



# CITY OF TOPEKA

CITY COUNCIL COMMITTEE  
MEETING MINUTES

## PUBLIC WORKS INFRASTRUCTURE SPECIAL COMMITTEE

CITY COUNCIL  
City Hall, 215 SE 7<sup>th</sup> Street, Suite 255  
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Date: April 19, 2022

Time: 11:00 a.m.

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

**Committee members present:** Council members Neil Dobler, Tony Emerson (Chair), Michael Lesser

**City staff present:** Interim City Manager Bill Cochran, Utilities Director/Interim Public Works Director Braxton Copley; Public Works: Hannah Uhrig, Tony Trower, Jason Tryon, Robert Bidwell, Todd Workman, Dave Bevens, Lee Holmes, Brian Bigenwalt, Vincent Schuetz; Planning: Director Bill Fiander, Taylor Ricketts; Finance: Director Stephen Wade, Josh McArney, Legal: Deputy City Attorney Mary Feighny; Communications: Director Gretchen Spiker; Council members: Christina Valdivia-Alcala, Sylvia Ortiz

### Call to Order

Chairman Tony Emerson called the meeting to order at 11:00am. Committee members introduced themselves.

### Approval of February 15, 2022 Meeting Minutes

Committee member Dobler made a motion to approve the minutes. Committee member Lesser seconded the motion. Minutes approved 3:0.

### Discussion: Proposals received on Parking Garage RFQ

Public Works Deputy Director Hannah Uhrig provided an update to the proposals received regarding the City's parking garages. Based on the RFP that was sent out understand what the desire may be to purchase and/or manage the current parking collective system. This would include the parking garages, but also a broad stroke other options that the City may have. Several responses were received.

Two were from national management companies. These two companies noted potential to acquire and/or manage the off-street parking programs in addition to the garages. This would also include the surface parking lots.

Another proposal received specified the Uptowner Garage, which the City currently does not receive any revenue from. This garage is currently managed independently

of the City, and has had a private lease agreement for several years, however was an option as it is a City-owned facility.

An additional proposal was received for Crosby and Center City, which are newer garages. Both garages have significant bonds associated with them, so those would need to be mediated as part of that potential acquisition.

Another proposal was received which listed four unspecific, unnamed, older garages as a desire to potentially purchase with the option to go down to as little as two.

Staff is seeking guidance from the Committee as to preference to proceed with all or some of the different exploratory options.

Committee member Dobler stated he only had an interest in the proposals which indicted and interest in purchasing the garages, and inquired on the following:

- There were two national companies. Were they interested in purchase of the garages?
  - They listed both, as purchase or manage. They were looking at all of the garages, but did not call out specific ones.
- One individual interested in the Uptowner?
  - Yes.
- Were there any purchase prices? Or was this just an expression of interest?
  - At this point, it was an expression of interest. The financial assessments and all of the detailed information has not been discussed. At this point, staff has also not vested out their financial capability of procuring the loan and managing it going forward. It was very much exploratory. No dollar amount was sought, and no dollar amount was provided.
- And somebody was interested in the two on Kansas Ave; Crosby and Center City?
  - Yes.

Chairman Emerson noted he would also prefer to have some additional information about financial proposals before making an additional decision. He would be most interested to pursue those who had an interest of purchasing the garage(s). He sought clarification that two national companies were interested in purchasing all of the garages?

- Yes. They were the only two submittals that indicated interest in all of the parking structures.

Deputy Director Uhlrig noted that formal action is not being sought by Staff, only general guidance as to whether there should be interest in selling off individual garages, or an “all or none” collective offer. The overall cost from an annual basis, by selling one or two garages at a time, will have a minimal impact. The City will have to continue maintaining the costs for maintenance staff, technical resources, revenue systems to maintain permitting and internal admin staff. The overall overhead does not decrease tremendously. Depending on the garage and deferred

maintenance, and what the purchase price willingness is, may not make sense to sell off individual pieces. Previous studies have shown that selling the entire parking system, allows for balancing out of each other.

Director Braxton Copley added that the two national companies are seeking to both own and manage the garages, which would be an additional policy decision Staff would need to receive.

