

## **Governing Body Minutes – August 9, 2022**

CITY COUNCIL CHAMBERS, Topeka, Kansas, Tuesday, August 9, 2022. 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 and Dobler -3; and Councilmembers, Ortiz, Naeger, Duncan and Lesser participated remotely -4. Mayor Padilla presided -1. Absent: Councilmembers Valdivia-Alcala and Kell -2.

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 August 9, 2022, 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 August 9, 2022, for attachment to the meeting minutes.

AFTER THE MEETING was called to order, Councilmember Naeger read the poem “Closure” written by Amanda Gorman.

THE PLEDGE OF ALLEGIANCE was recited by meeting participants.

PRESENTATION on the Rural Housing Incentive District (RHID) was provided by Amanda Stanley, City Attorney.

Councilmember Dobler asked if the incentive could be used in a subdivision where improvements have already been made and if it could be utilized outside city limits.

City Attorney Stanley stated eligible residential improvements only include upper story development (second or higher floors) in eligible areas of the city; and confirmed incentives could be used for developments in the county.

CONSENT AGENDA was presented as follows:

ORDINANCE NO. 20365 introduced by Interim City Manager William E. Cochran removing certain real property from the Dynamic Core Redevelopment District, was presented.

RESOLUTION NO. 9341 introduced by Councilmember Karen Hiller, granting Potwin Place Association 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. 9342 introduced by Councilmember Karen Hiller, granting Topeka United 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*)

APPROVAL of Utilities Contract No. 50596 for project engineering and design services with Wood Environment and Infrastructure Solutions, Inc. for replacing approximately 1,600 linear feet of 6" water main at SE Gemini Avenue and SE Aries Avenue for a fee not to exceed \$68,000.00 was presented.

APPROVAL of a Workers' Compensation Claim settlement in the amount of \$75,000 to resolve the claim on a full and final basis for a work-related injury sustained by an employee while engaged in normal work duties was presented.

MINUTES of the regular meeting of July 19, 2022; and the special meeting of July 26, 2022, was presented.

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

APPEAL to the Governing Body for a determination that there are no feasible and prudent alternatives to demolishing the structure at 735 S. Kansas Avenue and that all possible planning has been done to minimize harm to the historic district was presented. (*CLGR22/13*)  
(*Council District No. 1*)

Seth Wagoner, AIM Strategies Legal Counsel, provided a brief summary of the obstacles they have dealt with, and continue to deal with, in order to development properties in the city of Topeka. He asked the Governing Body to review the City's development policies and make adjustments accordingly to support a developer friendly community. He requested the Governing Body approve the request for demolition.

Cody Foster, developer and Chief Executive Officer of AIM Strategies, provided an overview of the concept renderings of the proposed development for the parcel located at 735 S. Kansas Avenue. He expressed concern with the challenges faced by developers from the City and he asked the Governing Body to make changes to the policy a priority. He stated until the policy is revised he will cease developing properties in the city.

Councilmember Hiller moved to approve that there are no feasible and prudent alternatives to demolishing the structure at 735 S. Kansas Avenue and that all possible planning has been done to minimize harm to the historic district. The motion seconded by Councilmember Emerson carried unanimously on roll call vote. (8-0-0)

Councilmember Emerson, Councilmember Ortiz and Mayor Padilla expressed their appreciation to Mr. Foster for his investment in the Topeka community and pledged to improve development policies in Topeka.

Councilmember Dobler suggested implementing a "Changing Our Culture of Development in Topeka" initiative. He stated he believes the Public Infrastructure Committee would be the appropriate committee to make this happen and requested the initiative be added to the next Committee meeting agenda. He noted the process could begin by inviting developers to provide input on the roadblocks they continue to face and expressed the importance of continued growth in the community.

Councilmember Emerson, Public Infrastructure Committee Chair, stated he would add the request to the September Committee meeting agenda.

Councilmember Hiller referenced the exceptional developments AIM strategies have made in the community and stated she looks forward to improving the City's policies to better support new development.

