

Governing Body Minutes – May 4, 2021

CITY COUNCIL CHAMBERS, Topeka, Kansas, Tuesday, May 4, 2021. The Governing Body members of the City of Topeka met in regular session at 6:00 P.M., with the following Councilmembers present: Councilmembers Valdivia-Alcala, Dobler and Lesser - 3; and the following Councilmembers participating remotely: Hiller, Emerson, Ortiz and Naeger - 4. Deputy Mayor Padilla presided - 1. Absent: Mayor De La Isla and Councilmember Duncan - 2.

Public comment for the meeting was available via Zoom or in-person. COVID-19 pandemic public safety mandates allowed for 15 people inside the Council Chambers to observe the meeting at one time. Individuals were required to contact the City Clerk's Office at 785-368-3940 or via email at cclerk@topeka.org by no later than 5:00 p.m. on May 4, 2021, after which the City Clerk's Office provided the Zoom link information and protocols prior to the meeting start time. Written public comment was also considered to the extent it was personally submitted at the meeting or to the City Clerk's Office located at 215 SE 7th Street, Room 166, Topeka, Kansas, 66603 or via email at cclerk@topeka.org on or before May 4, 2021, for attachment to the meeting minutes.

AFTER THE MEETING was called to order, Reverend Richard Rounds, Love Abiding Church, provided the invocation.

THE PLEDGE OF ALLEGIANCE was recited by meeting participants.

CONSENT AGENDA was presented as follows:

RESOLUTION NO. 9216 introduced by Councilmember Christina Valdivia-Alcala granting Joe Weir an exception to the provisions of City of Topeka Code Section 9.45.150, et seq., concerning noise prohibitions, was presented. (*Council District No. 2*)

ORDINANCE NO. 20293 introduced by City Manager Brent Trout, allowing and approving City expenditures for the period February 27, 2021 through March 26, 2021, and enumerating said expenditures therein, was presented.

MINUTES of the regular meeting of April 20, 2021, was presented.

Councilmember Dobler moved to approve the consent agenda. The motion seconded by Councilmember Lesser carried unanimously on roll call vote. (8-0-0)

RESOLUTION NO. 9217 introduced by City Manager Brent Trout, temporarily suspending certain Governing Body Rules and Procedures in response to the COVID-19 pandemic until June 2, 2021, was presented.

Brent Trout, City Manager, reported since March 2020, the Governing Body has suspended some of its rules to facilitate virtual meetings due to the COVID-19 pandemic. He stated the City Clerk provides the Zoom meeting link to members of the public desiring to address the Governing Body.

Councilmember Ortiz requested to extend the date until July 7, 2021, to allow time for those that wish to attend the Governing Body meetings in person to receive the COVID-19 vaccine.

Councilmember Ortiz moved to amend the resolution by changing the date from June 2, 2021 to July 7, 2021. The motion was seconded by Councilmember Emerson.

Councilmember Emerson spoke in support of extending the date to July 7, 2021.

Councilmember Lesser spoke in support of extending the date to July 7, 2021. He referenced virtual meetings in general, and asked Governing Body to provide their thoughts on having an option to attend Governing Body meetings virtually on a permanent basis, which

would allow for a more productive meeting for those who may be out of town and not able to attend the meeting.

Councilmember Valdivia-Alcala stated she believes she would use Zoom sparingly if needed and supports the capability to do so; however, there continues to be a need for audio system enhancements in the Council Chambers.

Councilmember Dobler stated he agrees with allowing virtual Governing Body meetings to continue in the future on an as needed basis.

Councilmember Naeger spoke in support of extending the suspension of the Governing Body rules until July 7, 2021, as well as Staff looking at options to allow the Governing Body to attend meetings virtually, if needed.

Deputy Mayor Padilla stated he supports the July 7, 2021 extension date and would like a discussion placed on the agenda to allow attendance of the meetings virtually. He requested Staff address the audio issues in the Council Chambers.

Brent Trout reported the proposed virtual meeting process would be discussed at the May 7, 2021, Policy and Finance Committee meeting allowing a Governing Body member to attend up to three meetings virtually a year, with a similar policy being proposed for Committee meetings. He noted the upcoming Council Chamber renovations include upgrading the sound system.

Councilmember Hiller reported there have been issues with the video system that need to be addressed.

Councilmember Valdivia-Alcala requested the council district be listed on the television screen for each Governing Body member attending virtually; and an iPad be available for the

Mayor to use in the Council Chambers so they can clearly see all of those attending the meeting virtually.

