

## **Governing Body Minutes – March 10, 2020**

CITY COUNCIL CHAMBERS, Topeka, Kansas, Tuesday, March 10, 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 Bill Wagemaker provided the invocation.

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

APPOINTMENTS were presented as follows:

BOARD APPOINTMENT recommending the appointment of Erica Garcia to the Topeka Human Relations Commission to fill an expired term ending March 9, 2022, was presented. (*Council District No. 7*)

BOARD APPOINTMENT recommending the appointment of Erica Garcia to the Metropolitan Topeka Airport Authority Board to fill an unexpired term ending on November 30, 2021, and for a three-year term ending November 30, 2024, was presented. (*Council District No. 7*)

BOARD APPOINTMENT recommending the reappointment of Jennifer Sourk to the Washburn University Board of Regents for a term ending March 9, 2024, was presented. (*Council District No. 6*)

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

THE CONSENT AGENDA was presented as follows:

APPROVAL OF MINUTES of the regular meeting of March 3, 2020, was presented.

APPROVAL of the following Open After Midnight licenses was presented:

<u>Business Name</u>	<u>Address</u>
Boulevard Billiards	4700 SW Topeka Blvd.
Brass Rail Tavern	401 NE Emmett St.
California BP	2740 SE California Ave.
Gage Center Bowl	4200 SW Huntoon St.
Haags Express	1001 SW Wanamaker Rd.
Holiday Square Phillips	2901 SW Topeka Blvd.
Kicks 66	3300 SW Gage Blvd.
Lazy Toad	5331 SW 22 <sup>nd</sup> Pl. #2
Louie's Lounge & Laundromat	1501 SW 21 <sup>st</sup> St. #109
Old Chicago	1231 SW Wanamaker Rd.
Oscar's Bar & Grill	1424 SW Lane St.
Panchos 2	3506 SW Topeka Blvd.
Skinny's Sports Bar & Grill	4016 SW Huntoon St.
The Celtic Fox	118 SW 8 <sup>th</sup> Ave.
The Dugout	1545 SW Fairlawn Rd.
The Foundry	400 SW 33 <sup>rd</sup> St.
Walgreens #03069	1001 SW Topeka Blvd.
West Ridge Lanes	1935 SW Westport Dr.

Councilmember Ortiz moved to approve the consent agenda. The motion seconded by Councilmember Hiller carried. Councilmember Naeger was out of the room. (9-0-0)

DEMOLITION of the structure located at 1104 SW Western Avenue, located within the boundaries of the Holliday Park National Historic District within the City of Topeka, pursuant to KSA 75-2724, was presented. (*Council District No. 1*)

Brent Trout, City Manager, reported staff recommends the Governing Body move to authorize demolition of the structure at 1104 SW Western due to the extensive fire damage which has created an unsafe structure situation. He reported no one has inquired on the property.

Councilmember Hill moved to authorize demolition of the structure at 1104 SW Western due to the extensive fire damage which has created an unsafe structure situation and there are no feasible and prudent alternatives to demolition and all possible planning has been done to minimize any adverse effects. The motion seconded by Councilmember Lesser carried unanimously. (10-0-0)

DEMOLITION of the structure located at 1108 SW Western Avenue, located within the boundaries of the Holliday Park National Historic District within the City of Topeka, pursuant to KSA 75-2724, was presented. (*Council District No. 1*)

Brent Trout, City Manager, reported staff recommends the Governing Body move to authorize demolition of the structure at 1108 SW Western.

Councilmember Hill moved to authorize demolition of the structure at 1108 SW Western due to the extensive fire damage which has created an unsafe structure situation and there are no feasible and prudent alternatives to demolition and all possible planning has been done to minimize any adverse effects. The motion seconded by Councilmember Lesser carried unanimously. (10-0-0)

REQUEST to extend the deadline for the City of Topeka Fire Service Special Committee to report to the Governing Body from April 2020, to no later than November 10, 2020, was presented.

