



# 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  
Topeka, KS 66603-3914  
Tel: 785-368-3710  
Fax: 785-368-3958  
www.topeka.org

Date: June 1, 2023

Time: 1:00pm

Location: 1<sup>st</sup> Floor Conference Room; Cyrus K. Holliday Bldg 620 SE Madison  
(virtual option also available)

**Committee members Present:** Spencer Duncan (Chair), Christina Valdivia-Alcalá, Hannah Naeger

**City Staff Present:** City Manager Stephen Wade, City Attorney Amanda Stanley, Deputy City Attorney Mary Feighny, Chief Financial Officer Freddy Mawyin, Deputy Finance Director Rachelle Mathews, Adam Vaughn, Interim Planning Director Rhiannon Friedman, Development Services Division Director Richard Faulkner, Deputy Planning Director Dan Warner

### 1) Call to Order

Chairman Duncan called the meeting to order at 1:00pm. Committee members introduced themselves.

### 2) Approve March 21, 2023 Minutes

Chairman Duncan made a motion to approve the minutes. Committee member Naeger seconded. Motion approved 2-0-0. Committee member Valdivia-Alcala was not yet present during this vote.

### 3) NOTO Business Improvement Development Fund

Chairman Duncan noted this was a follow-up item from the March meeting. City Manager Wade noted that staff has reviewed this information and believe there is viability in the 2024 budget to fund the program. A second question raised was if there would be money to implement the program in 2023. If the Governing Body were to pass the proposed plan, there would be funds in the 2023 budget which could facilitate funding the project in the current year.

Chairman Duncan restated the information provided. City Manager Wade confirmed and stated this was what staff was recommending for approval.

**MOTION:** Chairman Duncan made a motion to recommend approval of the grant funding in the amount of \$50,000 for 2024 and, if funds are available in the 2023 budget, an amount not to exceed \$50,000 in 2023. Committee member Naeger

seconded the motion. Motion approved 2-0-0. Committee member Valdivia-Alcala was not yet present when this motion was approved.

Chairman Duncan gave credit to Committee member Valdivia-Alcala for her work on supporting this funding. He also noted that NOTO has not received City funding through Transient Guest Tax or other City resources, so it is a new territory, however he noted the area is important to economic development and is proud of NOTO.

City Manager Wade stated that this item would be placed on a July Governing Body meeting agenda.

#### **4) Property Tax Relief Program**

Chairman Duncan stated this item was discussed some at the March meeting and had sent staff back to research on two methods. One was for a rebate/refund program and the other was to make it an exemption program without money ever having to exchange hands.

Chief Financial Officer Freddy Mawyin noted discussions had taken place between the City and County. The method that Chairman Duncan preferred will be met with several complications. However, the rebate option is still viable.

Chairman Duncan inquired if the qualifications for the rebate program would mirror the State's Homestead Program? CFO Mawyin confirmed. Chairman Duncan inquired about how often updates would need to be made, as the State program requires a date of birth. The question stemmed from whether there would be a mechanism in place to trigger an automatic update, or if it would be required to be approved by the Governing Body on an annual basis. City Attorney Amanda Stanley stated that they would evaluate options, noting the City has slightly different rules than the legislature because this option will be a cash basis, which brings unique challenges.

Chairman Duncan indicated that he realized the City could not simply eliminate property taxes, but he felt that anytime the City could offer relief to those folks who are of a certain age, or fall within a certain income bracket, it was a positive thing. And that perhaps the other taxing entities in the area would follow suit. He would like to move this forward, with how it would become a rebate program, and he would reach out to Shawnee County to see what collaboration opportunities may come of it.

City Manager Wade inquired if it would be Chairman Duncan's desire to assemble the 2024 Budget with the assumption that it will be passed by the Governing Body? Chairman Duncan affirmed this action.

Committee member Naeger inquired as to why Chairman Duncan felt the rebate program would work better than an exemption? Chairman Duncan answered that Shawnee County has a specific computer program that they use, and in simplified terms, they have to plug the numbers in and establish that they took in money before they can put it back out. This process is in opposition to clearing out the line item from the Mills that says the constituent did not pay their property tax. He stated the question to the County would be that this is not the simplest of changes to make and likely comes with a cost. He felt that if, it was cost associated, and if the cost was not a significant amount, that perhaps there would be an opportunity for the City to help with that.