Councilmember Lesser stated he concurs with statements made by Governing Body members as it relates to the contributions Mr. Foster has made to the community. He reported that he has been told by many other developers, that they will not develop in Topeka because it is too difficult. He referenced a social media post from a Topeka Landmarks Commissioner relating to the appeal and asked City Attorney Stanley to provide a legal opinion on the Facebook post.

Amanda Stanley, City Attorney, reported the post took place after the Topeka Landmarks Commission voted on the item, and noted every person has the right to speak freely under their First Amendment Right to free speech.

ORDINANCE NO. 20366 introduced by Interim City Manager William E. Cochran, concerning the Board of Building and Fire Appeals by amending Section 2.235.010 of the Topeka Municipal Code was presented.

Bill Cochran, Interim City Manager, reported the Policy and Finance Committee recommended approval by a vote of 2-0-0 on July 25, 2022.

Angela Sharp, member of the Board of Building and Fire Appeals, spoke in support of the ordinance. She stated the amendment would provide an additional pool of qualified applicants that could serve on the board.

Councilmember Emerson spoke in support of the ordinance. He asked Staff to clarify the

purpose of the language amendment beginning on line 14 regarding “a qualified candidate who does not reside in the City but may be appointed if the candidate resides in Shawnee County and is employed or operates a business with the City.”

Amanda Stanley, City Attorney, reported historically the argument was that a person should reside in city limits if the board and/or commission they serve uses tax dollars in the city.

Councilmember Kell joined the meeting remotely.

Bill Cochran, Interim City Manager, reported the proposed language was a compromise.

Councilmember Dobler stated as long as the candidate is familiar with local codes it should not be a problem. He suggested they approve the language as proposed and then if needed, it could be expanded in the future.

Councilmember Hiller reported it remains difficult to get qualified candidates to serve on boards that are specific to a trade, and if there is not large enough pool of applicants to fill board vacancies, then it is time for a change.

Councilmember Hiller moved to adopt the ordinance. The motion seconded by Councilmember Emerson carried unanimously. The Mayor did not vote. (*The proposed ordinance involved a matter of home rule on which the Mayor has veto authority.*) (8-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Councilmembers Hiller, Ortiz, Emerson, Kell, Naeger, Dobler, Duncan and Lesser -8.

RESOLUTION No. 9343 introduced by Interim City Manager William E. Cochran authorizing and directing the issuance, sale and delivery of \$5,215,000 in the aggregate principal amount of General Obligation Temporary Renewal and Improvement Notes, Series 2022-B, providing for the levy and collection of an annual tax, if necessary, for the purpose of

paying the principal of and interest on said notes as they become due; making certain covenants and agreements to provide for the payment and security thereof; and authorizing certain other documents and actions connected therewith, was presented.

Rachelle Matthews, Administrative and Financial Services Deputy Director, reported the City received four competitive bids with the sale of Temporary Notes, with the winning bid awarded to Fidelity Capital Markets offering an interest rate of 2.19%; and the City received five competitive bids with the sale of the General Obligation Bonds, with the winning bid awarded to Robert W. Baird offering a 3.07% interest rate. She noted Kevin Cowen, Gilmore & Bell, P.C. and Khalen Dwyer, Columbia Capital Management, LLC were available for questions.

Councilmember Dobler moved to approve the resolution. The motion seconded by Councilmember Emerson carried unanimously on roll call vote. (9-0-0)

ORDINANCE NO. 20367 introduced by Interim City Manager William E Cochran authorizing and providing for the issuance of \$16,715,000 aggregate principal amount of General Obligation Bonds, Series 2022-B, of the City of Topeka, Kansas; providing for the levy and collection of an annual tax for the purpose of paying the principal of and interest on said bonds as they become due; authorizing certain other documents and actions in connection therewith; and making certain covenants with respect thereto, was presented.

