

## **Governing Body Minutes – February 11, 2020**

CITY COUNCIL CHAMBERS, Topeka, Kansas, Tuesday, February 11, 2020. The Governing Body members of the City of Topeka met in regular session at 6:00 P.M., with the following Councilmembers present: Hiller, Valdivia-Alcala, Ortiz, Emerson, Padilla, Naeger, Dobler, Duncan and Lesser -9. Mayor De La Isla presided -1.

AFTER THE MEETING was called to order, Alicia Barber, Topeka Police Department Champlain, provided the invocation.

THE PLEDGE OF ALLEGIANCE was recited by those present in the chamber.

APPOINTMENTS were presented as follows:

BOARD APPOINTMENT recommending the reappointment of Paul Post to the Topeka Landmarks Commission for a term ending December 31, 2022, was presented. (*Council District No. 1*)

BOARD APPOINTMENT recommending the reappointment of Mark Burenheide to the Topeka Landmarks Commission for a term ending December 31, 2022, was presented. (*Council District No. 1*)

BOARD APPOINTMENT recommending the reappointment of Robert Berquist to the Topeka Tourism Business Improvement District Advisory Board for a term ending December 31, 2021, was presented.

BOARD APPOINTMENT recommending the appointment of Meredith Fry to the Topeka Human Relations Commission to fill an expired term ending February 10, 2022, was presented. (*Council District No. 6*)

BOARD APPOINTMENT recommending the reappointment of James Parrish to the Downtown Business Improvement District Advisory Board to fill an expired term ending December 31, 2021, was presented.

Councilmember Hiller moved to approve the appointments. The motion seconded by Councilmember Naeger carried unanimously. Mayor does not vote. (9-0-0)

A PRESENTATION on the Development & Growth Management 2019 Year End Report was presented by Bill Fiander, Planning and Development Department Director.

A PRESENTATION on the Topeka Police Department 2019 Year End Report and 2020 Initiatives as well as an update on the Strengthening Police & Community Partnerships (SPCP) Initiative was presented by Chief Bill Cochran, Topeka Police Department.

Mayor De La Isla announced staff has requested to withdraw Item 4E, a resolution granting Celtic Fox a noise exception from the consent agenda. She noted the item was placed on the agenda in duplicate.

Upon hearing no objections, Mayor De La Isla announced Item 4E would be withdrawn from the consent agenda.

THE CONSENT AGENDA was presented as follows:

ORDINANCE NO. 20228 introduced by City Manager Brent Trout, allowing and approving City expenditures for the period November 30, 2019 through January 3, 2020, and enumerating said expenditures therein was presented.

RESOLUTION NO. 9161 introduced by Councilmember Karen Hiller, approving a special event known as the African American Travel Conference was presented. (*Council District No. 1*)

RESOLUTION NO. 9162 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. 9163 introduced by Councilmember Karen Hiller, approving a special event known as the 2020 St. Patrick's Day Street Party was presented. (*Council District No. 1*)

APPROVAL OF MINUTES of the special meeting of February 1, 2020 and the regular meeting of February 4, 2020, were presented.

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

DISCUSSION and UPDATE on Topeka's existing housing conditions and city-wide market demand, as well as a general update on the housing study project was presented.

Brent Trout, City Manager, reported the City of Topeka partnered with the planning and real estate consulting firm Development Strategies to create a Citywide Housing Market Study and Strategy.

Justin Carney, Development Strategies, provided a project update and stated the study provides a detailed assessment of housing needs in the city, analyzes household affordability for all population segments of the community, assesses existing housing programs and providers, and recommends a policy framework to guide equitable housing investments. He stated the housing study includes appropriate allocation of the City's current HUD funding to support new and existing programs; re-organization of existing programs to meet new needs or leverage new resources/partnerships; and possible creation of new funding sources.

In response, Governing Body Members made the following statements:

- Referenced Tiny Homes and if the study will look at different housing options such as Tiny Homes as a component in the current market and if so, what would be the parameters.
- Questioned how Governing Body members could help develop positive citizen partnerships between single family home owners and multi-family home owners.
- The need for a housing trust fund to be set up as an endowment fund to help mitigate some of the housing issues in the community.
- Referenced the market analysis conducted and the need to consider systemic issues across the board - deeper community issues such as economic inequality, low paying jobs, the effects of redlining lending practices, and the continued decline of aging neighborhoods.
- Referenced the funding component of the study, and requested if the report would include suggestions, recommendations or examples of tools other communities have put into place to help fund their trust fund, or incentives that have been successful to help create mixed use or infill developments.
- The importance of determining 3 to 5 recommendations that include context specific solutions including potential funding sources and the necessary steps the City must take to complete the recommendations.
- If the study will include a comprehensive strategy to attract infill housing development.

