



# CITY OF TOPEKA

CITY COUNCIL COMMITTEE  
MEETING MINUTES

## POLICY AND FINANCE COMMITTEE

CITY COUNCIL  
City Hall, 215 SE 7<sup>th</sup> Street, Suite 255  
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**Date:** July 29, 2019

**Time:** 3:00 P.M.

**Location:** 1<sup>st</sup> Floor Conference Room - Holliday Bldg 620 SE Madison

**Attendance:** Councilmembers Jeff Coen (Chair), Brendan Jensen, Tony Emerson, Jacque Russell (HR), Shawn Maisberger (HR), Lisa Robertson (City Attorney), Catherine Walter (Legal)

### 1) Call to order

Councilmember Coen called the meeting to order. Committee members introduced themselves.

### 2) Approve July 1, 2019 Minutes

Councilmember Jensen made a motion to approve the July 1, 2019 meeting minutes. Councilmember Emerson seconded the motion. Minutes were approved 3:0.

### 3) Personnel Code & TMC - Conclusion

Lisa Robertson, City Attorney, provided Committee members with a booklet summarizing the work completed by Staff. More specifically, where legislative-related provisions from the Personnel Code should be moved into the Topeka Municipal Code. The booklet contains proposed revisions to Title 2 in relation to matters involving employees. Ms. Robertson provided the committee with a corresponding Table of Contents for Title 2, outlining recommendations made by the code company to divide Title 2 into three separate divisions. (The City Clerk works with a municipal code company to review and make suggestions to the TMC every ten years). (The proposed Division 2 of Title 2 would focus on "Employees", while the proposed Division 1 would be more general in content. The proposed Division 3 would focus on "Boards and Commissions").

Ms. Robertson began reviewing proposed TMC Division 2: "Employees".

- Using new chapter 2.105 as an example, Ms. Robertson provided an overview of the cover page and "notes" page. She then explained that for each chapter, there is a tracking copy showing revisions made to the original language, as well as a clean copy of what the proposed chapter will "look like" if these revisions are approved.

1 - Policy and Finance Committee

Minutes Taken: July 29, 2019

Minutes Approved: August 12, 2019

As per Governing Body Rule 8.10, Committee Chair Jeff Coen approved the minutes.

- Ms. Robertson provided copies of the Personnel Code Table of Contents with cross-references to the TMC &/or Personnel Manual to assist the Governing Body in locating provisions.
- Ms. Robertson noted that Chapters 105 and 110 include a large number of tracking changes, primarily because this is where language from the Personnel Code has been added as new sections or subsections.
- Ms. Robertson stated there had been one unanswered question related to 2.130 Fireman's Relief Association; which Staff proposes to retitle to Firefighter's Relief Association. More specifically, Staff has been communicating with the Firefighter's Relief Association Board members to determine if they would be accepting of deleting this chapter in its entirety. The Secretary/Treasurer of the Board stated that he was unaware that this language was contained in the TMC, because they always refer to the State statute for guidance.
- TMC Title 2, Article I, Section 2.140.010 - "Increase in payments under 1939 retirement system". Ms. Robertson stated Staff recommends removing this section, because it no longer has any relevance.
- TMC Title 2, Article II (formerly "Old-Age Survivors' Insurance") has been renamed "Social Security". The State Department of Administration was consulted and advised deleting three entire sections, with revisions to others. Ms. Robertson stated the research conducted by Staff and interns has been extremely helpful to the process of cleaning up obsolete and inaccurate language.

Ms. Robertson indicated that Staff was seeking a final recommendation from the Committee in order to move forward with the process. Ms. Robertson stated that the Committee would need to send this recommendation to the Governing Body, and inquired about additional information that the Committee might wish to include.

Councilmember Jensen inquired about the recodification schedule and timeline. Ms. Robertson stated that the Clerk's Office would be working with the recodification company in September/October (2019) to discuss rearranging and renumbering the TMC. Ms. Robertson suggested including the item on the August 20, 2019 Governing Body agenda for discussion.