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

The ordinance was adopted on roll call vote as follows: Ayes: Councilmembers Hiller, Ortiz, Emerson, Kell, Naeger, Dobler, Duncan, Lesser and Mayor Padilla -9.

RESOLUTION NO.9344 introduced by Interim City Manager William E Cochran

prescribing the form and details of and authorizing and directing the sale and delivery of \$16,715,000 aggregate principal amount of General Obligation Bonds, Series 2022-B of the City of Topeka, Kansas, previously authorized by Ordinance of the issuer; making certain covenants and agreements to provide for the payment and security thereof; and authorizing certain other documents and actions connected therewith, was presented.

Councilmember Dobler moved to approve the resolution. The motion seconded by Councilmember Emerson carried unanimously on roll call vote. (9-0-0)

RESOLUTION NO. 9345 introduced by Interim City Manager William E. Cochran, providing notice of a public hearing concerning the establishment of the South Topeka Redevelopment District pursuant to K.S.A. 12 1770 et seq., as amended, was presented.

Bill Cochran, Interim City Manager, reported the White Lakes Mall building demolition was almost complete, and a developer has made a request to develop the area as a TIF District.

Curtis Sneden, Topeka Chamber of Commerce President, Greater Topeka Partnership, reported on the history of the area and the desire of residents to bring back activity to South Topeka Boulevard. He stated a group of developers have expressed interest in developing the area and is requesting the City consider establishing a TIF district. He referenced the initial map attached to the application, and noted it was created based on the area established in 1992 as an enterprise zone; however, they have come to realize immediate objectives can be satisfied by establishing the redevelopment area on a smaller scale. He reported the applicant has agreed to revise the map as distributed (Attachment A).

Councilmember Emerson moved to approve the resolution. The motion was seconded by Councilmember Duncan.

Councilmember Kell expressed concern with amending the boundaries of the proposed

district. He stated he would prefer the entire area receive the same development opportunities.

Curtis Sneden reported the residential area they are proposing to be removed would be eligible for the Neighborhood Revitalization Program (NRP) which cannot coexist with a TIF district and is more conducive to residential development. He stated nothing would prohibit future development of the northern part of the district and the amendment would allow a more focused approach to the commercial areas.

Councilmember Duncan moved to amend the map of the proposed district as distributed. The motion was seconded by Councilmember Emerson.

Councilmember Duncan thanked Mr. Sneden for amending the map as he requested. He stated that he believes the initial area was too large and included areas that did not have ongoing projects in the works. He noted approval of the resolution only sets a public hearing date to consider the establishment of a TIF District on September 13, 2022.

Councilmember Hiller stated she concurs with Councilmember Duncan and would be supportive of declaring reduced boundaries for the development. She expressed the importance of removing potential issues for developers and noted approval would send a clear message to developers that the City has approved an incentive district that is ready for development.

Councilmember Dobler stated he believes the NRP option would work better for the properties to the north because it allows for rehabilitation as opposed to demolition which would be more conducive to the residential area.

The motion to approve the resolution as amended carried unanimously on roll call vote.  
(9-0-0)

APPROVAL of the 2023 Social Services Grant allocation recommendations in the amount of \$434,904 was presented.

Bill Cochran, Interim City Manager, reported the Committee recommended approval by a vote of 3-0-0 on July 22, 2022.

Councilmember Hiller, Committee Chair, provided an overview of the process. She commended the Committee for the work and noted applicants were given the opportunity to appeal denials.

Councilmember Naeger and Councilmember Kell thanked Councilmember Hiller for her guidance and work on the process.

Mayor Padilla and Councilmember Emerson commended Committee members for their work and acknowledged it is a difficult process.

Councilmember Hiller moved to approve the 2023 Social Services Grant allocation recommendations in the amount of \$434,904. The motion seconded by Councilmember Naeger carried unanimously on roll call vote. (9-0-0)

DISCUSSION regarding the 2023 City of Topeka Legislative Agenda was presented.

