

Governing Body Minutes – July 26, 2022

CYRUS K. HOLLIDAY BUILDING, 620 SE Madison Street, Topeka, Kansas, Tuesday, July 26, 2022. The Governing Body members of the City of Topeka met in special meeting session at 6:00 P.M. with the following Councilmembers present: Councilmembers Hiller, Valdivia-Alcala, Emerson, and Kell -4; and Councilmembers Ortiz, Naeger, Dobler, Duncan and Lesser participated remotely -5. Mayor Padilla presided -1.

The special meeting was available online at <https://www.topeka.org/citycouncil/stream-city-council-meetings/> or <https://www.facebook.com/cityoftopeka/>. No public comment was allowed during the work session. Written public comment was 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 July 26, 2022, for attachment to the meeting minutes.

THE PLEDGE OF ALLEGIANCE was recited by meeting participants.

AFTER THE MEETING was called to order, Stephen Wade, Director of Administrative and Financial Services, provided opening comments and referenced the 2023 budget meeting schedule. He stated the date of August 23, 2022 is reserved for a special meeting if needed. He referenced the General Fund expense change percent versus inflation and noted the General Fund has been at or below the rate of inflation. He reported there is a budgeted salary increase for non-union personnel as well as Staff worked with consultants to analyze market rates of salaries and as a result of the study, it has been suggested that a 10% salary pool be created and distributed to positions that are undercompensated compared to peer organizations.

Councilmember Duncan joined the meeting remotely.

Adam Vaughn, Senior Financial Analyst, highlighted the following Public Safety key indicators:

- Increase Sustainability of Operations for Public Safety
- Enhance Community Engagement Programs
- Ensure Appropriate Response and Resolutions
- Foster Partnerships to Provide Wrap-Around Services.

Councilmember Ortiz joined the meeting remotely.

Bryan Wheelles, Topeka Police Chief, provided an overview of the Police Department operational budget in the amount of \$45.2 million, the need for the addition full-time employees, programming highlights and goals. He stated the additional five, Full-Time Employees (FTE) would include three Building Security Officers (Insource), a Quartermaster and a Grand Jury Coordinator; and the increases in expenses are due to the cost of the Body Worn Cameras being moved into the operating budget and the increase in fuel costs by \$216,000.

Councilmember Valdivia-Alcala inquired on Police Department position vacancy credits, the total number of sworn officer positions, and if all police officers and supervisors patrol streets. She asked how the Topeka Police Department ranked nationally regarding the size of the City's police department in comparison to the crime rate. She stated there is a great concern about police officers being involved in a mental health crisis and asked how much mental health training is required annually. She inquired about the Behavioral Health Unit (BHU) budget and stated she would like to consider separation of the BHU from the Police Department and transfer the services to an organization that could better handle mental health related calls. She announced on August 16, 2022 there will be a presentation on BHU operations by the Police Department.

Councilmember Kell asked how many police officers will reach the minimum retirement age within the next two years.

Councilmember Emerson thanked Police Chief Wheelles and stated he appreciates that the community Police Officers are again attending the Neighborhood Improvement Association (NIA) meetings. He asked about the Active Bystandership for Law Enforcement (ABLE) program. He questioned the budget book performance measure and the Topeka homicide rates compared to national rates. He questioned if the homicide rate listed in the budget book was correct; and how do they determine how many police officers the department requires to operate efficiently.

Finance Director Wade explained the vacancy credit for the 2022 Police Department budget was slightly over \$800,000; however, given the amount of vacancies incurred year-to-date it is anticipated there will be a total savings of approximately \$2 million in personnel savings by the end of 2022.

In response, Police Chief Wheelles reported the following:

- The department has a total of 267 sworn personnel positions, and total of 38 vacant positions. This includes 32 sworn positions and six civilian positions.
- The State of Kansas requires police officers receive 40 hours of continuing education annually which is not all mental health training; however, police officers do receive ongoing mental health training.
- Staff will compile the number of eligible retirements and report back to the Governing Body.
- The Active Bystandership for Law Enforcement (ABLE) program is peer intervention between police officers when an officer acts outside their scope of authority.
- He reported he was aware of the recommended “one police officer for every 1,000 population” ratio; however, he would prefer to confirm the information and report back to the Governing Body.

