

## **Governing Body Minutes – October 10, 2023**

CITY COUNCIL CHAMBERS, Topeka, Kansas, Tuesday, October 10, 2023. 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, Valdivia-Alcala, Emerson, Ortiz, Kell, Naeger, Dobler, Duncan and Hoferer-9. Mayor Padilla 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 October 10, 2023, 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 October 10, 2023, for attachment to the meeting minutes.

AFTER THE MEETING was called to order Councilmember Ortiz requested a moment of silent meditation.

THE PLEDGE OF ALLEGIANCE was recited by meeting participants.

A PRESENTATION on Fire Prevention Week highlighting unattended cooking fires was presented by Randy Phillips, Topeka Fire Chief.

Councilmember Ortiz recognized the importance of fire safety awareness and education. She stated smoke alarms are still available free of charge to residents through the Topeka Fire Department.

A PRESENTATION on the City of Topeka Alternative Sentencing Court (ASC) was provided by Karan Thadani, Administrative Court Judge. Dylan Gallagher, Jordan Seiger and

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Brian Revels provided brief comments, and a letter was read on behalf of Rachel Holthaus, regarding how the program has had a positive impact on their lives.

Councilmember Kell thanked all the speakers for sharing their stories. He spoke about his professional work experiences and how programs like ASC help those that need it the most.

Councilmember Ortiz thanked all the speakers for giving their testimonies of the ASC program. She questioned why the City of Topeka has to pay for the use of the Shawnee County Corrections Facilities.

Councilmember Valdivia-Alcala thanked those that spoke to their experience with the ASC program and expressed appreciation to City Staff for their assistance with the program. She commended Bill Persinger, Valeo Behavioral Health Care Chief Executive Director, for assisting with a recent mental health issue in her district.

Councilmember Emerson thanked the ASC speakers for sharing their stories and Judge Thadani for his work on the program.

Councilmember Neager thanked everyone for sharing their personal experiences with the ASC program and commended them for showing their vulnerability.

Mayor Padilla spoke to the importance of programs such as ASC to the community and the need for “people” programs to continue. He commended those that spoke for their courage and determination through their struggles. He thanked Staff for their efforts and for making the program successful.

AN UPDATE on the City’s Homeless Initiative was provided by City of Topeka Homeless Initiative Core and Auxiliary Team members Irma Faudoa, Housing Navigator, and Jana Kizzar, Topeka Police Major.

Councilmember Valdivia-Alcala spoke to the “disconnect” between the City of Topeka,

Media and Shawnee County Sheriff Brian Hill. She expressed concern with sending mixed messages to the community and citizens. She spoke to the importance of the County understanding the regulations of the recently approved unlawful camping City Ordinance No. 20453. She added the community should know and understand that the City and County are working in collaboration to address homeless issues.

Councilmember Hiller expressed her appreciation for the renewed focus of the Core & Auxiliary Team. She added that she likes the updates being provided to the Governing Body. She asked how ideas should be communicated to the Team.

Major Jana Kizzar stated all communication should be sent to [homelessinitiative@topeka.org](mailto:homelessinitiative@topeka.org).

Councilmember Naeger thanked the Core & Auxiliary Team members for their work and noted, she looks forward to witnessing their accomplishments in a year from now.

Mayor Padilla thanked Staff for their efforts and stated community leaders across the state are looking to Topeka for leadership with hope and directive on how to address homeless issues.

CONSENT AGENDA was presented as follows:

MINUTES of the regular meeting of October 3, 2023, was presented.

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

APPROVAL of Consultant Contract NO. 51633 between the City of Topeka and REVPAR International, Inc., for providing hotel advisory and asset management services, was presented.

Richard U. Nienstedt, Interim City Manager, stated approval of the agreement was a critical step in the Hotel Topeka at City Center project.

Braxton Copley, Public Works Director, reported Staff recommends approving the agreement with REVPAR International, Inc., as they are the most qualified firm for the project with a team of experts that can review the facility in detail and provide recommendations.