Bill Cochran, Interim City Manager, stated as requested by the Governing Body, the City's annual legislative agenda is being presented earlier in the year. He noted Whitney Damron, City Lobbyist, was present to answer questions.

Councilmember Duncan reported the Governing Body would have several months to finalize the City's 2023 Legislative Agenda prior to the 2023 Legislative Session. He stated the League of Kansas Municipalities (LKM) Policy Committee will meet August 31, 2022, to discuss Common Consumption areas within cities, and as a municipality, the City of Topeka has very little options with how the current common consumption law is written. He stated he is seeking approval from the Governing Body to ask LKM to approach other cities to join Topeka in their request to the State Legislature to allow local governing bodies to determine if a

public street or roadway within a common consumption area needs to be closed to motorized vehicles.

Councilmember Hiller thanked staff for the format of the resolution being presented. She referenced the common consumption language as outlined in the resolution and spoke in support of the simplicity and flexibility of the language. She stated she supports the initiative to be presented to the LKM meeting in August. She made reference to the work of the Public Health and Safety Committee as it relates to the Changing Our Culture of Property Maintenance and noted they have identified the need for action by the State Legislature as it relates to addressing difficulties the City encounters when conducting business with a Limited Liability Company (LLC). She reported City Attorney Stanley has drafted an ordinance to address the issue locally; however, she questions if this would be a good time for the Governing Body to make suggestions to LKM to address the issue at the State level.

City Attorney stated the issues related to LLCs can be handled at the local level through a home rule ordinance. She reported the State has statutory authority to sue and/or prosecute an LLC, an action not included in City code. She asked Whitney Damron, City Lobbyist to provide an opinion on the matter.

Whitney Damron, City of Topeka Lobbyist, stated he concurs with City Attorney Stanley as it relates to addressing the City's issues with LLCs. He stated as follow up to the Common Consumption law they have already started outreach to other municipal lobbyists and noted developers would serve as the biggest promoters for this initiative.

Councilmember Dobler asked if there were any particular concerns to municipalities and the City of Topeka in regards to the upcoming 2023 Legislative Session.

Whitney Damron reported he would not anticipate many budget issues and/or pressure

for municipalities because the State is in good financial shape; however, it will ultimately depend on the outcome of the upcoming November elections. He stated Kansas Department Of Transportation (KDOT) projects seem to be proceeding well with the exception of project costs being impacted by inflation; however, KDOT remains committed to major projects and continue to move forward with the Polk-Quince Viaduct project.

DISCUSSION related to the City of Topeka 2023 Operating Budget, was presented.

Bill Cochran, Interim City Manager, stated discussions would continue from the special meeting of July 26, 2022.

Councilmember Kell joined the meeting remotely.

Adam Vaughn, Senior Financial Analyst, provided a financial overview of the Human Resources Department budget totaling \$19.8 million supported by 13 full-time employees.

Jacque Russell, Human Resources Director, provided an overview of the highlights and recommendations of the McGrath Human Resources Group Management and Executive Compensation 2021 Study.

Councilmember Emerson asked how the \$100,000 being requested for recruiting would be utilized and if the City uses an outside contractor for recruitment.

Councilmember Duncan stated he does not doubt the outcome of the study as there are many City employees that need a pay increase. He expressed concern with the final numbers for salary range and noted the comparable cities used for the study have much larger populations and revenue streams than Topeka. He asked why Zoo employees were included in the study.

In response, Director Russell reported the following:

- The \$100,000 is being requested to better market positions, work more with universities, and pay job fair fees and purchase marketing materials for more direct recruiting to address the changing workforce.

- Recruitment efforts are generally conducted internally; however, for hard to fill positions at the director level they have utilized an external recruiting service. She noted the City's current outside vendor recruitment contract would expire in one-year and would have to be renewed through the request for proposal process.
- The City of Topeka still has a few City employees that work at the Zoo and only those specific positions were compared to other zoos.
- The City was compared to 18 other cities as it relates to specific positions due to the fact not all municipalities have the same positions or the same population as the City of Topeka, and in order to obtain a good set of comparable data it was necessary to reach out to different cities.