Mayor Padilla asked if ABLE training was provided to front line officers as well as command Staff; and how effective is the alliance of the Property Maintenance Division (Code Enforcement) and the Police Department.

Police Chief Wheelles reported various ranks of officers receive training in the same class; and in 2022, the code enforcement budget was increased to \$200,000 for structure demolition with 15 demolitions being completed to date, and nine more have been awarded. He stated he believes

this is a good trend and there are advantages of code compliance being managed by the Police Department.

Councilmember Hiller referenced the Police and Community Special Committee Report as they work through the Police Department budget and noted many of the recommendations were outcome based with no real associated costs. She reported mental health services, mental health professionals and police department services work hand-in-hand in partnership to manage emergency situations. She noted there are two major funding developments forthcoming in regards to mental health professional services (1) a change in how agencies can bill services and leverage more funding to hire additional employees that are specifically trained in mental health services and (2) available grant funding.

Councilmember Valdivia-Alcala expressed concern with the fair representation of the community as a whole and all social workers. She stated they must take into account at the majority of the Police and Community Special Committee meetings they did not allow for open public comment. She reported she has spoken with some community members and social workers that have not had positive interactions with police officers or mental health professionals.

Senior Financial Analyst Vaughn provided an overview of the Fire Department Budget totaling \$32.5 million.

Randy Phillips, Fire Chief, provided an overview of Fire Department programs, services and goals.

Councilmember Kell inquired on the three mandatory retirements by the first of 2023 and if Fire Department building repairs are included in the budget.

Bill Cochran, Interim City Manager, reported approximately \$5 million is being invested in fire station repairs and more details about the improvements would be provided during the Public Works budget presentation.

Councilmember Emerson referenced the American Medical Response (AMR) program update provided at the June 7, 2022 Governing Body meeting. He asked what determines the size of the department, how many staff members are needed, and why an additional training officer is being requested.

Councilmember Ortiz inquired on the process of replacing fire trucks. She expressed the importance of educating the community on the important role these trucks play in keeping Topeka residents safe.

Councilmember Valdivia-Alcala asked when Staff anticipates the Nurse Navigation system to be fully implemented.

- In June 2022, an update was provided on the Nurse Navigation System and how an emergency call is handled in dispatch. 190 training hours are required annually and is needed to help improve with Insurance Services Office (ISO) level rating. The majority of the Emergency Medical Technician (EMT) continuing education hours have to be completed online because there is not enough staff to conduct classroom training.
- Over the last 30 years there have been 12 fire stations with 18 front line companies. The call volume has continued to increase over those 30 years and the type of services have expanded.
- Currently, there are two engine companies being built. One truck company has been ordered and the replacement of an aerial apparatus is included in the 2023 budget. In 2024 and 2025, they hope to purchase three apparatus and reduce the time on the rotation schedule.
- The Nurse Navigation System is a dispatch program through AMR and not a response program. They want to have the right resources to respond to requests for service in the appropriate amount of time.

Mayor Padilla commended the Fire Department for implementing the Camp Courage Program. He requested the Fire Department work towards demographic change in recruitment supporting a more diverse department.

Senior Financial Analyst Vaughn provided an overview of the Public Works financials totaling \$47.2 million.

Braxton Copley, Interim Public Works Director, provided an overview of staffing challenges, the approximate 25% increase in commodities, service level improvements, improved street sweeping efficiencies and overall increased departmental efficiencies.

Councilmember Valdivia-Alcala asked if \$100,000 is being allocated annually to the 50/50 sidewalk program and how many program applications have been received. She inquired as to why there is an approximate 40% shortage of engineering staff.

