

## **Governing Body Minutes – May 18, 2021**

CITY COUNCIL CHAMBERS, Topeka, Kansas, Tuesday, May 18, 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 Hiller, Emerson, Padilla, Dobler, Duncan and Lesser - 6; and the following Councilmembers participating remotely: Councilmembers Ortiz, Valdivia-Alcala and Naeger - 3. Mayor De La Isla presided - 1.

Public comment for the meeting was available via Zoom or in-person. Individuals were required to contact the City Clerk's Office at 785-368-3940 or via email at [cclerk@topeka.org](mailto:cclerk@topeka.org) by no later than 5:00 p.m. on May 18, 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](mailto:cclerk@topeka.org) on or before May 18, 2021, for attachment to the meeting minutes.

AFTER THE MEETING was called to order, Greg McGivern, City of Topeka Housing Quality Standards Inspector, provided the invocation.

THE PLEDGE OF ALLEGIANCE was recited by meeting participants.

ADVISORY COUNCIL APPOINTMENT of Steve Schoenberg to the City of Topeka Americans with Disabilities Act (ADA) Advisory Council for a term ending May 31, 2023, was presented. (*Council District No. 7*)

BOARD APPOINTMENT recommending the reappointment of Doria Watson to the Civil Service Commission to fill an unexpired term ending April 30, 2025, was presented. (*Council District No. 4*)

Councilmember Dobler moved to approve the appointments. The motion seconded by Councilmember Emerson carried unanimously on roll call vote. Mayor does not vote. (9-0-0)

CONSENT AGENDA was presented as follows:

RESOLUTION NO. 9218 introduced by Councilmember Karen Hiller, approving a special event known as Tap That Topeka, was presented. (*Council District No. 1*)

RESOLUTION NO. 9219 introduced by Councilmember Karen Hiller, approving a special event known as the Second Saturday Summer Concert Series, was presented. (*Council District No. 1*)

RESOLUTION NO. 9220 introduced by Councilmember Karen Hiller granting Greater Topeka Partnership, an exception to the provisions of City of Topeka Code Section 9.45.150, et seq., concerning noise prohibitions, was presented. (*Council District No 1*)

RESOLUTION NO. 9221 introduced by Councilmember Christina Valdivia-Alcala granting Kaw Valley Bank 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*)

RESOLUTION NO. 9222 introduced by Councilmember Karen Hiller granting The Celtic Fox an exception to the provisions of City of Topeka Code Section 9.45.150, et seq., concerning noise prohibitions, was presented. (*Council District No. 1*)

RESOLUTION NO. 9223 introduced by Councilmember Sylvia Ortiz, granting Yvonne Duncan an exception to the provisions of City of Topeka Code Section 9.45.150, et seq., concerning noise prohibitions, was presented. (*Council District No. 3*)

APPROVAL of the following Cereal Malt Beverage license applications were presented:

**Business Name**

Abraham SN  
Aldi #9  
Aldi #54

**Address**

1107 SW 6<sup>th</sup> Ave  
2320 NW Clay St  
1530 SW Arvonla Pl

<u>Business Name (Continued)</u>	<u>Address</u>
Aldi #83	105 SW 29 <sup>th</sup> St
Buy & Ride #7	810 SE 15 <sup>th</sup> St
Casey's #2261	600 SE Rice Rd
Casey's #2312	4441 SE California Ave
Casey's #3580	6741 SW 21 <sup>st</sup> St
CVS #8605	2835 SW Wanamaker Rd
CVS #10244	3901 SW 21 <sup>st</sup> St
Dillons #47	2815 SW 29 <sup>th</sup> St
Dillons #54	800 NW 25 <sup>th</sup> St
Dillons #67	2010 SE 29 <sup>th</sup> St
Dillons #87	5311 SW 22 <sup>nd</sup> Pl
Dillons #88	4015 SW 10 <sup>th</sup> Ave
Hy-Vee	2951 SW Wanamaker Rd
Hy-Vee Gas	6011 SW 29 <sup>th</sup> St
Larry's Shortstop	3834 SW Topeka Blvd
Love's Travel Stops	1811 NW Brickyard Rd
Murphy Express #8599	1531 SW Wanamaker Rd
Sam's Club #8176	1401 SW Wanamaker Rd
Walmart #1802	1501 SW Wanamaker Rd
Walmart #2131	1301 SW 37 <sup>th</sup> St
Walmart #5441	2600 NW Rochester Rd
Walmart #6392	2630 SE California Ave
Walmart #6585	335 SW MacVicar Ave
Wood Oil #7	101 NE US 24 Hwy

MINUTES of the regular meeting of May 11, 2021, was presented.