Councilmember Duncan requested McGrath send him a better explanation of the comparable revenue streams.

Councilmember Hiller inquired on the full report of the study that would provide more detailed information.

Director Russell stated the full report was emailed to the Governing Body on August 5, 2022.

Councilmember Dobler asked if the recommendations outlined in the report are included in the 2023 budget.

Stephen Wade, Director of Administrative and Financial Services, confirmed the recommendations are included in the 2023 Operating Budget. He reported the 10% pool of funding (\$2.5 million) would be used for "across the board" pay adjustments to be allocated to departmental budgets for distribution, not for individuals.

Councilmember Dobler stated since 2017, the overall Executive/Management Pay Plan has only been adjusted by 1.5% compared to an inflation rate that has increased by 20%. He spoke in favor of making the necessary adjustments to the Pay Plan to remain competitive as the City will have the necessary means to do so in the 2023 Operating Budget. He expressed his appreciation to Staff for their work and taking the initiative to conduct the study.

Director Russell continued to report on the Human Resources Department budget. She highlighted Risk Funds which included health care claims trends from June 2020 through May 2022; an historical overview of health care expenses; the 2023 health care premium increases of 8%; Risk fund coverage premiums and Worker's Compensation funds.

Adam Vaughn, Senior Financial Analyst, provided a financial overview of the Legal Department budget totaling \$2.7 million supported by 15 full-time employees. He noted it was not the intent to spend the \$2.3 million of contingency funds in the Special Liability Fund; however, it is authorized with the State in case it is needed.

Amanda Stanley, City Attorney, reported no material changes to the 2023 Legal Department budget that includes General Government and the Divisions of Litigation and Prosecution.

Adam Vaughn, Senior Financial Analyst, provided a financial overview of the Administrative and Financial Services Department budget totaling \$2.8 million supported by 25 full-time employees.

Stephen Wade, Director of Administrative and Financial Services, highlighted department programs including the implementation of outcome based budgeting for the City.

Councilmember Dobler inquired on the duties of the Budget Manager position.

Mayor Padilla asked for an update on the City's Grant Program Administrator.

Director Wade reported Adam Vogue and Joshua McAnarney, City of Topeka Senior Budget Analysts, have absorbed the duties of the Budget Manager position; and update on the City grant program will be provided at the August 16, 2022 Governing Body meeting as part of the Financial Services Quarterly Report.

Mayor Padilla expressed his appreciation to the Finance Team and commended them for their innovative ideas and responsiveness.

Councilmember Naeger expressed her appreciation to the Finance Department for their work on the budget.

Adam Vaughn, Senior Financial Analyst, provided a financial overview of the City Manager's (Executive) Department budget totaling \$2.3 million including the Divisions of the City Clerk, Communications and Community Engagement supported by 19 full-time employees. He reported the increase of four full-time employees consist of a Diversity Equity and Inclusion Officer, Human Resources Investigator, formerly the Internal Police Auditor (IPA), Senior Executive Assistant and two Blight Crew Member positions due to the changes in the inmate contract with Shawnee County expiring in December 2022.

Councilmember Emerson inquired on the Senior Executive Assistant and if the blight crew members would be interfacing with the Property Code Division.

Interim City Manager Cochran stated the Senior Executive Assistant position would be transferred from the City Manager's office to the Community Engagement Division and absorb the additional duties of the City's Ombudsman; and due to a reduction in force from the Kansas Department of Corrections, two blight crew member positions will interface with the Code Division; however, they will strictly be used for blight remediation in Neighborhood Improvement Association (NIA) areas because the positions are paid with federal dollars.

Mayor Padilla asked if the blight crew members will help fill the vacancies in the City's Code Division.

Councilmember Hiller asked if blight crew members would be seasonal or full-time employees.