In response, Justin Carney and Andy Pfister, Development Strategies, provided the following responses:

- The housing study was still in the strategy phase; however, when complete 3-5 recommendations would be presented to the Governing Body for consideration.
- Multi-family infill housing needs to happen in a context sensitive way through education of citizens. Multi-family housing needs usually are phased in near commercial properties or along corridors.
- Context specific solutions will be addressed through the identification of what tools and best practices should be used in each focus area outlined in the study.

Brent Trout reported the last housing study was conducted in 1990, and only covered the affordable housing portion – it was not a comprehensive housing study providing the level of detail that will be provided with this report.

Joseph Ledbetter stated he concurs the final report should only include 3 to 5 solid recommendations. He stated he believes the housing issues will not change until the City focuses on enforcement of property codes as well as the need for new housing specifically duplex units. He expressed concern with stagnate population growth and the lack of small developer incentives and suggested the City provide free water meters as an incentive. He commented on

the need for an east Topeka turnpike entry and the need to clean up neighborhood parks to improve the aesthetics of aging neighborhoods.

DISCUSSION for the purpose of establishing priorities for the 2021 budget on or before the third Tuesday of May, and discussion of grant priorities, was presented.

Nick Hawkins, Deputy Administrative and Financial Services Director, stated the intent of the discussion was to provide budget priorities to be included in a resolution to be presented on or before the May 19, 2020, Governing Body meeting. He highlighted the following 2020

Budget Priorities:

- Improving Fiscal Sustainability and Governance
- Continuing a Commitment to Public Safety
- Continuing a Commitment to Development Neighborhoods
- Select Strategic Investments toward Quality of Life
- Investing in Infrastructure

Nick Hawkins continued to report on 2021 budget challenges including expenditure growth versus revenue growth; estimated annual operating deficits; reliance on economically sensitive revenues; and impact on levels of service. He stated resident engagement will include neighborhood and group presentations; interactive budget game to help residents understand current priorities and allocations; highlight key budget challenges the City faces; and receive input on budget priorities. He provided an overview of the 2021 proposed budget calendar and noted more details are available at [www.topeka.org/budget](http://www.topeka.org/budget) and the Open Budget Portal can be viewed at [www.budget.topeka.org](http://www.budget.topeka.org). He reported the next steps would include the Governing Body providing feedback on existing priorities and guidance on modifications with the hopes to adopt budget priorities at the April 7, 2020, Governing Body meeting; however, Topeka Municipal Code Section 3.05.050 requires budget priorities be adopted by the third Tuesday in May of each year.

Brent Trout, City Manager, reported questions already submitted at the February 1, 2020, Workshop and subsequent questions since that time will be discussed at the February 18, 2020, Governing Body meeting. He encouraged Governing Body members to submit any additional questions and staff would work to provide the answers by February 18, 2020.

Councilmember Ortiz requested the City incorporate meetings with youth groups and the elderly population.

Councilmember Hiller stated overall budget priorities have remained steadfast in recent years and she would suggest the language remain the same for 2021. She questioned if there will be CIP discussions conducted in March. She asked if staff plans to provide the entire project list for the full 10 years of the proposed CIP and when they would receive the 4<sup>th</sup> Quarter Financial Report so she can fully assess the CIP and make suggestions. She referenced the calendar and asked Governing Body Members to consider the dates listed, specifically the additional meetings being proposed in June.

Nick Hawkins noted the dates are tentative and staff welcomes any feedback.

Brent Trout stated discussions will be conducted in March if necessary. He acknowledged the compressed calendar due to timeline constraints in conducting the public hearing and adopting the budget. He noted the City will not receive actual tax values until June 15, 2020, causing the need for additional meetings towards the end of June.

Councilmember Emerson referenced a bill being proposed at the State level that would change the budget cycle and allow cities to better financially plan. He encouraged the City to support the proposal.

Joseph Ledbetter distributed a handout regarding the Gage Park project and the removal of trees and requested pedestrian bridges be constructed to reconnect Gage Park with the Zoo,

Helen Hocker Theatre and Gage Park Shelter House. He expressed the need to address stagnant population growth or sales tax will be reduced; improve productivity allowing a reduction in the number of employees in order to better manage the budget; NIAs are not getting their problems solved in a timely matter; and the number one complaint he receives by citizens is to the fix streets.