Councilmember Padilla moved to approve the consent agenda. The motion seconded by Councilmember Emerson carried unanimously on roll call vote. (10-0-0)

ORDINANCE NO. 29297 introduced by City Manager Brent Trout 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 115 SW 12th Street and 1222 SW Jackson Street from "M-3" Multiple Family Dwelling District TO "D-1" Downtown District, was presented. (Z21/04) (Council District No. 1)

Bill Fiander, Planning and Development Director, reported the request would allow development of a limited production and assembly facility defined as "artisan manufacturing" in

the zoning code. He stated the owner operates a similar business on the east side of the alley currently under construction and the proposed development would expand that operation. Additionally, the Downtown Master Plan recommends D-1 zoning for this part of the Tower District and the proposed “D-1” zoning will support development in a form appropriate to the surrounding context. He reported the applicant conducted a neighborhood information meeting on March 25, 2021, where the applicant and Staff responded to questions related to on-street and off-street parking as well as employee parking. He stated the Planning Commission and the Planning and Development Department recommend 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, must state that the communication occurred and indicate that even in light of having engaged in the communication they were able to fairly, objectively, and impartially consider the measure based only upon the evidence provided on the record. The record 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.

Ex parte communication was declared by Councilmember Ortiz.

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

The ordinance was adopted on roll call vote as follows: Ayes: Hiller, Valdivia-Alcala, Ortiz, Emerson, Padilla, Naeger, Dobler, Duncan, Lesser and Mayor De La Isla -10.

ORDINANCE NO. 20298 introduced by City Manager Brent Trout amending the “District Map” referred to and made a part of the Zoning Ordinances by Section 18.50.050 of the

Topeka Municipal Code on property located approximately 150 feet west of the intersection of SE 45th Street and SE California Avenue, on the south side of 45th Street, from Planned Unit Development “PUD” (C-4 Commercial Uses) to “PUD/M-1” Two-family Residential uses on approximately 5.5 acres and “C-2” Commercial uses on approximately 1.8 acres, was presented. *(PUD 21/01) (Council District No. 4)*

Bill Fiander, Planning and Development Director, reported the request would allow 20 lots for duplexes and one-lot for unspecified commercial uses. He stated the PUD master plan allows lots smaller than the minimum lot size required under M-1 zoning, but includes requirements for building design, driveways, fencing and landscaping, and is consistent with Topeka’s Land Use and Growth Management Plan 2040. He reported the applicant conducted a virtual Neighborhood Information Meeting on Wednesday, February 24, 2021, resulting in a recommendation for fencing along the south and west perimeter of the site. He stated the Topeka Planning Commission and the Planning and Development Department recommend 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, must state that the communication occurred and indicate that even in light of having engaged in the communication they were able to fairly, objectively, and impartially consider the measure based only upon the evidence provided on the record. The record 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.

Ex parte communication was declared by Councilmember Emerson.

Councilmember Emerson stated he would abstain from voting to avoid a potential conflict of interest.

Councilmember Dobler moved to adopt the ordinance. The motion seconded by Councilmember Hiller carried on roll call vote. (9-0-1)

The ordinance was adopted on roll call vote as follows: Ayes: Hiller, Valdivia-Alcala, Ortiz, Padilla, Naeger, Dobler, Duncan, Lesser and Mayor De La Isla -9. Councilmember Emerson abstained from voting. -1

ACCEPTANCE of Land Dedications in the Final Plat for Windward Estates Subdivision, which is located approximately 150 feet west and south of the southwest corner of SE 45<sup>th</sup> Street and SE California Avenue, was presented.

Bill Fiander, Planning and Development Director, reported the plat was associated with the previous zoning ordinance requesting a zoning change to PUD/M-1 Two-Family Residential and C-2 Commercial at the southwest corner of SE 45<sup>th</sup> Street and SE California Avenue. He stated the applicant conducted a neighborhood information meeting for the proposed subdivision and the associated PUD zoning on February 24, 2021. He noted the Planning Commission approved the plat on April 19, 2021, and the Governing Body must take action to accept the dedications of land for public purposes identified in the plat before recorded with Shawnee County Register of Deeds.