Committee member Dobler about what it means to request management versus what the current structure is. Deputy Director Uhrig stated it would mean the takeover of all day-to-day maintenance, all revenue collection, permitting, all of the operational side, as well as infusing back into the capital to maintain the assets and the condition they were received. A benefit to using the third party company, would be that they manage parking garages full time, and would be able to take an economy of scale and help leverage it across all of their systems. Currently, the City is only able to spread the cost the seven garages.

Committee member Dobler inquired where that might leave the City, in terms of debt on the two newer garages, and future capital outlay? Director Copley responded the City would still hold responsibility. Deputy Director Uhrig added that the garages would remain as City-owned assets, and there would only be a management agreement. There would not be an obligation to immediately pay off the debt that is outstanding on the assets. This could leave room for potentially infusing more capital or put it onto the management company to figure out a way to generate the revenue to do so. The third-party would likely pass off the extra cost of the capital investment onto the parking fees.

Chairman Emerson inquired about responsibility if the third-party bought the garages rather than only managing them. Deputy Director Uhrig stated if purchased, the third-party would be responsible for the debt. Director Copley was unsure as to if the City would be able to sell the garages without first paying off the bonds, as those are tax-exempt municipal bonds. The third-party company would be operating as a for-profit, which would not fall within the bond covenant. The City would first have to defuse the bonds as part of the sale.

Committee member Dobler inquired about the outcome if the City chose to sell off all of the garages and pay off the debt, and walk away; asking if the City would be ahead or behind. Deputy Director Uhrig stated that the City would be ahead, financially, because there is currently a large liability within these assets that the City is carrying. The loss would be the ability to offer incentives and leverage over the parking rates as a way to help the development of Downtown. She also noted there could be some negativity, in terms of public perception regarding the City's ability to influence certain activities and control certain rates that the City feels could impede future growth.

Director Copley readdressed the initial inquiry from the Committee, asking if the direction should be to pursue requesting a third-party to take on management or only pursue the sale? And, if it is to pursue the sale, would it be for the whole parking system or in part?

Committee member Dobler stated he felt an interest to sell all of the parking garages. He did not see a benefit for a management only agreement. He noted the City would have to continue operations of the on-street parking and parking lots, and that incentives or other ideas could be utilized within those to continue structuring parking in Downtown. Chairman Emerson voiced similar comments, noting he also did not feel owning and operating parking garages needed to be a function of City Government. Committee member Lesser shared the same sentiments. Deputy Director Uhrig thanked the Committee and stated staff would proceed accordingly.

Chairman Emerson requested Staff contact Councilmember Hiller to seek her thoughts, as the garages are in her district.

### **Pedestrian Plan/Infill Sidewalk Recommendations for 2022** [video 13:35 minute mark]

*(The items discussed can be found on the Committee's webpage, under "Supplemental Materials" at <https://www.topeka.org/citycouncil/public-infrastructure>)*

Planning Director Bill Fiander and Taylor Wolfe provided a presentation on recommendations for the pedestrian plans and infill sidewalk item in the CIP for 2022. Director Fiander noted this line item follows the schedule that had been set forth in the plan that was adopted a few years ago.

#### Highlights:

- Map showing areas of highest demand
  - Bus routes, intensive care neighborhoods, parks & trails, schools, and streets without sidewalks are higher weight
  - Busy streets, commercial parcels, community/senior centers, high density residential, major destinations, at-risk neighborhoods hold a lower weight
  - List of priority improvement locations provided. These top-ranked improvement locations are based on levels of pedestrian demand, proximity of schools, corridors and complete streets linkages plus the magnitude of needed improvements and anticipated funding.
    - Group A: High Areas of Pedestrian Demand WITH Schools
      - North Topeka East (Quincy) 2016-2020 (completed)
      - Central Park (Robinson) 2017-2020 (completed)
      - East Topeka North (Scott Magnet) 2018-2020 (completed)
      - Elmhurst (Lowman Hill) 2019-2020 (completed)
      - Old Town (Topeka High) 2019-2020 (completed)
    - Group B: High Areas of Pedestrian Demand WITHOUT Schools
      - North Topeka West 2021-2022 (completed)