Councilmember Kell asked who will serve as the project point person.

Councilmember Hoferer asked when the agreement would go into effect.

Director Copley reported that he serves as the project manager for Hotel Topeka and upon execution of the agreement by the city manager the agreement will be in effect.

Councilmember Emerson moved to approve the contract. The motion seconded by Councilmember Dobler carried. Councilmembers Valdivia-Alcala and Ortiz voted “no.” (8-2-0)

PUBLIC COMMENT was provided by the following individuals:

Paul Lassley expressed concern with the continued problems of overgrown trees at his residence located at 106 NW Highway 24, Lot 13, in the Caravan Community Mobile Home Park. He stated the overgrown trees are a danger to the public. He asked the City to adopt an ordinance to address the negligence of landlords.

Kathy Brown referenced the role of the Topeka Shawnee County Public Library Board of Trustees and the American Library Association and expressed her disapproval of the types of books offered to juveniles.

Chris Deister referenced the various degrees of failure to deal with homelessness across the nation. He requested the Core & Auxiliary Team consider categorizing the homeless into the following three categories (1) Unfortunate Unsheltered (2) Mentally Ill Unsheltered (3) Intransigent Unsheltered.

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

Councilmember Ortiz thanked Staff for their hard work as in relates to water main breaks and code compliance issues.

Councilmember Kell announced World Mental Health Day on October 10, 2023, and spoke to his personal struggles. He also announced the United States Navy will celebrate its 248<sup>th</sup> birthday on October 13, 2023. He spoke to the importance of allowing parental discretion in regards to choosing children's books.

Councilmember Naeger announced National Hispanic Heritage Month runs from September 15 to October 15. She also announced National Coming Out Day on October 11.

Councilmember Duncan asked Interim City Manager Nienstedt to extend a meeting invite to the Shawnee County Commissioners for the purpose of helping them better understand what the City was doing to address homelessness. He expressed his disappointment in the lack of knowledge and the comments made by Shawnee County staff members at the October 10, 2023 Shawnee County Work Session. He stated he was eager to meet with the County to get something accomplished as a group and reported on the efforts being made by City to address homelessness.

Those efforts include the following:

1. Adopting Ordinance No. 20453 concerning unlawful camping in the city of Topeka;
2. City Staff working groups removing and cleaning up homeless encampments;
3. The City has contributed significant people resources and funding to housing and mental health programs;
4. The Topeka Police Department has been assisting the Shawnee County Sherriff's Department with enforcement along the trails;
5. The City's panhandling ordinance was being reviewed; and
6. The City has hired a consultant to see what programs could be provided.

Councilmember Hiller thanked Staff for their assistance and prompt response to the many issues and observations she has been working on with constituents.

Councilmember Valdivia-Alcala stated as a Governing Body they will continue to hear about mental health and poverty issues and she believes the City needs to consider adopting or revising the necessary ordinances to address those issues. She spoke about her own mental health struggles and thanked Councilmember Kell for openly speaking about his struggles. She thanked Utilities Director Sylvia Davis for her willingness to meet with her constituents. She expressed the importance of making sure all City employees are paid a fair living wage.

Mayor Padilla referenced National Hispanic Heritage Month and the impact it makes on the Topeka community. He commented on the League of United Latin American Citizens (LULAC) 50<sup>th</sup> Anniversary celebration on October 7, 2023.

Councilmember Kell moved to recess into executive session not to exceed one-hour for consultation with the city attorney to discuss attorney-client privileged matters regarding one or more contracts and agreements as justified by K.S.A. 75-4319(b)(2). The open meeting will resume in the City Council Chambers. The following staff was requested to assist the Governing Body in its deliberations: City Attorney Stanley and others as deemed necessary. The motion was seconded by Councilmember Valdivia-Alcala carried. Councilmember Ortiz voted “no” (9-1-0)

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

NO FURTHER BUSINESS appearing the meeting adjourned at 8:52 p.m.

(SEAL)

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Brenda Younger City Clerk