Councilmember Padilla moved to accept the dedications of land on the final plat for Windward Estates Subdivision. The motion seconded by Councilmember Ortiz carried on roll call vote. Councilmember Emerson abstained from voting. (9-0-1)

RESOLUTION NO. 9224 introduced by City Manager Brent Trout, authorizing the use of excess funds from the General Fund balance, was presented.

Brent Trout, City Manager, reported the Governing Body discussed the potential uses of the fiscal year 2020 surplus usage on May 11, 2021, and Staff recommends approval of the proposal with a total allocation of \$2,636,292. The proposed list is below:

<b>Project Name</b>	<b>Allocation Amount</b>
<b>Integrated Document Management System</b>	\$300,000
<b>Housing Trust Fund (HTF)</b>	\$250,000
<b>Natural Gas Winter Relief</b>	\$250,000
<b>2021 Axon Body Worn Cameras</b>	\$245,545
<b>2022 Axon Body Worn Cameras</b>	\$205,545
<b>2021 Traffic Signal Replacement Program</b>	\$885,000
<b>Fleet Replacement Program Transportation Operations</b>	\$387,469
<b>Tyler Street Right-of-Way</b>	\$100,000
<b>Shunga Trail SW 19th</b>	\$12,733

Councilmember Hiller expressed concern with approving the resolution at this time. She stated she believes it was premature as there continues to be significant updates from Staff as well as the overall CIP would not be approved until June 1, 2021. She made the following comments:

- She referenced the proposed budgeting of the HTF as a new expense and if efforts of private fund raising were advancing. She noted the City has committed \$200,000 per year for 5 years, with the intent for others to fundraise \$800,000 in match funds. She stated initially the City planned to commit \$318,000 to the HTF the first year; however, she has been informed only \$241,000 of the \$318,000 will be presented to the Governing Body for approval in the near future. She reported the proposed \$250,000 along with the \$241,000 would provide for almost \$500,000 in funding commitments to the HTF from the City.
- She stated a constituent recommended the City offer the funds as matching dollars instead of as seed money.
- She asked Staff to confirm if the proposed cash funded projects have already been budgeted and approved and only need a funding source.
- She expressed her appreciation to Staff for not including the Traffic Signal Replacement Program in the list of bonded projects and noted it was an annual maintenance program.

Councilmember Dobler asked what happens to the initial cash funds that have already been budgeted for projects on the list.

Jessica Lamendola, Administrative and Financial Services Director, reported the following on the proposed list of projects:

- The Integrated Document Management System is included in the Capital Project Plan as a cash funded project and if a cash source was not identified the project would not move forward.
- As mentioned, the Housing Trust Fund has a zero balance until funds are approved and allocated; and the Natural Gas Winter Relief expense was in excess of the budget.
- The two Axon Body Worn Camera Projects are unbudgeted items and TPD is trying to avoid having to make reductions to accommodate the expense. She reported after 2022, they would need to identify funds to pay for the on-going expense in the out years.

Councilmember Ortiz spoke in support of the Housing Trust Fund and the importance of all citizens of Topeka understanding that the housing issue is not a “City” problem it is a community problem. She announced she has been working with Topeka Public Schools to organize a local fundraiser to assist with the cause and would be presenting a resolution of support in the near future. She reported the Housing Study suggested approximately \$1 million would be needed to begin implementing recommendations and make a difference; however, they have to start somewhere. She commented on the \$600 donated by Governing Body members and citizens and encouraged all citizens to “buy in” by investing and growing the Fund.

Councilmember Duncan expressed his frustration with stalling the allocation of funds to the Housing Trust Fund. He stated if the Governing Body makes the commitment over the next few years to allocate funds it will help secure private fund raising in the long-term.

Mayor De La Isla spoke in support of the Housing Trust Fund. She stated the Housing Trust Fund was an excellent match fund to secure private funds and show private donors the City of Topeka is serious about changing the housing stock in the community.



Councilmember Dobler questioned if the \$250,000 allocated to the Housing Trust Fund will be used as matching funds or would the funds be available for any use.