The motion to amend the resolution by changing the date from June 2, 2021 to July 7, 2021 carried unanimously on roll call vote. (8-0-0)

Councilmember Ortiz moved to approve the resolution as amended. The motion seconded by Councilmember Emerson carried unanimously on roll call vote. (8-0-0)

ORDINANCE NO. 20294 introduced by introduced by Brent Trout, City Manager, pertaining to an amendment to the text and map of the Topeka Comprehensive Plan for the Downtown Topeka Master Plan, was presented. *(CPA 21/02)*

Brent Trout, City Manager, reported the ordinance was presented at the April 20, 2021, Governing Body meeting and Staff can provide answers to questions if requested.

Rhiannon Friedman, Downtown Topeka, Inc. President thanked Governing Body members for their support. She thanked City Staff members for their hard work in creating an exceptional Downtown Topeka Master Plan.

Councilmember Lesser moved to adopt the ordinance. The motion seconded by Councilmember Dobler carried unanimously.

The ordinance was adopted on roll call vote as follows: Ayes: Hiller, Valdivia-Alcala, Ortiz, Emerson, Padilla, Naeger, Dobler and Lesser -8.

PUBLIC COMMENT was submitted via electronic mail by Joseph Ledbetter.
(Attachment A)

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

Brent Trout announced 87 homebound citizens have received the COVID-19 vaccinations from the Topeka Fire Department to date. He also announced the Kansas River Weir Project ribbon cutting ceremony on May 7, 2021, at 2:00 p.m. He stated the Topeka Way to Work Program has changed to include high school sophomores, juniors and seniors in school year 2021-2022, and includes the “Launch Yourself Program” which helps build interpersonal skills and etiquette as well as “Adulting 101”. He stated applications for this program are due by May 28, 2021, and are available at www.topeka.org. He reported the following as it relates to the CIP information requested by the Governing Body:

- Chief of Staff Cochran sent a document to the Governing Body that shows some of the progress made related to project closeouts.
- There was quite a bit of work done in January and February that were not included in the report received at the end of the fourth quarter.
- Since the last Governing Body meeting, Staff has continued to prepare a report for the projects that have closed out.
- Staff will identify projects that are not complete that still have funding tied to them so there may be opportunities based on funding available. Staff will provide recommendations how to proceed with those projects.
- An updated timeline for the Capital Improvement Project (CIP) approval process includes discussion on May 11 and May 18, 2021, and approval on June 1, 2021.
- In the future, Staff will separate the quarterly reports by type of funding and the projects.
- As of April 30, 2021, there were 87 projects completed with an additional 52 utility projects scheduled to be completed by the end of May 2021.

Councilmember Hiller stated she appreciates the reports and the research in the open CIP projects. She encouraged everyone to attend the Kansas Weir ribbon cutting ceremony on May 7, 2021. She announced the Great Overland Station located 701 N. Kansas Avenue will have a rededication event on May 8, 2021 at 4:00 p.m.

Councilmember Valdivia-Alcala thanked those who volunteered and assisted with the Oakland community garden. She referenced the Public Infrastructure Committee meeting held April 29, 2021, and expressed concern with the change in approval process for the 50/50

Sidewalk Program now called the Sidewalk Repair Program. She stated she was under the impression decisions made at the committee level are ultimately brought back to the Governing Body for a final vote; however, this was not the case. She stated the change to the sidewalk program will have an effect on low to moderate-income citizens, and she finds it troubling these type of decisions do not come before the Governing Body for final decision.

Councilmember Naeger announced National Nurses Week is May 6-12, 2021, and thanked all nurses for their service.

Councilmember Dobler referenced anticipated 2020 surplus funds. He asked Staff to provide the Governing Body with a proposal on how to spend those funds and noted the funds could address major facility needs. He referenced Kansas Senate Bill 13 and requested a discussion be placed on the May 18, 2021, agenda regarding the rules and what the Governing Body could expect.

NO FURTHER BUSINESS appearing the meeting adjourned at 6:49 p.m.

(SEAL)

Brenda Younger
City Clerk

Attachment A

Kelly L. Bogner

From: Joseph Ledbetter <joe@josephledbetter.com>
Sent: Tuesday, May 04, 2021 4:28 PM
To: City Clerk; City Council; Neil Dobler; Tony Emerson; Michael Lesser; Michelle De La Isla
Subject: Public Comment

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I will send something later, I have other commitments tonight. I am still very concerned about what appears to be lack of oversight of contracts \$50,000 and more by the Council that the Manager signs, and the huge part of our budget Utilities Dept. that the Council seems to have limited oversight on-especially large projects and contracts.

I will talk further about what I am finding.

Thank you,

Joseph Ledbetter, JD, MPA