

## **Governing Body Minutes – January 9, 2024**

CITY COUNCIL CHAMBERS, Topeka, Kansas, Tuesday, January 9, 2024. 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, Banks, Kell, Miller, Dobler, Duncan and Hoferer-7. Councilmember Valdivia-Alcala participated remote -1. Mayor Padilla presided - 1. Absent: Councilmember Ortiz -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 January 9, 2024, 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 January 9, 2024, for attachment to the meeting minutes.

AFTER THE MEETING was called to order, Councilmember Duncan provided the invocation.

THE PLEDGE OF ALLEGIANCE was recited by meeting participants.

A PRESENTATION on the Topeka Fire Department Emergency Medical Response Assessment was provided by Randy Phillips, Topeka Fire Chief; Misty Buckner, Wichita State University Public Policy Management Center; and Tom Jenkins, City of Rogers, Arkansas, Fire Chief and Wichita State University Team member. The following recommendations were made:

1. Evaluate placement of Advanced Life Support (ALS) fire companies considering frequented posts of American Medical Response (AMR) Ambulance call pattern and response times of less than 480 seconds.

2. Consider adding ALS fire companies into underserved areas as performance issues are identified (ALS response greater than 480 Seconds 90% of the time).
3. Prioritize four-person staffing of ALS fire companies to allow the company's quick recoil after high-acuity Emergency Medical Service (EMS) calls.
4. Consider establishing EMS supervisor position on each shift and adding EMS staff to provide leadership training, and system reliability support to EMS program.
5. Create communication frameworks to integrate the AMR and Topeka Fire Department (TFD) continuum of care, in accordance with franchise agreement; leaders should meet to study EMS program with defined agenda.
6. Modify franchise agreement in 2024 to ensure five or more ALS ambulance are available daily; 80% or more on-duty ambulance resources should ALS in capability
7. Create notification of "Status 0" to the TFD to alert extended response times and prompt dispatch of ALS companies.
8. Establish common language for ALS and Basic Life Support (BLS) ambulances; share estimated times of arrival between AMR and TFD using a CAD-to-CAD interface or similar process.
9. Review 15% of medical calls receiving an Emergency Medical Dispatcher (EMD) determinant code of "Delta" or "Echo" by an AMR EMD-Q; share results of each occurrence with TFD.
10. Complete a critical task analysis to tier TFD response to medical calls based on the complexity and task; include input from medical director.
11. Create or improve incentives for getting EMS training, including Emergency Medical Technician (EMT) Advanced and EMT Paramedic certifications; ensure competitiveness with area departments used by TFD for contract negotiation.
12. Train 15-25 firefighters annually in a paramedic program (consider online programs); consider training contracts that would require firefighters to continue employment for certain number of years.

Councilmember Ortiz joined the meeting remotely.

Councilmember Duncan spoke to the importance of identifying specific AMR service issues and having active conversations with AMR and Shawnee County to resolve those issues; and the need for the City to be more actively involved in contract negotiations with AMR to ensure the City has an active voice in the process. He referenced the recommendations from the Special Fire Commission in 2021, and noted that time the Governing Body has made no policy decisions on how the City should move forward with EMS, BLS and ALS services. He commended Topeka Fire Chief Phillips for continuing to improve services without specific direction from the Governing Body. He stated he does not have any major issues with the majority of the

recommendations; however, he believes they have reached the point where they need someone to provide them with options that includes a complete detailed plan and associated finances so they can make an informed decision.

Councilmember Dobler stated he concurs with Councilmember Duncan; however, the first step in the process is to determine what the appropriate level of service would be for the entire community including Shawnee County and all rural fire districts. He spoke in support of the Mayor creating a special committee that would fairly quickly determine the level of service needed and possibly include Topeka Fire Department personnel, representatives from Shawnee County, AMR and local hospitals as well as continue to partner with Wichita State University Team members.

Councilmember Valdivia-Alcala stated she concurs with comments made by Councilmembers Duncan and Dobler and would support resurrecting the Special Fire Commission created in 2021 for a brief period of time or creating a new short-term special committee so they can make the proper determination regarding level of service needed.