Brent Trout stated funds would support affordable housing efforts.

Councilmember Dobler stated he would support the allocation of funds to the Housing Trust Fund if a provision was included requiring every dollar expended from the fund to be matched by the private sector.

Councilmember Valdivia-Alcala stated she concurs with Councilmember Dobler and would support the allocation of funds to the Housing Trust Fund if there were a matching component included. She expressed the importance of moving forward with the allocation of funds or it will just be another study not implemented. She referenced other important aspects of the Housing Study that are as relevant as the funding piece including the cost of living wage as well as disparities and inequities caused by redline housing practices.

Councilmember Naeger stated she concurs with the desire to move forward with allocating funds to the Housing Trust Fund at this time. She reported the COVID-19 pandemic has made disparities even more apparent, and across the housing spectrum, a severe shortage remains.

Councilmember Lesser stated that he concurs with statements made by Councilmember Naeger. He spoke in support of allocating \$250,000 as matching funds to the Housing Trust Fund. He challenged all organizations that continue to ask the City for assistance to invest in the community through matching funds by helping to improve the housing situation locally.

Councilmember Lesser moved to approve the resolution. The motion was seconded by Councilmember Dobler.

Councilmember Emerson spoke in support of allocating \$250,000 to the Housing Trust Fund if a matching fund provision was included. He questioned if the provision should be included in the resolution language or if it would be a directive to Staff.

Brent Trout reported a motion providing guidance to use the money set aside in Housing Trust Fund as matching dollars would clearly define the intent and/or directive of the Governing Body.

Lisa Robertson, City Attorney concurred with City Manager Trout.

Mayor De La Isla suggested they rescind the motion to approve the resolution in order to include the provision that the \$250,000 allocated to the Housing Trust Fund would be match dollars.

Councilmember Duncan asked for clarification on if the \$250,000 they are designating housing trust funds as matching dollars with the intent to discuss future funds later; or are they now making the decision that any dollar allocated to the Housing Trust Fund has to be matched before it could be expended.

Councilmember Dobler spoke in support of implementing the process one-step at a time, because what makes sense now may not in the future and including a provision for the \$250,000 approved at this time seems to be a good start.

Mayor De La Isla asked Councilmember Lesser if his suggestion to allocate \$250,000 as matching funds to the Housing Trust Fund was in the form of an official motion.

Councilmember Lesser agreed to present his statement as an official motion for consideration. The second concurred.

Mayor De La Isla stated the motion for the record as follows:

“Approve the recommendations made by the City Manager with the expectation that the first \$250,000 to be allocated to the Housing Trust Fund be utilized only as match funds and any additional funds will be evaluated at a later date.”

Councilmember Emerson asked if the word “expectation” would have the same meaning as the word “shall”.

Lisa Robertson stated if the motion clearly indicates that the \$250,000 allocated to the Housing Trust Fund is to be match funds then Staff would follow that directive.

Councilmember Hiller sought clarification on the use of housing trust funds and noted the funds are likely going to match dollars for grants. She stated she believes there are two levels of match funding to consider (1) funds expended only if there are matching private funds already deposited in the Housing Trust Fund or (2) only use the funds as match money for donations.

Lisa Robertson stated the record could clearly reflect that the Funds are match money; however, she questioned if the Governing Body anticipates that the entire \$250,000 be matched with private dollars before it could be expended or would it be a dollar-to-dollar (public/private) ratio.

Mayor De La Isla requested Staff provide the Governing Body with a document summary based on their discussion outlining the process and recommendations of how they will expend the \$250,000 as well as how they will expend the \$241,000 for a subsequent discussion.

Brent Trout reported Staff would provide a summary document as requested.

The motion to approve using fiscal year 2020 surplus funds to finance the list of projects set forth in the resolution, with the directive that the first \$250,000 allocated to the Housing Trust Fund be utilized only as match funds and any additional funds will be evaluated at a later date carried unanimously on roll call vote (10-0-0)

DISCUSSION regarding the repeal of certain City of Topeka business licenses and regulations, was presented.

Brent Trout, City Manager, reported the review concluded with a variety of recommendations to be considered by the Governing Body.