PUBLIC COMMENT was expressed by the following individual:

Stephen Schiffelbein, Topeka JUMP member, announced the Nehemiah Action Assemble on April 25, 2020, in Lee Arena at Washburn University and invited the Governing Body to attend. He spoke in support of safe and affordable housing and requested public funding be approved in the amount of \$2 million for a Housing Trust Fund to be used as an incentive for private and non-profit entities to provide safe and affordable housing for low and moderate income households. He stated the housing gap continues to outpace current production. He asked that a strategy be developed to address the issue of people living in poverty.

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

Brenda Younger, City Clerk, provided an overview of the February 11, 2020, Governing Body meeting agenda.

Brent Trout, City Manager, announced Nick Hawkins, Deputy Administrative and Financial Services Director, has accepted a new position with City of North Kansas City as the Finance Director and his last day of employment with the City will be February 28, 2020.

Mayor De La Isla announced the City of Topeka would participate in the Bloomberg Harvard Leadership Initiative Team Training for negotiation training and noted three staff members would participate.

Councilmember Ortiz commented on the positive outcome of the East Topeka North Sort Meeting. She encouraged citizens to take advantage of the free smoke alarm program offered by the Topeka Fire Department.

Councilmember Naeger encouraged citizens to invite Governing Body members to participate in local events and activities allowing them to better connect to the community.

Councilmember Duncan announced at the end of March, he will conduct a community forum in District No. 8 to discuss budget priorities of citizens. He noted details of the forum would be announced soon.

Councilmember Hiller thanked Nick Hawkins, Deputy Administrative and Financial Services Director, for his service.

Councilmember Valdivia-Alcala commented on the service contract between the City of Topeka and Whitney Damron, City of Topeka Lobbyist and distributed a handout requesting information on the service contract.

Councilmember Emerson moved to recess into executive session for a period of time not to exceed 15 minutes for consultation with the City's legal counsel to discuss attorney-client privileged matters related to potential litigation, as justified by KSA 75-4319(b)(2). In order to aid the discussion, the following individuals were present: Members of the Governing Body; City Manager, Brent Trout; Deputy City Manager, Doug Gerber; Financial and Administrative Services Director, Jessica Lamendola; Associate City Attorney, Nick Jefferson; and City Attorney, Lisa Robertson. No action will be taken when the open meeting resumes in the Governing Body Chambers. The motion seconded by Councilmember Dobler Carried unanimously. (10-0-0)

After a 15-minute recess, the meeting reconvening into open session and Mayor De La

Isla announced no action was taken.

Councilmember Dobler moved to recess into executive session for an additional period of time not to exceed 10 minutes to continue consultation with the City's legal counsel to discuss attorney-client privileged matters related to potential litigation, as justified by KSA 75-4319(b)(2). In order to aid the discussion, the following individuals were present: Members of the Governing Body; City Manager, Brent Trout; Deputy City Manager, Doug Gerber; Financial and Administrative Services Director, Jessica Lamendola; Associate City Attorney, Nick Jefferson; and City Attorney, Lisa Robertson. No action will be taken when the open meeting resumes in the Governing Body Chambers. The motion seconded by Councilmember Dobler carried. (9-0-0) Councilmember Ortiz did not vote.

After a 10-minute recess, the meeting reconvening into open session and Mayor De La Isla announced no action was taken.

Councilmember Emerson moved to recess into executive session for a period of time not to exceed 30 minutes to discuss confidential employment matters pertaining to nonelected personnel, as justified by KSA 75-4319(b)(1), in order to protect the privacy of those discussed. Members of the Governing Body were present for discussion, initially; with City Manager, Brent Trout, to join the discussion when called upon. No action will be taken when the open meeting resumes in the Governing Body Chambers. The motion seconded by Councilmember Naeger carried. Councilmember Ortiz voted "no." (9-1-0)

Following a 30-minute recess, the meeting reconvening into open session and Mayor De La Isla announced no action was taken.

Councilmember Naeger moved to extend the meeting past 10:00 p.m. and recess into executive session for an additional period of time not to exceed 30 minutes to discuss

confidential employment matters pertaining to nonelected personnel, as justified by KSA 75-4319(b)(1), in order to protect the privacy of those discussed. Members of the Governing Body should be present for discussion, initially; with City Manager, Brent Trout, to join the discussion when called upon. No action will be taken when the open meeting resumes in the Governing Body Chambers. The motion seconded by Councilmember Naeger carried. Councilmember Ortiz voted “no.” (9-1-0)

Following a 30-minute recess, the meeting reconvening into open session and Mayor De La Isla announced no action was taken.

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

(SEAL)

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Brenda Younger  
City Clerk