Councilmember Duncan asked if the City receives any type of reimbursement for general services when arriving on accident scenes or ALS services reimbursement.

Topeka Fire Chief Randy Phillips reported the City does not receive any fee reimbursement for treatment services provided; however, they do receive reimbursement for the cost of certain medical supplies utilized as outlined in the ARM contract.

Councilmember Hiller questioned if they should move forward with completing a full assessment of services not only for BLS and ALS but also for the demand of fire suppression services to help them understand the big picture of community needs. She suggested an analysis be conducted in the same manner as the City of Topeka Fire Department Organizational Analysis

Report conducted in 2016 for the purpose of creating an overall master plan that would include the review of existing deployment of emergency services resources and determine the actual number of fire stations needed to provide adequate fire suppression services.

Mayor Padilla stated many citizens have expressed concern with the community not having adequate AMR service. He requested a copy of the last report conducted on the subject matter and spoke to the importance of recognizing all research that has been conducted to date. He directed Interim City Manager Nienstedt to create a short-term task force lasting no longer than six months, to study and take into consideration the recommendations from the most recent Topeka Fire Department Emergency Medical Response Assessment (May 2023) as well as prior recommendations from the 2016 City of Topeka Fire Department Organizational Analysis Report to make sure there are no duplications. He suggested the Wichita State University Team participate in the task force. He requested the Interim City Manager present a timeline as well as a list of suggested task force members for approval by the Governing Body as soon as possible to make certain all necessary partners are included in the group for the purpose of providing a structure that allows the Governing Body to take the first step in answering the question posed by Councilmember Dobler concerning adequate service to the community.

AN UPDATE on the Polk-Quincy Viaduct Utility Relocation West Project was provided by Sylvia Davis, Utilities Director. She reported the initial engineering estimate for the seven projects was approximately \$22 million; however, the construction cost bids total \$17 million with the exclusion of Project 3. She thanked Kansas Department of Transportation, Kansas Department of Health and Environment, the United States Army Corps of Engineers and City of Topeka Departments for their coordination efforts. She referenced more project information could found on the City's website at [www.Topeka.org/utilities/pgv](http://www.Topeka.org/utilities/pgv) and KDOT's website at

[www.Polkquincy.org](http://www.Polkquincy.org)

Councilmember Dobler stated he believes this was the best example of project coordination between the City and State he has witnessed in his tenure. He noted the original project was \$50 million and now it has been reduced to approximately \$22 million.

Councilmember Hiller thanked all those involved for coordinating street closures, community events and project signage. She commended Staff for listening to the residents and allowing them to participate in the process.

Councilmember Duncan questioned the impact closing the Kansas Avenue and Topeka Boulevard Bridges would have on the community, and asked Staff if they have communicated with the businesses located along Madison and Monroe Streets that will be effected by the closures. He commended Staff for updating the project website to keep residents and businesses informed.

Councilmember Hoferer spoke to the impact the project will have on her personal business and encouraged other business owners to be active in the process and stay informed. She referenced how the project will cause traffic congestion on Crane Street and the need to carefully plan the routing of large vehicles to the main interstate. She encouraged Staff to work closely with public emergency services to make sure there was access at all times during the span of the project.

Director Davis stated they will continue to work to complete these projects with the least amount of impact on businesses, residents and traffic flow.

Councilmember Valdivia-Alcala commended Public Works Director Braxton Copley and Utilities Director Sylvia Davis for their continued efforts in communicating project updates to North Topeka and Oakland residents. She encouraged residents in these areas to get involved and attend project meetings so they remain informed about the project.

Mayor Padilla thanked staff for their continued communication efforts and expressed the

importance of maintaining public emergency access to project areas.

CONSENT AGENDA was presented as follows:

APPROVAL of a Workers' Compensation Claim settlement in the amount of up to \$47,711.84 to resolve the claim with Richard Martinez on a running award for a work-related injury sustained by an employee while engaged in normal work duties, was presented.

MINUTES of the regular meeting of January 2, 2024, was presented.

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

#### PUBLIC HEARING

PUBLIC HEARING to obtain citizen input on the City of Topeka's FY 2024 Annual Consolidated Action Plan, was presented.