Lisa Robertson, City Attorney, reported on April 6, 2021, the City Council repealed Chapter 5.20 of the Topeka Municipal Code entitled “All-Night Retailers” and Section 5.10.220 of the Topeka Municipal Code, entitled “Retail Business from Midnight to 6:00 a.m.” She stated during the discussion the Governing Body requested that Staff review any other chapters and/or sections of Title 5 (related to Business Licenses) that contained outdated, unclear language that should be repealed. She highlighted the stats and history of each of the following business licenses recommended for repeal:

- Repeal the following sections from Chapter 5.10 of the Topeka Municipal Code:
  - a) 5.10.050 Amusement Parks and Resorts
  - b) 5.10.080 Bathhouse and Massage Salons
  - c) 5.10.090 Bill Poster
  - d) 5.10.110 Class B License for Technical Activities
  - e) 5.10.130 Funeral Escort Services
  - f) 5.10.140 House Movers
  - g) 5.10.150 Laundering, Cleaners, Dry Cleaners, Towel Supply
  - h) 5.10.210 Public Dances (Dances and Dance Halls)
  - i) 5.10.290 Professional Boxing or Wrestling Matches
  
- Repeal the following chapters of the Topeka Municipal Code:
  - a) 5.40 Bathhouse and Massage Salon
  - b) 5.45 Billiard Hall, Pool Rooms, Bowling Alleys and Skating Rinks
  - c) 5.60 Circuses, Menageries and Shows
  - d) 5.65 Public Dances (Dances and Dancehalls)
  - e) 5.70 Funeral Escort Service
  - f) 5.80 Haunted Houses
  - g) 5.105 Paintball
  - h) 5.120 Photographers

- i) 5.130 Professional Boxing or Wrestling Matches
- j) 5.145 Septic Tank Cleaners
- Amend the following sections of the Topeka Municipal Code:
  - a) 5.140.050 Reference to auctioneers included in this section
  - b) 5.140.060 Reference to auctioneer license fee included in this section
- Add the following section to the Topeka Municipal Code:
  - a) 9.15.285 Responsibility for Unlawful Conduct

Councilmember Duncan questioned if there were other laws in place to regulate Funeral Escort Services including insurance requirements.

Lisa Robertson reported Title 9 related to Public Peace, Morals and Welfare references traffic functions and how law enforcement can assist with a funeral procession; however, the language does not address insurance requirements.

Brian Wheelles, Interim Topeka Police Chief, stated if police officers witness a traffic violation by a funeral escort service they would issue a citation at which time they would request driver insurance information.

Councilmember Hiller questioned why the City implemented the licenses initially and if Staff had the historical information to help them understand. She referenced the Circuses, Menageries and Shows license and if there were other City ordinances that address animals in captivity.

Councilmember Duncan stated repealing some of the outdated regulations would not change the effectiveness of other City ordinances and State laws that are in place to regulate the activity.

Councilmember Naeger commended Staff for their research and providing insight on the processes.

Councilmember Duncan questioned if the language being added in Chapter 9.15.285 (Responsibility for unlawful Conduct) encompasses the changes made to the statutory liquor law as in relates to Cereal Malt Beverages.

Councilmember Hiller asked if the Uniform Public Offense Code (UPOC) covers unlawful conduct that occurs anywhere and allows police officers to remove individuals from an establishment. She referenced firework stand inspections and asked if haunted houses have inspection regulations in place.

Interim Police Chief Wheelles stated the Uniform Public Offense Code (UPOC) provides the authorization for police officers to deal with disorderly conduct of individuals and the proposed language addition to TMC Chapter 9 would provide police officers the authority to remove and/or force individuals to vacate the property.

Craig Duke, Topeka Fire Chief, reported the Fire Department has the authority to inspect haunted houses.

Councilmember Emerson questioned the need for Auctioneer licenses.

Lisa Robertson reported due to the higher number of licenses issued over the past five years Staff decided to keep the regulation of Auctioneer licenses in place.

Councilmember Lesser stated he understands the need for license requirements of electricians, plumbers, excavators and other types of trade contractors but does not see a need to regulate auctioneers. He stated the photography business has changed dramatically over the last twenty years and he believes there is a need to regulate photographers in order to build in protection for those utilizing the services.

Lisa Robertson reported from an accountability aspect, if a licensee violates City code, the business license could be revoked.

Councilmember Hiller expressed the importance of having a full understanding of licenses that require certain qualifications versus simply registering a business.

