

Governing Body Minutes – June 9, 2020

CITY COUNCIL CHAMBERS, Topeka, Kansas, Tuesday, June 9, 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, Padilla, Dobler, and Duncan - 5; and the following Councilmembers participated remotely: Ortiz, Naeger, Emerson, and Lesser - 4. Mayor De La Isla presided -1.

Mayor De La Isla asked for a moment of silent meditation in honor of George M. Floyd, a man who died in Minneapolis, Minnesota, on May 25, 2020, due to police brutality.

AFTER THE MEETING was called to order, Pastor Dale Greer, Town & Country Christian Church, provided the invocation.

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

BOARD APPOINTMENT recommending the reappointment of Lorean Williams to the Topeka Human Relations Commission to fill an expired term ending June 2, 2022, was presented. (*Council District No. 4*)

BOARD APPOINTMENT recommending the reappointment of Thomas Woltkamp to the Board of Building and Fire Appeals for a term ending December 31, 2021, was presented. (*Council District No. 6*)

BOARD APPOINTMENT recommending the appointment of Jennifer Miller to the Topeka-Shawnee County Public Library Board of Trustees for a term ending April 30, 2024, was presented. (*Council District No. 7*)

BOARD APPOINTMENT recommending the reappointment of Veronica Padilla to the Civil Service Commission to fill a vacant position ending June 8, 2024. (*Council District No. 5*)

Councilmember Emerson moved to approve the appointments. The motion seconded by Councilmember Dobler carried. Councilmember Padilla abstained. Mayor does not vote.

(8-0-1)

THE CONSENT AGENDA was presented as follows:

APPROVAL OF MINUTES of the regular meeting of June 2, 2020, was presented.

APPROVAL of the following Cereal Malt Beverage-Off Premise licenses was presented:

<u>Business Name</u>	<u>Address</u>
Hy-Vee #1658	2951 SW Wanamaker Rd.
Hy-Vee Gas	6011 SW 29 th St.
Seabrook Apple Market	1945 SW Gage Blvd.
Wood Oil #7	101 NE US Hwy 24

Councilmember Dobler moved to approve the consent agenda. The motion seconded by Councilmember Padilla carried unanimously on roll call vote. (10-0-0)

RESOLUTION NO. 9180 introduced by City Manager Brent Trout, in accordance with Section 18.60.010 of the Topeka Municipal Code, approving a Conditional Use Permit to allow for a “Public Utility Facility Type II” (sanitary sewer pump station) on property zoned “R-2” Single Family Dwelling District and located at the southeast corner of NE Jefferson Street and NE Grant Street in the City of Topeka, Shawnee County, Kansas, was presented. (CU20/01)
(Council District No. 2)

Bill Fiander, Planning and Development Director, reported the primary issue regarding the requested Conditional Use Permit (CUP) was the facility's compatibility with surrounding land uses. He stated the proposed pump station would be compatible to the surrounding area and have an architectural design reminiscent of the original pump station. He noted the permit would include conditions for landscaping, lighting, stormwater and noise limits to ensure the facility's

compatibility. He stated the Topeka Planning Commission and Topeka Planning Department are recommending approval.

Mayor De La Isla stated prior to proceeding with the vote, each member of the Governing Body who has engaged in ex parte communication with any individual either in favor of, or against, the matter being considered, must state that the communication occurred and indicate that even in light of having engaged in the communication they were able to fairly, objectively, and impartially consider the measure based only upon the evidence provided on the record. The record includes the Planning Commission minutes, the Staff report and its attachments, the public comments made during the Planning Commission hearing and similar relevant information related to the matter.

Ex parte communication was declared by Councilmember Ortiz.

Councilmember Emerson moved to approve the resolution. The motion seconded by Councilmember Lesser carried unanimously on roll call vote. (10-0-0)

PUBLIC HEARING

A public hearing for the purpose of considering written or oral objections to the proposed assessments on file in the office of the Clerk, on all lots, parcels and pieces of ground liable for the cost of improvement, same being street construction for Aquarian Acres Subdivision No. 9, authorized by Resolution of Advisability and Authorization No. 9062, adopted and approved December 4, 2018.

ORDINANCE NO. 20245 introduced by City Manager Brent Trout, apportioning and levying a special assessment on certain lots and pieces of ground in the City of Topeka, Shawnee County, Kansas, for Improvement Project No. T-601101.01 to provide street construction for Aquarian Acres Subdivision No. 9, adopted and approved on December 4, 2018, was presented.

Brent Trout, City Manager, reported approval would levy special assessments for street improvements in the subdivision with a total cost of \$330,263.78 to be paid 100% by the Improvement District.

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

Upon no one appearing, Mayor De La Isla announced the public hearing was closed.

Councilmember Padilla moved to adopt the ordinance. The motion seconded by Councilmember Hiller carried unanimously on roll call vote. (10-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Hiller, Valdivia-Alcala, Ortiz, Emerson, Padilla, Naeger, Dobler, Duncan, Lesser and Mayor De La Isla -10.

APPROVAL of Amendment No. 1 to City of Topeka Contract No. 48038, a Joint Memorandum of Agreement concerning group healthcare cost-sharing with the labor unions for 2020-2022 was presented. **(Contract No. 48723)**

Brent Trout, City Manager, reported all seven unions jointly met and conferred with management to discuss the proposed amendment to allow for three additional premium holidays for all City employees; and reduce the number of points employees must obtain in order to earn the Wellness Incentive for 2021. He provided an overview of the financial impact on the budget and highlighted the following:

- The first two additional health holidays result in savings to the City in the amount of \$850,000. These two additional health holidays plus the two health holidays in the original agreement produces total savings of \$1.2 million dollars in the general fund and \$500,000 in other funds.
- The third health holiday decreases employees' payroll deductions only with no corresponding savings to the general fund.