- Downtown 2021-2022
- Historic Holliday Park 2022-2023
- Tennessee Town 2022-2023
- Group C: Lower Areas of Pedestrian Demand WITH Schools
  - Central Highland Park (Highland Park Central) 2023-2024
  - Oakland (State Street/Chase) 2023-2024
  - Highland Crest (Eisenhower/Ross) 2024-2025
- Group D: Lower Areas of Pedestrian Demand WITHOUT Schools
  - East Topeka South 2024-2025
- Group E: Corridors/Complete Streets Linkages/Future Areas
  - 29<sup>th</sup> Street 2016-2025
  - Topeka Blvd 2016-2025
  - Gave Blvd 2016-2025
  - SW 10<sup>th</sup> St 2016-2025
  - SW 17<sup>th</sup> St 2016-2025
  - Jardine MS/ES 2016-2025
  - Other/Future Areas 2016-2025
- Infill Sidewalks Concept Plan: 2022 Additional Potential Locations
  - Topeka Bldg - finishing 29<sup>th</sup> to 37<sup>th</sup> (submitted for KDOT cost-share grant)
- Complete Streets Advisory Committee (CSAC) video
  - Sub-committee created by the MTPO Policy Board to advise on complete streets related issues concerning implementation of:
    - Bikeways Master Plan/Fast-Track Plan
    - Pedestrian Master Plan
    - Complete Streets Guidelines
  - CSAC is made up of supporting City Staff and about 15-20 volunteer community members with an interest in Complete Streets components.
  - Meets monthly

#### Questions/Comments:

- Committee member Emerson noted the maintenance on the sidewalks and inquired about how this program interfaces with the 50/50 sidewalk program that requires individual homeowners to pay for the repairs.

Director Fiander responded that the infill sidewalk program began prior to the repair program. The maintenance of sidewalks is the owner's responsibility. However, the infill sidewalk program is designed to be a more proactive approach. This process is similar to the SORT program, where a large area of sidewalk improvement is identified and the City works with the neighborhood to identify the highest need for bringing the facilities back up to standard. In some areas, the program is designed to install sidewalks where none currently exist.

- Chairman Emerson noted constituents receiving citations for needing to repair sidewalks, when other areas are receiving the sidewalk replacements as part of a

project. He noted he would want to have some time to think on the information. He pondered where the equity is between the programs.

- Chairman Emerson read a comment he received from Council member Hiller. One item referred to the south Topeka sidewalk project, and noted Council member Hiller had not seen that the project had made it to the Resolution.

Director Fiander confirmed that the project was not on the Resolution and stated that it would need to be added, particularly if the City receives grant money. He recommended adding it to the Resolution now so that it was covered, but stated he was unsure if the Topeka Boulevard project would be able to get completed within the timeframe listed. Chairman Emerson restated the information, that if the project is added to the Resolution, and a grant is received, the full section could be completed. However, if the grant was not awarded, the project could still move forward with completing the \$100,000 segment on the west side of Topeka Blvd. Director Fiander confirmed.

MOTION: To include the missing segment located between the 2900-3100 blocks of South Topeka Blvd, on the west side of the street, into the Resolution as a new number 2, under the 2022 Infill Pedestrian Plan. Motion made by Committee member Dobler. Seconded by Committee member Lesser. Motion carries 3-0-0 to approve this Resolution to the Governing Body.

### **Half-Cent & GO Bond Resolution - authorizing various street/sidewalk/curb & gutter projects for 2022 [video 29:40 minute mark]**

*(The items discussed can be found on the Committee's webpage)*

Director Copley provided a presentation that explained additional information found on the Resolution.

#### Highlights:

- ADA Ramp and Infill Sidewalk Target Area
  - Tennessee Town, Historic Holliday Park, & Monroe Neighborhoods
  - ADA Ramp Program: 23 locations = 55 ramps total
  - Sidewalk Program: Follows Pedestrian Master Plan
- Curb & Gutter Replacement Program as requested in 2022 program
  - North of 21<sup>st</sup> Street = 8 projects identified
  - South of 21<sup>st</sup> Street = 27 projects identified
  - Criteria
    - Oldest complaints handled first
    - Replacements associated with mill/overlay & small reconstruction projects
    - Multiple service requests in an area
    - One request may result in more lineal fee of curb being replaced in a block or area.
- Pavement Rehab/Reconstruction - Mill & Overlay Projects