DISCUSSION on the 2022-2031 Capital Improvement Plan and the 2022-2024 Capital Improvement Budget, was presented. (*Deferred from the meeting of April 20, 2021*)

Bill Cochran, Chief of Staff, stated he provided the Governing Body with an updated document that lists the overall status of projects. (*Attachment A*)

Councilmember Hiller made the following comments related to the CIP:

- She referenced the \$100 million allocated for Utility Projects and inquired on the status of the \$30-\$50 million in pending projects.
- She questioned the use of carryforward funds as it relates to bond authority.
- She asked what the Governing Body will be provided as it relates to accountability and how it affects the proposed CIP/CIB.
- She requested any additional funds leftover from completed street projects be used for mill and overlay projects.
- She suggested the over \$3 million of curb and gutter funds that appear to have not been utilized be used to address the backlog of curb and gutter projects.

In response, Bill Cochran reported the following:

- The City can only use bonded dollars as authorized.
- The Governing Body will receive an updated list at least 10 days prior to the approval of the CIP.
- Staff will work to make sure the project list stays updated to avoid this from happening in the future.
- Traffic Control Replacement Program funds that are available will be utilized.

Mayor De La Isla thanked Staff for their hard work in addressing the huge project endeavor and she looks forward to future updates.

PUBLIC COMMENT was submitted via electronic mail by Joseph Ledbetter.

(*Attachment B*)

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

Brent Trout, City Manager, thanked the Governing Body for allowing him to attend the meeting virtually, which allowed him to participate in training for his appointment as a volunteer Army Reserves Ambassador.

Mayor De La Isla thanked the Governing Body for approving the resolution to move forward with the allocation of funds for the Housing Trust Fund. She commended all 2021 graduates, teachers and parents.

Councilmember Hiller referenced the housing shortage and commented on the need to rehabilitate older homes to improve housing stock.

Councilmember Valdivia-Alcala thanked all those involved in bringing the Oakland Neighborhood Watch to fruition and noted they will continue to meet and address area drug houses and crime. She encouraged citizens, community leaders and the Topeka Police Department to continue to work together to improve the Oakland community. She announced she is working with Shawnee County Parks and Recreation Department in planning a Santa Fe Park Art Mural Ribbon Cutting Ceremony. She thanked the Topeka Police and Fire Departments for their quick response to an incident located near the 5600 block of SW 35<sup>th</sup> Terrace on May 16, 2021.

Councilmember Ortiz reminded everyone to continue donating to the Housing Trust Fund. She commended all 2021 graduates.

Councilmember Padilla recognized May as a special month of the year due to the accomplishments of all 2021 graduates. He thanked Seaman High School students for inviting him to participate in the Seaman High School's Operation Culture Change.

Councilmember Dabler commended City Staff members for their continued efforts in monitoring the City's operating budget through the COVID-19 pandemic. He stated those



efforts have allowed them to end the 2020 budget year with a surplus in funds to be allocated in areas of need.

Councilmember Duncan announced the District 8 Open House event from 5:00 p.m. to 7:00 p.m. on May 20, 2021, at Fairlawn Plaza. He expressed concern with the changes in services by the Veterans Administration (VA) Eastern Kansas Health Care System and the need for improved communications to the community about those changes. He reported a new component of the Human Relations Commission (HRC) includes a more formal review of the Independent Police Auditor (IPA) report. He encouraged citizens to get the COVID-19 pandemic vaccination and thanked the younger population for getting their vaccine.

NO FURTHER BUSINESS appearing the meeting adjourned at 8:05 p.m.

(SEAL)

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Brenda Younger  
City Clerk

**Attachment A**



# CITY OF TOPEKA

Brent Trout  
City Manager  
215 SE 7th St  
Topeka, KS 66604

Email: [btrout@topeka.org](mailto:btrout@topeka.org)  
Tel: 785-368-3225  
Fax: 785-368-3207  
[www.topeka.org](http://www.topeka.org)

**To: Governing Body**

**From: CoS Bill Cochran**

**CC: CM Brent Trout**

**May 18, 2021**

At the April 20<sup>th</sup> Council Meeting, Finance presented the Administrative and Financial Projects with a breakdown of General Obligation Bonds supported projects (pages 53 - 54), Enterprise Projects (pages 55 - 59), and Other Projects (pages 60 - 62).

