. She commended the Ward-Meade Neighborhood Improvement Association for taking a stance on the Sumner School issue and continuing to look for ways to improve the historic property. She announced the Faith Temple Church of God in Christ and Community First Bank has purchased the Colored Women's Club and will hold a grand opening on February 21, 2019. She reported the Tennessee Town Neighborhood Association announced at their meeting that SORT funding would help build four to five new infill homes along the 1100 block of SW Lane Street as well as the 700 block of SW Fillmore.

Councilmember Clear commended the Cyrus Hotel on its Grand Opening.

Councilmember Ortiz commended the Cyrus Hotel on its Grand Opening and noted great things are happening in Topeka.

Councilmember Emerson reported the SE 29th Street Improvement Project has begun and announced The Dock, the Shack Bar & Grill and The Vinewood are still open for business. He thanked Fire Station No. 9 for relocating engine service to Fire Station No. 2 during the project for faster response time and expressed appreciation to City staff for their work on the project.

Councilmember Padilla asked for a moment of silence to honor all veterans past and present.

Councilmember Jensen commented on the Cyrus Hotel Grand Opening and stated it was a great event.

Councilmember Mays commented on the Cyrus Hotel Grand Opening event and stated it was a great event. He thanked Public Works employees for their work during the recent snow and ice event. He reminded citizens to utilize the SeeClickFix app to report potholes.

Willard Steinkuehler and Spencer Duncan appeared to speak under public comment.

NO FURTHER BUSINESS appearing the meeting was adjourned at 8:02 p.m.

(SEAL)

Brenda Younger
City Clerk