Brent Trout, City Manager, reported on December 17, 2019, the Governing Body voted to approve the purchase of property for a new fire station as well as establish an ad hoc committee to review fire service for the City of Topeka with the committee work to be completed by April 2020. He stated because the committee recommendations would not have an effect on the 2021 budget, he requests the deadline for the final report to the Governing Body be no later than November 10, 2020. He reported he has received commitments from individuals within the community willing to serve on the committee and highlighted the proposed committee process that would complete an in depth review for fire services.

Councilmember Hiller referenced the Draft Proposal for Fire Service Special Committee and suggested "Prevention vs. Suppression" be added as item 5 under Section 3e.

Brent Trout agreed to the addition.

Councilmember Duncan expressed the importance of the committee having clear directive from the Governing Body and determining the type of fire service needed in the future.

Councilmember Dobler asked if the City plans to manage the operations of Emergency Medical Services (EMS) in the City.

Brent Trout reported the EMS operations component will be discussed by the committee and the Advanced Life Support (ALS) program will have a big impact on the overall fire service the City provides. He noted the ALS pilot program continues to provide good data to analyze the number of fire stations needed for future fire service as well as the budgetary impact.

Councilmember Valdivia-Alcala expressed her appreciation for the opportunity to serve on the Special Committee and thanked former Councilmember Sandra Clear for serving on the Committee as well. She requested the City Manager supply the Governing Body all studies and analysis being considered by the committee to the Governing Body.

Brent Trout stated all the information and studies will be supplied in hard copy and electronic form.

Councilmember Ortiz commended the Governing Body for establishing the Special Committee. She stated it provides an opportunity for community partners, staff and all others involved to collaborate on a solution. She noted there are a number of studies to consider and expressed the importance of making sure the entire City has adequate fire service coverage.

Councilmember Ortiz moved to extend the deadline for the City of Topeka Fire Service Special Committee to report to the Governing Body from April 2020, to no later than November 10, 2020. The motion was seconded by Councilmember Emerson. (10-0-0)

**APPROVAL** of recommendations of the Social Service Grants Committee; Social Service

Grants 2021 Score Sheet; source of future vendor funding for outsourcing; and the Social Service Grants Request for Proposal Funding Announcement, was presented.

Councilmember Hiller, Social Service Grants Committee Chair, provided the background on the process to date. She reported the Social Service Grants Committee desires the Governing Body approve various components of the Social Service Grants program. Specifically, the Committee requests the Governing Body approve the following:

- Approval of the 2021 Social Service Grants Score Sheet
- Approve direction to staff that future funding for the vendor not be taken from grant allocation funding
- Approval of the Social Service Grants Request for Proposal Funding Announcement

Councilmember Padilla expressed his appreciation of the work staff has done so far on the committee; supplying the necessary data; and taking a careful approach to outsourcing the service. He welcomed all ideas from Governing Body members.

Councilmember Valdivia-Alcala thanked Councilmember Hiller for her guidance during the process and expressed her appreciation to City staff members and organizations for their input and openness for solutions to the concerns raised. She expressed concern with how they will determine if outsourcing the service will save the City money and requested the Governing Body review the matter in one year to determine if there will be a true cost savings.

Councilmember Hiller reported staff has committed to tracking staff hours worked; the vendor has been selected and will meet with the committee; and the committee plans to reconvene in the fall to allow sufficient time to make recommendations prior to the end of the year for 2022 grants.

Councilmember Ortiz asked how organizations will be notified of the changes and if there would be an appeal process.

Councilmember Hiller stated agencies are aware of the changes and the appeal process would remain in place. She expressed the importance of making sure applications are vetted.

Councilmember Duncan spoke in support of the diversity requirements for agency boards and the appeal process. He asked if diversity requirements will be phased in since timing of term limits will be different for each board.

Councilmember Hiller stated there was no discussion regarding the phasing of board requirements. She noted there were only slight changes including increasing the amount of board members from 15 to 20; and quorum requirements for board meetings will now be 65% or more at all meetings.