- Both neighborhood projects are in design (SW 22<sup>nd</sup> to 27<sup>th</sup>, east of Indian Hills and SW 21<sup>st</sup> to 29<sup>th</sup>, Urish to Kingsrow)
- SW 29<sup>th</sup> St. from Arrowhead to Shunga Bridge project has a May start date
- SW 21<sup>st</sup> to 17<sup>th</sup>, Burnett to Gage Neighborhood project - in design
- Gordon St. - May start date
- East Topeka North NIA - in design
- SW 45<sup>th</sup> St project - in design
- SE Gary Ormsby Drive project - May start date
- Pavement Rehab/Recon - Reconstruction Projects
  - SE Carnahan Ave - I-70 to SE 21<sup>st</sup> St
  - Street between SW Knollwood Dr. & 28<sup>th</sup> St
  - SW Kent Pl. - north of 10<sup>th</sup> St
- Pavement Rehab/Recon - Pavement Repair Projects
  - SE California @ I-70 SE median
  - Golden Ave, north of 21<sup>st</sup> - pavement/ditch
  - SW 6<sup>th</sup> - Oakley to MacVicar; full-depth repairs
- Alley Repair/Reconstruction Program
  - Full Replacements:
    - SW Huntoon/12<sup>th</sup>, Buchanan/Clay
    - SW Willow/3<sup>rd</sup>, Woodlawn/Greenwood
  - Partial Replacements
    - SW Hampton/20<sup>th</sup>, Lane/Lincoln
    - SW 17<sup>th</sup> /16<sup>th</sup>, Clay/Central Park
    - SW Tyler/East to N/S Alley, 7<sup>th</sup> St and 6<sup>th</sup>
- Contracted Preventive Maintenance Program
  - Process - Is applied to streets with a Pavement Condition Index (PCI) with a score greater than 70. Crack sealing is done in the Fall to prep for microsurfacing the following year. Microsurfacing is applied during hot weather months.
- 50/50 Sidewalk Repair Program
  - Criteria:
    - Residential property - 4 multi-family units or less
    - Sidewalk in violation
    - Includes brick but not at 50/50 split
    - Does not include cleaning brick or accessible ramps
    - Property owner's portion must be received before construction.
    - Owner cannot have outstanding permit violations.
  - Internal Process
    - City puts sidewalk repair project out for bid and selects two contractors.
    - Homeowner learns about program through sidewalk violation notice or public information.
    - Homeowner provides property address, contact information.
    - Program Administrator makes sure criteria are met.
    - Homeowner receives cost estimate, directions on how to complete the process.

- Homeowner pays their portion up front.
  - Staff bundles at least 5 projects and gives to contractor.
  - Contractor completes repair within 30 days.
  - Contractor's invoice is paid by the City.
- Current Status of the Program
  - Annual Budget: \$100,000
  - 2017-2021: \$145,577
  - Lack of applications, possibly due to COVID, and staffing shortages through attrition.
- Additional Infill Sidewalk Project Locations - 2022
  - 5825 SW 10<sup>th</sup> Ave - sidewalk/retaining wall, using 2020 and 2021 funds
  - West 1<sup>st</sup> Ave between Clay and Fillmore, using 2021 funds
  - SW 18<sup>th</sup> between Arnold Ave and Pembroke Ln, using 2021 funds

Questions/Comments:

- In one year, we knocked out seven years of backlog?

Yes, from 2011-2017. Vincent Schuetz is working on additional programming to continue the momentum of catching up even further.

- The pavement rehab has already been approved? This is just an update?

Yes. As we are coming up on construction season, he felt it was important to get an update to the Committee. With \$7.5M being involved, there will likely be a number of questions, and staff felt it was important to provide the comprehensive presentation to keep projects fresh in the Committee and Governing Body's minds.