In response, Interim Public Works Director Copley provided the following information:

- He confirmed \$100,000 is allocated annually to the 50/50 sidewalk program on a first-come, first-serve basis. The Communications Department has distributed information about the program to notify the public, and he would report back to the Governing Body on the number of applications that have been submitted.
- The Utility Department has consistently been short four engineer positions since 2018 – 2019, and the Public Works Department is also short four engineer positions. He stated some municipalities have more competitive salaries compared to the City of Topeka and the private market pays substantially more.

Councilmember Emerson stated Staff works very hard and long hours and he is concerned they will burnout from the stress and work overload. He stated there are a total of 158 full-time employees in the department which averages 35% - 50% vacancies. He inquired about offering one time bonuses to current Staff members.

Interim Public Works Director Copley stated he will confirm vacancy numbers with the Human Resources Department and report back to the Governing Body.

Stephen Wade, Administrative and Financial Services Director, stated a more in-depth discussion is scheduled at the August 9, 2022 Governing Body meeting which should answer the majority of the questions related to staffing issues.

Interim City Manager Cochran reported the City is spending more money to contract engineering services than it would to fill the positions. He noted Staff is currently reviewing salary market adjustments.

Councilmember Valdivia-Alcala stated she concurs with Councilmember Emerson and would support a monetary token of appreciation.

Councilmember Ortiz asked if the 50/50 sidewalk program funds include funding for culvert replacements and if so, how much funding has been allocated.

Interim Public Works Director Copley stated the culvert program is paid through the Utilities Department budget with no set amount; however, a maximum of 20 culverts are to be installed in a calendar year.

Councilmember Hiller thanked Staff for alley and street maintenance. She referenced the engineering positions that were eliminated in 2010 and believes the City has not recovered from that reduction in force. She expressed concern with the large amount of dollars being spent on outside contracting services for the Engineering Division.

Councilmember Kell asked if the City has considered offering on-the-job training for certain positions as well as possibly eliminating the minimum requirements.

Interim Public Works Director Copley stated Staff was open to suggestions.

Senior Financial Analyst Vaughn provided an overview of the Utilities Department financials in the amount of \$96.1 million.

Braxton Copley, Utilities Director, provided an overview of Utilities Department programs, goals, efficiencies and service level improvements.

Councilmember Hiller referenced page 135 of the budget book regarding 2022 and 2023 Water Division performance measures as it relates to the number of gallons of fresh water distributed and calls received by the City Call Center.

Interim Public Works Director Copley stated he would confirm those numbers and report back to the Governing Body.

Councilmember Ortiz reported the City is only completing one culvert, twice a month, and she would like to find a way to allocate more funding for the program due to the flooding in neighborhoods.

Councilmember Kell thanked Utilities Director Copley for his hard work and agreeing to serve in a dual capacity as director for the Utilities and Public Works Departments. He commended Director Copley for his progressive and innovative way of thinking as it relates to staffing issues.

Mayor Padilla thanked Staff for the various presentations and noted there was a need for an executive session.

Councilmember Emerson moved to recess into executive session not to exceed one hour to discuss individual candidates for city manager, pursuant to KSA 75-4319(b)(1). The open meeting will resume in the Cyrus K. Holliday Building First Floor Conference Room. The following individuals may be needed to assist the Governing Body in its deliberations: Paul Bossert and Patti Mellard. Key Staffing; and City Attorney Amanda Stanley. No action was anticipated when the meeting resumed open session in the City Council Chambers. The motion was seconded by Councilmember Naeger.

Mayor Padilla asked all those in favor of recessing into executive session to indicate so verbally by saying “yea” and those opposing to indicate so verbally by saying “no.” After the voice vote occurred, Mayor Padilla announced the motion carried on voice vote. (10-0-0)

Following a one hour time period, the meeting reconvened into open session and Mayor Padilla announced no action was taken during the executive session.

Councilmember Kell moved to direct Key Staffing to proceed with further vetting of city manager applicants and scheduling interviews as appropriate. The motion seconded was Councilmember Emerson carried on roll call vote. Councilmember Ortiz voted “no”. (9-1-0)

NO FURTHER BUSINESS appearing the meeting adjourned at 10:00 p.m.

(SEAL)

Brenda Younger City Clerk