Councilmember Valdivia-Alcala stated the change relates to the vendor and responsibilities of staff and organizations felt more encouraged with the changes.

Councilmember Padilla stated staff has provided a list of individuals that are willing to assist. He noted he did not hear concerns raised by anyone.

Councilmember Hiller moved to approve the 2021 Social Service Grants Score Sheet; direction to staff that future funding for the vendor not be taken from grant allocation funding; and the Social Service Grants Request for Proposal Funding Announcement. The motion seconded by Councilmember Naeger carried unanimously. (10-0-0)

REVIEW of City of Topeka Governing Body Retreat Final Report, was presented.

Brent Trout, City Manager, reported the Governing Body met on January 18, 2020, to develop a new set of Goals and Objectives for the year 2020 and 2021, and as a result, a set of five primary goals with multiple objectives under each goal was established. He stated the Governing Body will review and approve the goals and objectives and staff will develop an action plan by April 1 and provide quarterly updates.

Joseph Ledbetter stated he believes there was a need to improve cleanup efforts throughout the city; improve the development planning process; improve employee productivity in the Street, Water and Water Pollution Control (WPC) divisions; use cash reserves from the Utilities fund to pay for the repair of water lines to reduce the amount of revenue bonds financed annually; and the need for City staff to listen and be flexible.

Councilmember Hiller stated she was unsure the language presented would accomplish an overall strategic plan or vision for the City. She requested more time to work on a final document.

Brent Trout stated the Retreat Report included two-year goals to coincide with possible changes as a result of election terms for Governing Body members. He noted many of the items contribute to a strong overall vision for the community and asked if the report represents what transpired at the retreat.

Councilmember Valdivia-Alcala stated she agrees with the five pillars; however, the overall document was too broad.

Councilmember Dobler stated he believes the report was a good start and he agrees with the five pillars presented; however, the document was too broad. He questioned if a Governing Body meeting was too formal of a setting in regards to vetting the document and suggested the matter be sent to the committee for further review.

Mayor De La Isla stated it appears the consensus of the Governing Body was to take additional time to bring ideas back to the City Manager.

Councilmember Padilla requested the document include more actionable details. He spoke in support of the work happening at the committee level and suggested staff members be invited to provide feedback as it would be helpful in developing a strategic plan.

Mayor De La Isla requested Governing Body members send their feedback to the City Manager as soon as possible so the item could be discussed at the first meeting in April to determine how it will be crafted for further discussion.

Brent Trout reported the document would be used as guidance for staff to create an action plan through specific steps to support operational improvements.

PUBLIC COMMENT was expressed by the following individuals:

Elizabeth Woning distributed a copy of the book “Changed.” She thanked the Governing Body for providing protection for the Lesbian, Gay, Bisexual, and Transgender (LGBT) community. She discussed conversion therapy and the effects it has on individuals.

Amanda Smith spoke to a person’s faith convictions as it relates to the LGBT life style. She thanked the Governing Body for their service and expressed concern with equality for all.

Kevin Whitt expressed concern with language that may be used in ordinances that provide protection to the LGBT community, however; it discriminates against those individuals that have left the LGBT community. He also expressed concern with Drag Queen Story Hour and the effect it has on children and the comprehensive sex education occurring in school systems.

Mike Spadafore expressed concern with the City’s capital improvement budget and how it relates to the slow population rate of the city. He stated there was a need to fund projects and programs to accommodate those living in the city as well as the need to analyze all project costs very closely. He suggested allocating 10% of funding resources to quality of life projects such as affordable housing, increasing pedestrian safety and financial stability for the City.

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

Brenda Younger, City Clerk, provided an overview of the March 17, 2020, Governing Body

Agenda.