Interim City Manager Cochran reported the blight crew members would not fill positions in the City's Code Division; and the positions will be full-time and funded with the federal dollars that were already set aside for the inmate crew program.

Finance Director Wade reported because the blight crew members are being funded with Community Block Grant Funding, services are restricted to Low to Moderate Income (LMI) neighborhoods.

Councilmember Ortiz asked if the blight crew members are replacing inmate crews. She also inquired on the duties of the Human Resources Investigator. She expressed her dissatisfaction with how the Ombudsman currently functions and stated the overall process needs to be more effective and efficient.

Interim City Manager Cochran confirmed the new blight crew member positions would replace one blight remediation inmate crew. He reported the Human Resources Investigator will also serve at the IPA with an expanded role to include internal investigations, with a focus of reduced outside third party investigative referrals; and the intent to move the Ombudsman position to the City Manager's office is to improve efficiency.

Finance Director Wade reported budget discussions would continue for the Departments of Information Technology, Municipal Court and the Planning and Development Division and at the August 16, 2022, Governing Body meeting.

Interim City Manager Cochran announced at this time budget discussions are on schedule and they do not anticipate the need for a special meeting on August 23, 2022, unless there was an objection from the Governing Body.

No objections were expressed by the Governing Body.

PUBLIC COMMENT was submitted via email by Maureen Brady and Frank Mead (Attachment B).

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

Brenda Younger, City Clerk, provided an overview of the August 16, 2022, Governing Body meeting agenda.

Bill Cochran, Interim City Manager, announced the Impact Avenues 3-year celebration on August 12, 2022, at the Cyrus K. Holliday Building located at 620 SE Madison Street, Topeka, from 2:00 p.m. to 4:00 p.m. He reported information regarding the search for a permanent city manager would be released the week of August 15, 2022.

Councilmember Dobler expressed his appreciation to Staff, the Greater Topeka Partnership and all those that were involved in the Rural Housing Incentive District (RHID) Presentation, the demolition request for the building located at 735 S. Kansas Avenue, and the South Topeka Redevelopment District all items related to growth of the community.

Councilmember Duncan reminded citizens to get their COVID-19 vaccines. He reported 85 applications for ARPA funding were submitted to the City requesting approximately \$34 million for social services. He noted the first round of applicant evaluations will take place on August 12, 2022 at 3:00 p.m. in the Cyrus K. Holliday Building, First Floor Conference Room, located at 620 SE Madison Street, Topeka. He stated the goal of the Committee is to bring final recommendations to the Governing Body by the end of October 2022.

Councilmember Lesser commented on the annual 20/30 Gala and its great contributions to local charities. He thanked Wal-Mart for donating coats to local children.

Councilmember Hiller stated she attended the Wal-Mart Distribution Center 1-Year Anniversary and commented on the strong employee spirit of the company. She announced at the beginning of August the back-up mowing program for the Changing Our Culture of Property Maintenance Initiative began with outside vendors that are fundamentally working to help mow yards in Low to Moderate Income (LIMI) areas of the city. She requested

Governing Body members review the Changing Our Culture of Property Maintenance web page and encourage people to volunteer by calling 758-368-3930.

Councilmember Ortiz thanked all organizations that repeatedly host back to school events.

Councilmember Emerson thanked Interim City Manager Cochran for serving the city and expressed his appreciation for his continued dedication until a permanent city manager has been hired.

Mayor Padilla commended Wal-Mart for valuing their employees. He announced the need for volunteer soccer coaches for the Salvation Army. He congratulated Steve Wade, Administrative and Financial Services Director, and Amanda Stanley, City Attorney, for being accepted in the Bloomberg Harvard City Leadership Initiative.

Councilmember Emerson moved to recess into executive session not to exceed 1-hour to discuss employee/employer negotiations related to multiple city unions including but not limited to healthcare negotiations with ASME Development Services, ASME Water and Water Pollution Control as justified by K.S.A. 75-4319(b)(3). To aide in the discussion, the following staff assisted the Governing Body in its deliberations, Interim City Manager Bill Cochran and any other staff he deems necessary. No action was anticipated when the meeting resumed open session in the City Council Chambers. The motion seconded by Councilmember Dobler.