The City Council conversation and questions focused on the number of outstanding projects, the start date of some projects, and the additional remaining funding for open projects. Staff has been working to answer these question and to close completed projects. The Utilities and Public Works Department have notified Finance of projects that should be closed. Now that these projects are closed, staff can provide an updated status for the remaining projects

During this process, staff has determined additional reporting steps can be taken to provide more timely information regarding open projects. Going forward, the "Outstanding Projects" list will be removed from the quarterly financial report. The City Manager's Office will now be responsible for coordination between departments and will be issuing a quarterly report that will update the Governing Body on capital project progress. This report separation will allow the City Manager's Office to have better accountability of capital project progress and allow the discussion surrounding the quarterly financial report to be focused on the City's financial position.

The Fourth Quarter Financial Report reflected approximately 550 open projects that were at various stages of the workflow process. As of May 14<sup>th</sup>, **533** projects have been reviewed. After reviewing the report the 106 projects that were initiated prior to 2016 were closed out and no excess funds were identified. In addition, another 20 projects have been closed.



# CITY OF TOPEKA

Brand Trout  
City Manager  
215 SE 7th St  
Topeka, KS 66603

Email: [brandt@topeka.org](mailto:brandt@topeka.org)  
Tel: 785-368-3725  
Fax: 785-368-3707  
[www.topeka.org](http://www.topeka.org)

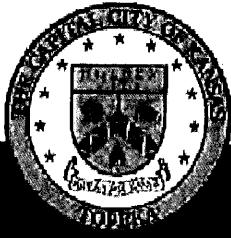
The review of the CIP projects revealed about \$8.1 million dollars of unspent funds in open projects. Table 1 provides additional information regarding the unspent funds.

Project Name	Remaining Funds	Status Update
City Hall Renovation	\$2.8 Million	Currently being executed
FIRM Program	\$1.5 Million	2021 and 2022 FIRM funding will be combined to address Fire Stations
NIA SORT Programs	\$900,000	Looking at additional projects
Gage/SW37th – SW 45	\$737,000	Project completed early/transferring to DS
Traffic Safety Projects	\$700,000	Ongoing project
Traffic Signal Replacement	\$305,000	Ongoing project

The following is a breakdown of the bonded projects through Utilities and Public Works.

**Utilities reviewed 302 projects and 87 of them have been closed out.**

Open Project Total and Phases						
Design	Execution	Planning	Construction	Proposed	Hold	Closing
58	21	6	53	2	2	73
Storm Water Phases						
22	9	1	9	0	0	23
Waste Water Phases						
12	9	2	25	2	0	24
Water Enterprise Phases						
24	2	3	19	0	2	21
Others						
0	1	0	0	0	0	5
Projects Closed as of May 1 <sup>st</sup>						
Storm Water	Waste Water		Water Enterprise			
31	23		33			



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Brad Irout  
City Manager  
215 SE 7th St  
Topeka, KS 66603

Email: [brout@topeka.org](mailto:brout@topeka.org)  
Tel: 765-368-3725  
Fax: 765-368-3909  
[www.topeka.org](http://www.topeka.org)

**Public Works reviewed 299 projects and 39 of them have been closed out.**

Open Project Phases						
Design	Execution	Planning	Construction	Proposed	Hold	Closing
42	10	4	47	1	0	86
Projects Closed as of May 1 <sup>st</sup>						
Sidewalks	Streets	Miscellaneous Projects	Traffic			
6	23	8	2			

All projects will be reviewed by the end of the second quarter and a current project report will be presented to the Governing Body at that time.

**Attachment B**

**Kelly L. Bogner**

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**From:** Joe Ledbetter <joe\_ledbetter@yahoo.com>  
**Sent:** Tuesday, May 18, 2021 6:46 PM  
**To:** City Council; City Clerk; Michelle De La Isla; Tony Emerson; Spencer Duncan; Michael Lesser; Neil Dobler  
**Subject:** Revenue Bond Debt has doubled in past few years.

**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.

Updates were sent out. I have a family event tonight or I would speak against more revenue bond barrowing foolishness. Total debt thru 12/31/20 is now almost \$1/2 Billion dollars and we keep building up reserves! Reditulous! We need a CPA for a finance director that will actually have a license .  
Sent from my iPhone