Councilmember Jensen stated he would support moving forward with Staff's recommendation to place the issue as a discussion item with the Governing Body.

2 - Policy and Finance Committee

Minutes Taken: July 29, 2019

Minutes Approved: August 12, 2019

As per Governing Body Rule 8.10, Committee Chair Jeff Coen approved the minutes.

Councilmember Emerson stated he also felt comfortable with moving forward with the recommendation.

Councilmember Coen inquired what the language for the recommendation might look like in presenting it to the Governing Body. Ms. Robertson stated action to repeal the ordinance that adopted the Personnel Code would need to take place. The Personnel Manual is already being used, so the process would be to repeal the Personnel Code following adoption of revisions to the TMC.

Councilmember Coen inquired if the committee would support a motion to make a recommendation to the Governing Body to accept the proposed changes to the Topeka Municipal Code, and to repeal the Personnel Code. Councilmember Jensen made motion to approve. Councilmember Emerson seconded. Motion passed 3:0.

Ms. Robertson stated all meeting minutes, video links, and supplemental information would be provided to the Governing Body. Ms. Robertson also encouraged having one-on-one meetings with Councilmembers prior to the August 20<sup>th</sup> Governing Body meeting to allow Staff the opportunity to answer any questions they may have.

#### **4) Old Business: Council Term Limits**

Councilmember Jensen stated he would like to put this topic to a public vote to gauge whether or not constituents would support implementing term limits for Councilmembers.

Councilmember Emerson stated he would not be in favor of pursuing anything that would cost money; however, if adding the question to a General Election ballot in 2020 would bear no additional cost to the City, he would support that decision. Councilmember Emerson stated he felt there was currently a term limit measure in place: voters are able to select the candidate they feel will best represent them.

Councilmember Coen inquired if there was a recommendation from the committee to move the topic forward to the Governing Body to include onto the 2020 election ballot. Councilmember Jensen made a motion to move the topic forward. Councilmember Coen seconded the motion. Councilmember Emerson voted against the motion. Motion passed 2:1.

#### **5) Other Items Before the Committee**

Councilmember Coen inquired with the committee if there would be interest to pursue reviewing current policies or ordinances with regard to issues that are commonly brought up by constituents. Examples of such policies from this discussion included:

3 - Policy and Finance Committee

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- Noise
- Contractor utility line placement standards and requirements
- Construction and infrastructure use of right-of-way delays

Councilmember Jensen inquired if this item would need to be sent to the Governing Body for approval to discuss at the committee level. Ms. Robertson stated the Policy & Finance Committee would not need the approval of the Governing Body to discuss this topic, as it could initiate per Governing Body Rule 8.5(a)(2).

Councilmember Jensen stated he would like to invite Gina Millsap, Project Chair for the Topeka and Shawnee County Community Broadband Planning Task Force, to attend upcoming meetings on this topic. Councilmember Emerson would like to invite City Staff from the Engineering Division and Public Works Departments, as well.

Ms. Robertson asked the committee to provide clarification to the recommendation regarding term limits. Ms. Robertson noted an ordinance had been drafted when the committee had discussed the topic previously. The ordinance began with allowing councilmembers to serve two consecutive 4-year terms before requiring at least one 4-year hiatus prior to serving again. Councilmember Coen indicated that he thought the draft ordinance allowed councilmembers to serve three 4-year terms. Ms. Robertson indicated she will provide the draft ordinance (last presented on July 1<sup>st</sup>) as an attachment to the Committee Report.

## **6) Adjourn**

Councilmember Coen adjourned the meeting.

Video of this meeting can be found at: <https://youtu.be/pk2BzOVpQBO>

4 - Policy and Finance Committee

Minutes Taken: July 29, 2019

Minutes Approved: August 12, 2019

As per Governing Body Rule 8.10, Committee Chair Jeff Coen approved the minutes.