Brent Trout, City Manager, announced the next City of Topeka Budget workshop would be held on March 13, 2020, from 10:00 a.m. to 11:00 a.m. at the Jayhawk Area Agency on Aging, 2901 SW Topeka Boulevard. He also announced the first of four “How To Do Business With The City” information sessions that will be held in 2020 to assist local area vendors in how to do business with the City. He announced that the ADA Advisory Council will host speaker Lorraine Cannistra, who is the author of “More the Same than Different: What I Wish People Knew about Respecting and Including People with Disabilities” on March 25, 2020. He announced the City of Topeka was named the winner of the Third Annual Smart Cities North American Awards for Economic Development, Tourism, Arts, Libraries, Culture and Open Spaces.

Mayor De La Isla stated the City continues to work with the Shawnee County Health Department regarding Covid-19 (Coronavirus). She expressed the importance of corporations accommodating employees with illness and the need for child care as well as community preparedness. She reported the City has been disseminating regular messages across the community while collaborating and coordinating with other organizations.

Councilmember Emerson stated he attended the Central Highland Park Neighborhood Improvement Association (NIA) meeting where Habitat for Humanity highlighted programs they offer home owners to assist with repairs and improvements. He encouraged residents to contact Habitat for Humanity for more details.

Councilmember Padilla announced Hispanic Day at the Capitol would take place on March 11, 2020, at 9:00 a.m.

Councilmember Naeger spoke to the precautionary measures necessary to avoid the spread of the Covid-19 Virus.

Councilmember Duncan spoke to the network of preparedness for Covid-19 Virus at all levels of the community. He announced he will host a Greet and Meet on March 26, 2020, from 5:30 p.m. to 7:00 p.m. at Crestview Community Center.

Councilmember Hiller expressed her appreciation to community partners in coordinating Covid-19 Virus precautions. She encouraged citizens to participate in St. Patrick's Day activities. She reminded citizens that Keep America Beautiful was a great community resource offering recycling and disposal services to help with the cleanup of properties.

Councilmember Valdivia-Alcala requested a presentation on the final housing study including details needed to help the Governing Body and public better understand the challenges facing the community. She announced the Oakland community would soon have a community garden; and the Historic East Topeka North NIA will conduct a burrito sale in an effort to raise funds. She encouraged East Topeka North NIA residents to participate in NIA meetings and provide input on how to utilize SORT funding. She reported NIAs are working with Shawnee County Parks & Recreation Department to install horseshoe pits in two parks located in District 2.

Brent Trout stated there will be a final presentation on the housing study including recommendations at the April 14, 2020, Governing Body meeting. He reported the Governing Body will have an opportunity to identify issues not covered in the presentation at that time.

Councilmember Dobler moved to recess into executive session for a period of time not to exceed 10 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.

To aid in the discussion, the following individuals were present: Members of the Governing Body; City Manager, Brent Trout; Deputy City Manager, Doug Gerber; and City Attorney, Lisa Robertson. No action was anticipated to be taken when the open meeting resumed in the Governing Body Chambers. The motion seconded by Councilmember Naeger carried. Councilmember Ortiz voted “no.” (9-1-0)

Following a 10-minute time period, the meeting reconvened into open session and Mayor De La Isla announced no action had been taken.

Councilmember Emerson moved to recess into executive session for a period of time not to exceed 10 minutes to continue discussion on confidential employment matters pertaining to nonelected personnel, as justified by KSA 75-4319(b)(1), in order to protect the privacy of those discussed. To aid in the discussion, the following individuals were present: Members of the Governing Body; City Manager, Brent Trout; Deputy City Manager, Doug Gerber; and City Attorney, Lisa Robertson. No action was anticipated to be taken when the open meeting resumed in the Governing Body Chambers. The motion seconded by Councilmember Hiller carried. Councilmember Ortiz voted “no.” (9-1-0)

Following a 10-minute time period, the meeting reconvened into open session and Mayor De La Isla announced no action had been taken.

NO FURTHER BUSINESS appearing the meeting was adjourned at 7:46 p.m.

(SEAL)

---

Brenda Younger  
City Clerk