



CITY OF TOPEKA

CITY COUNCIL COMMITTEE
MEETING MINUTES

POLICY AND FINANCE COMMITTEE

CITY COUNCIL
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Date: July 25, 2022

Time: 6:00pm

Location: Classroom A; Law Enforcement Center 320 S. Kansas Ave (*virtual option also available*)

Committee members Present: Spencer Duncan (Chair), Hannah Naeger

City Staff Present: Interim City Manager Bill Cochran, Stephen Wade (Finance Director), Kalea Pauole (Grants Manager), Heather Shurtliff (Finance), Amanda Stanley (City Attorney), Richard Faulkner (Development Services), Fran Hug (Development Services), Bill Fiander (Planning Director), Alan Stahl (Fire Marshal), Dylan Smith (TFD), Shelby Harvel (HR), Jacque Russell (HR Director)

1) Call to Order

Chairman Duncan called the meeting to order at 6:02pm. Committee members introduced themselves. Committee member Valdivia-Alcalá was absent.

2) Approve Minutes from May 20, 2022 Meeting

Chairman Duncan made a motion to approve the minutes. Committee member Naeger seconded the motion. Minutes approved 2-0-0. Committee member Valdivia-Alcalá was absent.

3) Proposed Ordinance: Board of Building Fire Appeals - Residency

Interim City Manager Bill Cochran introduced this proposed ordinance and provided some history on how it came about. The ordinance reflects an option to obtain a Board of Building and Fire Appeals board who may not live within the city limits, however must be employed by a company that is physically in the city limits. The goal of this change would be to provide additional resources if all other options had been expended with finding an engineer who resided within the city limits to fill this role. This model could potentially be used for other trade boards and commissions if found to be successful.

Chairman Duncan clarified that the business must have a physical address within the city limits, not just a business that operates or does projects within the city. City Manager confirmed.

Committee member Naeger stated she would want to ensure there would be a preference to select an applicant who would meet all requirements as well as living within the city above other applicants. City Manager Cochran agreed.

Committee member Naeger sought clarification that the individual selected for the Board position was doing so in order to serve the citizens of Topeka, and are not receiving any form of compensation. City Manager confirmed the position is voluntary, just as are all Board and Commission positions.

City Attorney Amanda Stanley stated there was one additional amendment to the ordinance, which would make the language consistent with the other trade boards in that the decisions by the board may be appealed by the district court, pursuant to K.S.A. 60-2101. The requirement of this Board was an anomaly in that it currently requires appeals to be submitted to the Governing Body. This amendment will save a step. Chairman Duncan sought clarification that this change would not take away the right for someone to come to the Governing Body, but would expedite the process by having the ability to take it directly to the court. City Attorney Stanley confirmed and stated they maintained their first amendment right to voice concerns to the Governing Body.

MOTION: To approve the amended ordinance and move to the full Governing Body for consideration. Motion made by Chairman Duncan. Seconded by Committee member Naeger. Motion approved 2-0-0. Committee member Valdivia-Alcala was absent.

4) Proposed Ordinance: City of Topeka Employee Residency Get starting language

Interim City Manager Cochran stated this topic has been brought up in the past, and after more difficulty in finding applicants for some of the more technical fields, it was felt the discussion should be had once again.

Chairman Duncan noted that he had brought this item up to this Committee a year ago. He stated that although he is a city resident and plans to be one for the rest of his life, it is important to look at what is going on across the city, the state, and even nationally. Of the top eleven other peer cities, Topeka is only one of two that still has such a residency requirement. The current proposed language would require the City Manager to be a bona fide resident of Topeka. The Department Directors would be required to live within Shawnee County. Employees that serve in a critical response role would be required to reside within a 45-minute travel time, unless a shorter response time is required at the discretion of the City Manager. Additionally, there will be stipulations that city-owned vehicles stay within the county limits.

Committee member Naeger stated she would like to ensure preference be given to applicants and employees who reside within the city/county limits. She is open to further conversation with the full Governing Body to ensure the City is getting the best qualified candidates and employees as possible.

MOTION: To give Staff permission to advance the proposed ordinance to the full Governing Body for consideration and discussion. Motion made by Chairman Duncan. Seconded by Committee member Naeger. Motion approved 2-0-0. Committee member Valdivia-Alcala was absent.