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. Councilmember Ortiz voted “no.” (8-1-0)

Following a 1-hour time period, the meeting reconvened into open session and Mayor

Padilla announced no action was taken during the executive session.

Councilmember Emerson moved to extend the Governing Body meeting past 10:00 p.m. The motion was seconded by Councilmember Dobler.

Mayor Padilla asked all those in favor of extending the Governing Body meeting past 10:00 p.m. 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 unanimously on voice vote. (9-0-0)

Councilmember Emerson moved to recess into executive session not to exceed 30 minutes for consultation with the city attorney to discuss attorney-client privilege matters regarding multiple individual cases as justified by K.S.A. 75-4319(b)(2). To aide in the discussion, the following staff assisted the Governing Body in its deliberations, Interim City Manager Bill Cochran; City Attorney Amanda Stanley; and Chief of Litigation Shelly Staff. No action was anticipated when the meeting resumed open session in the City Council Chambers. The motion was seconded by Councilmember Dobler.

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.

Councilmember Ortiz voted “no.” (8-1-0)

Following a 30-minute time period, the meeting reconvened into open session and Mayor Padilla announced no action was taken during the executive session.

NO FURTHER BUSINESS appearing the meeting adjourned at 10:15 p.m.

(SEAL)

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Brenda Younger City Clerk

# Attachment A



## Attachment B

## Brenda Younger

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**From:** Maureen Brady <mbrady0501@gmail.com>  
**Sent:** Tuesday, August 9, 2022 8:38 AM  
**To:** City Clerk  
**Subject:** Support repealing residency ordinance

Hello, I am emailing to provide written comments on the agenda item for Topeka City Council to consider changing the residency requirement for City staff. I am in favor of removing the requirement because I believe it does restrict the people who choose to take a job with the City of Topeka.

Thank you for considering this issue.

Best,  
Maureen

Safety and Security Signs at North Cedarwood  
8/9/2022

Providing safe streets is the responsibility of the City, as well as providing reasonable directions for those unfamiliar with streets to make visits to Topeka a positive. At this point the City is refusing to provide a necessary 'No Outlet' sign I have offer to pay for. In the last two years three accidents I am aware of have occurred in this section. People continually turn into the north end of Cedarwood Drive not knowing there is no outlet. 21<sup>st</sup> street has a 'No Outlet' sign.

Drawing from the City (HNTB, Bartlett & West) show the north portion of Cedarwood Drive as a Street with the appropriate sign exactly where we want it but it is not installed and did not exist when our project began.

Cedarwood Drive is considered a controlled access (KS 8-1410) exit from the I-70 and shows as State of Kansas property which is maintained by the City and County per contract. All 8 access adjoining the entrance and exit of I-70 are or are shown as streets.

During construction we were required to meet City street standards for the pavement and were told it was incase portions of our land were sold or put to other use, then we would have the street to handle them.

Normally as a property owner we would provide a sign but the unusual design of the streets makes this a worthless task. The right-of-way from Cyprus Drive is 90', add the normal 6' from right-of-way for private signs and drives on Cyprus will be looking over 110'. To make it worse the sign will be on the west side to avoid power poles. With Cyprus one way to the east a driver will only see the sign after he turns. From across Cyprus it will be about 150'. Would the City consider setting their one-way sign that far off the road?

After multiple trips, letters and calls to Legal and Engineering the results are notice from Engineer that they consider it a 'private drive' a cease and desist order from Legal on the placement of any item in the right-of-way, thus no sign.

KS 8-1410. "Controlled-access highway" defined. "Controlled-access highway" means every highway, street or roadway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same, except at such points only and in such manner as may be determined by the public authority having jurisdiction over such highway, street or roadway.

Frank Meade, CPA  
3528 SE Cyprus Drive  
Topeka, KS 66607