Richard U. Nienstedt, Interim City Manager, reported submission of a 1-year action plan to Housing and Urban Development (HUD) will help the City secure over \$2.5 million in federal funding for housing and neighborhood improvements in the community.

Rhiannon Friedman, Planning and Development Services Director, thanked Staff for their assistance with the process and for creating a detailed handout that clearly outlines funding allocations.

Carrie Higgins, Housing Services Division Director, provided an overview of the 2024 Consolidated Action Plan and Budget process. She reported this was the final public hearing to be conducted and approval of the plan and budget would be on January 16, 2024. She stated Housing Services Funds totals \$8,427,786 and provided the financial breakdown of funds as follows:

- \$1,845,759 of Community Development Block Grants (CDBG)
- \$559,300 of HOME Investment Partnerships Program; and
- \$160,957 of Hearth Emergency Solutions Grants (HESG)
- \$1,777,076 of COC Grants

- \$487,145 from Private Grants
- \$3,597,549 from the City of Topeka General Fund

Councilmember Hiller asked if there were any significant changes from last year and if Staff would highlight a few comments from the public input sessions.

Director Higgins reported there were no major changes from last year as the current programs seem to be working well. She stated the main theme of public input was expressing support of overall increased funding to expand or add programs.

Mayor Padilla opened the public hearing and asked if there was anyone present who would like to speak to the matter.

Upon no one appearing, Mayor Padilla announced the public hearing was closed.

PUBLIC COMMENT was provided by the following individual:

Chuck Dultmeier distributed a handout regarding Laurens Bay Subdivision Phase 1 Special Assessment delinquencies. He asked if a Governing Body member would contact him about the issues he has raised to avoid further delay of the assessments.

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

Brenda Younger, City Clerk, provided an overview of January 16, 2024 Governing Body Meeting Agenda.

Richard U. Nienstedt, Interim City Manager, thanked the Public Works and Street Division employees for their work in clearing the streets during the recent snow storm.

Councilmember Miller thanked the Public Works and Street Division employees for their work in clearing the streets during the recent snow storm.

Councilmember Duncan expressed his condolences to the family of Jerry Boyles.

Councilmember Hoferer announced the Topeka Police Department Spring Citizen's Academy, it will be held February 29 – May 16, 2024, and applications are now being accepted.

Councilmember Hiller thanked the Public Works and Street Division employees for their work in clearing the streets during the recent snow storm. She recognized the community contributions of the late William Haynes, a former Councilmember and the late Ted Mize, a long time city resident.

Councilmember Valdivia-Alcala reminded residents to stay safe and plan accordingly during the severe cold weather.

Councilmember Ortiz recognized the late Lois Haynes for her community contributions. She thanked Gretchen Spiker, City Communications Division Director, for her service and leadership to the City of Topeka.

Councilmember Kell thanked the Public Works and Street Division employees for their work in clearing the streets during the recent snow storm. He asked residents to support local high school winter sports teams.

Mayor Padilla thanked Gretchen Spiker, City Communications Division Director, for her service to the City of Topeka. He called a Special Meeting of the Governing Body on January 17, 2024, from 10:00 a.m. to 12:00 p.m. at The Great Overland Station located at 200 NW Railroad Street, Topeka. He stated it would be a joint meeting with the Shawnee County Commission, and reported the Homeless Initiative Core Team is seeking input from the Policy Makers on the next stage of the process, Ideation, reframed problem statements turned into ideas for solutions.

Councilmember Kell moved to recess into executive session not to exceed 45 minutes for consultation with the city attorney to discuss attorney-client privileged matters regarding various matters in litigation as justified by K.S.A. 75-4319(b)(2). The open meeting resumed in the City

Council Chambers. The following staff was requested to assist the Governing Body in its deliberations: City Attorney Amanda Stanley and Chief of Litigation Nick Jefferson. The motion was seconded by Councilmember Hoferer.

Mayor Padilla asked all those in favor of recessing into to an executive session to indicate so verbally by saying “yea” and those opposing to indicate so verbally by saying “no.” The motion carried on voice vote. Councilmember Ortiz voted “no.” (9-1-0)

At the conclusion of the executive session, 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