5) ARPA Grant Application - Update

Chairman Duncan noted this item was to receive an update from Staff on where the process was at currently. The application deadline is approaching, and wanted to remind people that it is the time to get their applications and questions in.

Finance Director Stephen Wade confirmed that Staff was comfortable with the deadline. There are several applications that are outstanding and he expects to see several more come in during the week ahead.

Chairman Duncan noted that when the Governing Body originally set the application deadline, it was not realized that July 31 was a Sunday. He also noted that it would be expected for people to possibly have questions that should have time to be answered, and would like to make a motion to extend the deadline by one day.

MOTION: To extend the ARPA Application process to end of business on Monday, August 1, 2022. Motion made by Chairman Duncan. Seconded by Committee member Naeger. Motion approved 2-0-0. Committee member Valdivia-Alcala was absent.

6) 2023 Legislative Agenda - Discussion

Chairman Duncan stated the goal is to stay ahead of the January deadline to begin working on the items of the Legislative Agenda.

City Attorney Stanley provided an overview of items in the agenda packet. A memo, Resolution, additional suggested language for a statutory change for Common consumption rules, and a copy of the 2022 Policy Agenda from the League of Kansas Municipalities. The Common Consumption came about after discussion with the Greater Topeka Partnership, and recognizing that there is a

lot that could be done in the community in places such as Rosebud Park and NOTO, and the Everygy Plaza, if the Common Consumption rules were changed to allow the Governing Body the opportunity to choose whether or not a street would need to be closed within a Common Consumption zone. Additional “big ticket” items on the Legislative Agenda include:

- Home Rule
- Taxing and spending powers
- Business competition
- Sales tax
- Public safety - Common Consumption is new this year, and is in the packet.
- Abandoned Housing
- Mental Health
- Docking Building
- KDHE Lab
- Menninger’s
- Broadband and ARPA
- Medical marijuana
- Housing and rental inspections
- Open records
- Economic development
- Utility franchises
- Other kinds of taxing power issues

Whitney Damron, City of Topeka’s Municipal Lobbyist, provided comments regarding a few items on the legislative agenda. Mr. Damron touched on the Common Consumption rules and stated he did not feel it was something that was a significant reach for the legislature to consider as long as there has been support from the community and law enforcement. From a statewide issue, there is interest to hear from municipalities about the public safety issues.

Mr. Damron noted there would be some significant changes in the State Legislature in 2023, particularly within the House leadership. There will be a new Speaker of the House, Majority Leader and Speaker Pro Tempore as well as new rank and file members and committee chairs. Mr. Damron noted that the League of Kansas Municipalities will start some discussions with municipal lobbyists within the next 30-60 days and will be sending invitations out. The new information will be brought back to the Governing Body in the coming months.

Chairman Duncan inquired if there was anything that was not on the list that should be added? Mr. Damron stated that the legislature continues to be conservative and side with the property owners for housing issues and continue to side with property rights that are sometimes to the detriment of the property owners who want to take care of their property. He suggested if there were other opportunities or legislation that might make a difference in that area that addressed some of the concerns of the previous legislation with regard to transferring property from one person to another, there might be some success.

Chairman Duncan inquired if there had been a final decision made with regard to the KDHE lab? Mr. Damron stated that, to his knowledge, it had been decided and a contractor had been selected.

Chairman Duncan would like to send this to the Governing Body to begin the process of seeking feedback prior to the item moving before the Governing Body. He asked when this item would be going before the Governing Body. City Attorney Stanley stated the League would begin on August 16th. If Chairman Duncan wanted the Governing Body to discuss the Common Consumption item, it would need to be added to the August 9th Governing Body meeting agenda.

MOTION: To move to approve the preliminary 2023 legislative agenda to the Governing Body on August 9, 2022. Motion made by Chairman Duncan. Seconded by Committee member Naeger. Approved 2-0-0. Committee member Valdivia-Alcala was absent.

7) Other Items

No additional items.

8) Adjourn

Chairman Duncan adjourned the meeting at 6:35pm.

The video of this meeting can be viewed at: https://youtu.be/uIMEk-_ChRo