- City Manager Cochran reminded the Committee that City Engineer Mark Schreiner had provided information regarding an alternative to the 50/50 sidewalk program, a little over a year ago, and felt it would be important to review it again. The proposed program would allow the homeowner to make the repair and then submit the payment. Currently, projects have to be bundled until there are enough to submit them out for bid. This creates a long list of projects, and it is also sometimes difficult to receive bids from contractors, as the work season has already begun by the time this process is under way. City Manager Cochran noted the program is a good program, but has a lot of issues. He would like to recommend pulling this program back off of the shelf to review again. The new program would allow the projects to move forward as they come up, and eliminate having to shelve individual projects while the City waits to receive enough applications to move forward. The proposed program model would provide a list of contractors to the homeowners to choose from. They would then be responsible for overseeing the program.

Councilwoman Valdivia-Alcalá recalled the conversation from last year and stated she would not be in favor of the proposed change, unless there was dialogue for a fully-implemented and executable plan that would seek input



from the NIA's and public about their thoughts of the program. The proposed changes would place all of the responsibility on the owner, and many of the areas where sidewalk repair is needed are in Low-moderate Income (LMI) neighborhoods. Many are also elders, and may find it cumbersome to maneuver through this process without a lot of training provided. She wants there to be time allowed to do a deep-dive, and not only a brief overview.

Director Copley stated he felt that, in the case of the sidewalk program and driveway culvert replacement program, for the Governing Body to make a policy decision to designate a set number of dollars toward funding these projects, which could go toward full replacement at a sliding scale model for applicants. Some of the funding could come from the ARPA funds, with the remainder coming from the current sidewalk program funding, which has been underutilized. This would be a pilot program, to identify staffing levels as well as public interest in the program.

Committee member Dobler agreed, that changes were needed for the program, noting that many people are unable to pay to fix their sidewalk or driveway culverts. He appreciated the idea of the pilot program.

- MOTION: To approve amended resolution. Committee member Dobler made the motion. Chairman Emerson seconded the motion. Motion approved 2-0-1. Committee member Lesser left the meeting at 11:58am, prior to the motion being made.

**Discussion: Driveway Culvert Replacements** *{This conversation began within the prior item. Although it is not being requested within the same motion as above.}*  
*(The items discussed can be found on the Committee's webpage)*

Chairman Emerson noted this item may need to be addressed in a future meeting.

Councilwoman Ortiz stated there were a number of constituent issues with regard to this program. She was in agreement of looking at a pilot program, however feels changes need to be made now. She noted that 1269 SE Republican has been waiting since 2017 for a driveway culvert replacement. Chairman Emerson inquired if Staff would be able to provide additional information within a week or two on a pilot program. Director Copley requested having a month to allow staff the time to work with the Planning Department on establishing their approximation to LMI threshold. Chairman Emerson agreed to having additional conversation at the May 16<sup>th</sup> meeting.

### **Other Items**

*Update on Spending: Facilities Repair Program* [video 58:55 minute mark]  
*(The items discussed can be found on the Committee's webpage)*

Jason Tryon provided a memo to the Committee requesting approval of the memo to be moved to the full Governing Body. The memo outlines information related to the request to complete a full replacement on the roof over the Topeka Performing Arts Centre and City Hall due to continued water penetration.

Chairman Emerson inquired if, under rules, a resolution was needed for individual projects. Mr. Tryon noted that prior approval had not been given for spending the requested amount of money for this particular repair, and because it is programmatic fund.

MOTION: Committee member Dobler made a motion to approve the use of 2021 FIRM funds to make the repair of the TPAC/City Hall roof, as requested. Motion approved 2-0-1. Committee member Lesser was absent for the vote.

Mr. Tryon noted the resolution would be finalized to include exact figures and location of repairs confirmed, but that the Governing Body would be voting on the resolution.

Mr. Tryon noted that formal approval regarding the repairs to the Townsite Parking Garage was not being sought at this meeting, however he wanted to ensure the Committee was aware that proposals have been made before, with talks of spending those funds from the parking maintenance budget. Staff has not yet done that due to the RFQ's that are taking place, however they do want the Governing Body to be aware of the safety concerns at stake, and there will need to be repairs made quickly if the decision is made to keep the garages.

### **Adjourn**

The next meeting will be May 17<sup>th</sup> at 11:00am.

Chairman Emerson adjourned the meeting at 12:02pm.

This meeting can be viewed online at: <https://youtu.be/wK4lV-sLuLc>