Councilmember Naeger thanked Union employees for contributing to the City's efforts in addressing the budget shortage due to the COVID-19 pandemic.

Councilmember Naeger moved to approve Amendment No. 1 to Contract No. 48038. The motion seconded by Councilmember Hiller carried unanimously on roll call vote. (10-0-0)

DISCUSSION on the City of Topeka 2020 Operating Budget was presented.

Brent Trout, City Manager, stated overall numbers have improved slightly and stated Jessica Lamendola, Administrative and Financial Services Director, would provide a brief update on the 2020 operating budget as it relates to the impact of the public health emergency COVID-19 pandemic.

Jessica Lamendola, Administrative and Financial Services Director, referenced the memorandum distributed via email June 9, 2020, outlining various scenarios and research on individual General Fund revenue sources. She stated revenues have improved slightly from a month ago; however, the use of reserves still remains and could range between \$1.9 to \$7.2 million.

Councilmember Hiller asked staff to provide an overview of vacancy credits, the Shared Work program and furlough requirements.

Jessica Lamendola provided a brief description of vacancy credits and the effect it has on the budget.

Jacque Russell, Human Resources Director, reported 150 non-union employees will be eligible for the Shared Work program to help offset lost wages through the CARES Act Funding. She provided an overview of the retirement incentive being offered for those employees that are eligible for a full or partial retirement through KPERS. She reported approximately 150 employees will reduce their work hours by 20% over a period of June 15 - September 8, 2020.

She noted the goal of the retirement incentive will be to achieve savings through retiree vacancies or having an equivalent position vacant for at least twelve months.

Brent Trout stated furlough days will be required for non-union employees with the exception of Police, Fire and Utility Departments as well as grant-funded positions.

Councilmember Hiller expressed concern with manageable workloads and performance expectations due to manpower reductions and encouraged staff to consider permanent changes to programs.

PUBLIC COMMENT was expressed by the following individuals:

Stephen Schiffelbein referenced additional funding being received as it relates to the 2019 Consolidated Action Plan. He stated neighborhood improvement, revitalization and economic development was vital and funds need to be used for home rehabilitations and new affordable housing units.

The following individuals submitted public comment via electronic mail: Joseph Ledbetter. (*Attachment A*)

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

Brent Trout, City Manager, stated the Topeka Fire Department Academy would graduate seven new recruits on June 13, 2020. He reported individuals that wish to participate in public comments must contact the City Clerk's office to sign up by 6:00 p.m. on the day of the Governing Body meeting. He stated only 45 people are allowed in the Council Chambers at one time; therefore, if a large number of people attend the meeting attendance may have to be regulated by rotating people in and out of the room as needed.

Councilmember Dobler thanked Pastor Greer for providing the invocation.

Councilmember Duncan reminded citizens to send him all budget ideas including suggested funding sources. He recognized former Topeka West Student Matt Polly⁴ for his documentary on Bruce Lee that recently aired on ESPN.

Councilmember Hiller thanked the community for staying involved and keeping the conversations occurring to advance the agenda of addressing inclusion, race and culture.

Councilmember Valdivia-Alcala expressed her condolences to the George Floyd family and recognized the citizens who stood in peaceful protest during the Governing Body meeting.

Councilmember Ortiz thanked citizens for conducting peaceful protests focusing on the inclusion, race and culture.

Councilmember Padilla acknowledged the citizens who stood in peaceful protest during the Governing Body meeting.

Mayor De La Isla expressed her appreciation of peaceful protests by citizens to address racism; however, she remains concerned with the current climate of society. She stated she has witnessed solidarity while at the same time reading social media posts that continue to pass judgement on the life and challenges of George Floyd. She referenced difficulties and challenges in her life and asked the community and nation to stop judging and continue to have the difficult conversations needed about inclusion, race and culture.

NO FURTHER BUSINESS appearing the meeting was adjourned at 6:54 p.m.

(SEAL)

Brenda Younger
City Clerk

Attachment A

Kelly L. Bogner

From: Joseph Ledbetter <joe@josephledbetter.com>
Sent: Tuesday, June 09, 2020 6:07 PM
To: City Council; City Clerk; Michelle De La Isla; Neil Dobler; Brenda Younger; Tony Emerson
Cc: Bill Cochran; Michael Padilla
Subject: Tonight's meeting

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am sorry I cannot join the meeting tonight, I have relatives visiting. However for the record: in Public Comment, I stand with our Police-TPD. I support them and I want ZERO cuts to their budget. On the Budget for next year I am now recommending we cut 40-50 staff, and do more privatization next year.

Included would be:

1. Inspection Services.
2. Forestry Department
3. Water line Repairs
4. Street repairs.

Also,

I don't see the need for multiple PR positions in this shrinking city(population)-one is enough.

Cut travel way back.

Stop borrowing Revenue bonds-unneeded in a shrinking city(5,000 pop in 7 years).

These steps above will save us \$ Millions. And by the way these ideas should have come from management. It is their job to propose cuts and enhance productivity, and grow the population.

Thank you. Joseph Ledbetter. MPA, JD