MOTION: Chairman Duncan made a motion to move forward a proposal of the Property Tax Relief program to the Governing Body. And to give staff permission to write a full draft to put before the Governing Body for consideration. Committee member Naeger seconded. Motion approved 2-0-0.

### **5) Auxiliary Housing Unit**

Planning Division Director Dan Warner provided information about Accessory Dwelling Units (ADU). These ADU's are also known as Carriage House, garlow, or mother-in-law suites. It is generally a smaller, independent residential dwelling located on the same lot as a single-family home. These can be attached to the home, or detached as an accessory building. It can also be converted to portions of the existing building. Accessory Dwelling Units increase housing affordability and provide a wider array of housing options.

Division Director Warner noted that the City currently permits ADU's in the zoning code for multi-family and other zoning districts. The change being presented is to permit ADU's in single-family districts. Single-family means it is only one unit, and this will allow for the addition of another unit.

Division Director Warner provided some background to the process. Staff presented a missing middle presentation to the Planning Commission in April of 2022. One of the implementation items in the missing middle is an accessory dwelling unit to make that legal. Staff performed an ADU survey online in August of 2022, with results from the survey being presented to the Planning Commission

in October of 2022. Since that time, staff has been refining a draft. They are not finalizing the draft at this time, but rather getting it in a good place to identify what the next steps would be to form a review group. The review group would also look at some missing middle parking changes as well. From there, public meetings would be held and all information would then be presented to the Planning Commission before moving forward to the Governing Body.

Chairman Duncan pointed out that there are current examples of such dwellings in the City. Division Director Warner agreed and noted that the majority of those were converted when it was legal, and would be included in the presentation to note that they would be grandfathered in.

City Manager Wade noted that staff was not prepared to make a recommendation at this time, however wanted to provide notice to the Committee prior to reaching out to community to find individuals to serve on the review committee.

Committee member Naeger noted this would open up additional opportunities for single-family dwellings to have safe housing options and creative use of space. She inquired if there were any current city codes that would address people building and using such a structure to use as an AirBnB? Division Director Warner stated he believed that it would.

## **6) 2023 Electrical Code Adoption**

Development Services Division Director Richard Faulkner provided a presentation on the 2023 Electrical Code changes which were adopted by the Electrical Board of Appeals.

### Presentation Highlights:

- The City is currently operating under the 2017 National Electrical Code, which is for both commercial and residential uses.
- A number of other codes have been updated, as part of the Governing Body's expressed desire to bring all codes up to date.
- Updating codes allows the City to keep up with industry changes, as well as improving additional safety and better quality of life for the citizens.
- A list of neighboring cities shows that most are operating off of the 2017 version of the electrical codes. Manhattan is using the 2020 version. Topeka will be the first and only city thus far operating on the 2023 National Electrical Code.
- Review process was completed by the Board of Electrical Appeals, with City staff serving as liaisons to the Board. The Board decided not to make any amendments to the code voted to adopt the code as written.

- Notable changes to the code include:
  - New dwelling units are required to have an electrical disconnect. This is for fire emergencies, and will allow the fire department the ability to turn off electricity without having to wait for Evergy to arrive.
  - Bath and shower spaces used to allow electrical outlets below water level on the wall near the tub. New code will not allow electrical outlets in the tub/shower area.
  - A section has been added to address the installation of solar panels, which was not covered in the previous code.

Chairman Duncan thanked Division Director Faulkner for the information and the work of the Electrical Board of Appeals. Committee member Naeger echoed sentiments.

[Committee member Valdivia-Alcala joined the meeting virtually at 1:26pm.]

**MOTION:** To approve the 2023 Electrical Code as proposed and move it to the Governing Body. Committee member Naeger made the motion. Committee member Valdivia-Alcala seconded. Motion approved 3-0-0.

#### **7) Other Items**

Chairman Duncan noted another meeting will be scheduled to take place within the next five weeks, to allow staff to get things into the 2024 budget as that process begins to get started.

#### **8) Adjourn**

Chairman Duncan adjourned the meeting at 1:29pm.

The video of this meeting can be viewed at: <https://youtu.be/k7Yw0v9hAe8>