



# CITY OF TOPEKA

CITY COUNCIL COMMITTEE  
MEETING MINUTES

## PUBLIC INFRASTRUCTURE COMMITTEE

CITY COUNCIL  
City Hall, 215 SE 7<sup>th</sup> Street, Suite 255  
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Date: July 11, 2023

Time: 11:00am

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

**Committee members Present:** Tony Emerson (Chair), Neil Dobler, Michelle Hoferer

**City Staff Present:** Acting City Manager Richard U. Nienstedt, Deputy City Attorney Mary Feighny, Public Works Director Braxton Copley, CFO Freddy Mawyin, DEI Director Ernestor De La Rosa, Jason Tryon, Tony Trower, Todd Workman, Jehan Zeb, David Blevins, Mark Schreiner, Robert Bidwell, Josh McAnarney

### Call to Order

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

### 1) Review and Approval of May 16, 2023 Minutes

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

### 2) 2024 CIP Project Approvals

Public Works Director Copley introduced two projects to be requested for approval by the Committee as they relate to the 2024 CIP. As part of the adoption process for the 2024 CIP, there is a requirement to present and receive approval by the Committee and Governing Body for any project with an anticipated cost of over \$250K, prior to soliciting bids. The first two of such projects are:

The NE Kansas Avenue and Gordon intersection project includes a raised speed table at the intersection and the anticipated project cost is \$450K. It will be funded out of ARPA and Federal Funds Exchange.

The second project being presented is to add an additional left-bound turn lane on South Topeka Boulevard at 45<sup>th</sup> Street. There is a tremendous amount of congestion in that area, which will be improved by changing the geometry of the

road by slightly widening the road to add the left-turn lane. The anticipated project cost will be \$400K. It will also be funded out of ARPA funds.

Chairman Emerson inquired about the 45<sup>th</sup> Street and if the additional left turn lane will be a second turn lane to what is already there? Director Copley confirmed. It will be created to have dual left turn lanes to increase the capacity substantially for what is currently available.

MOTION: Committee member Hoferer made a motion to move this item to the full Governing Body as recommended. Committee member Dobler seconded. Approved 3-0-0.

### **3) JEDO Project List**

Director Copley noted there had been a request from the Committee at the prior meeting to receive information related to project list, in terms of the new priority as well as to provide some additional information to the Committee's consideration, relative to the current PCI ratings of these streets and related cost estimations.

The 17<sup>th</sup> Street project, which the Committee has reviewed previously, has been pushed back approximately five years to allow for the full life span of the existing mill & overlay that was completed five years ago. In its place, staff are recommending to move up the Topeka Boulevard project, from 15<sup>th</sup> to 21<sup>st</sup> Streets. Those were previously rated as a fourth and sixth priority, respectively.

The other change is to push back the 29<sup>th</sup> Street project, from Wanamaker to Shunga. That road showed a PCI of 72. It was mill & overlaid this year, which now sets the PCI at 90. This also moves the estimated useful life of the road for approximately ten years. In its place, staff is requesting to move up the project at 37<sup>th</sup> Street, from Burlingame to Scapa Place. Staff is also requesting to move forward the 17<sup>th</sup> Street project, from Washburn to Adams.

The 37<sup>th</sup> Street stretch shows a PCI of 75, however staff feel this is overstated. Staff have inspected that stretch of road physically and think it is in more need to move forward with.

Director Copley noted that the JEDO Finance Committee is comprised of the Public Works Directors of both the City and County, and the Finance Directors of both the City and County. The group will be meeting in the next week and will provide the report to all of the JEDO members, along with the County's list of projects as well.

Chairman Emerson expressed gratitude to the work Director Copley and his staff put in, with reviewing the list and putting boots on the ground to reinspect the road conditions.

Committee member Hoferer inquired about the 29<sup>th</sup> Street project, noting it was listed in 2027. She inquired if those changes would be made to the table prior to it going before JEDO? Director Copley stated staff would review and make adjustments, especially to the years, however the expectation would be that a mill & overlay would last ten years of service life. Director Copley stated staff would take a look and adjust the upper portion of the project table prior to sending it to the JEDO members for review.

Committee member Dobler inquired if the projected revenue piece of the chart, the City's portion from the City's half-cent sales tax? Director Copley confirmed. Committee member Dobler inquired if, then, the projection was showing a deficit in 2031 of -\$13M? And then presumably, the projects that are pushed out to 2030/2031 are at risk at this point? Director Copley confirmed and stated the project costs were adjusted for inflation and rising costs. This provides a couple of options to the Governing Body. The projections are based upon the adjusted construction costs; based on the full scope of the project and current costs with adjusting for inflation. One option would be to eliminate those out-year projects. Another option is to take a look at the scope of the projects, to re-do the scope to fit them in within the projected revenue that the City will receive. He noted that all of the revenue projections are predicated on the current level of sales tax. If the legislature were to eliminate the sales tax on food, it would substantially change the revenue projections. The listed revenue projections are middle-of-the-road, estimates, meaning they reflect the worst-case scenario, the best-case scenario, and the middle-of-the-road scenario. The projections include the full scope of the project, not including utilities, and are based on the middle-of-the-road sales tax projection. Committee member Dobler would like to see a review of the scope of all projects and would like to see what a reduction of scope for them might look like.

No action sought on this item, as it was informational to the Committee.

#### **4) Improvement of Auburn Road & Intersection of SW Auburn/29<sup>th</sup> Street**

Public Works Director Braxton Copley provided the Committee with an update to the conversation related to his presentation at the May 16<sup>th</sup> meeting. Questions came up around annexation. That information was researched and provided to the Committee members. The County is currently in design to do a \$5.5M project to improve Auburn Road, from K-4 Highway to 29<sup>th</sup> Street, that is to improve it to an Urban profile three-lane road with sidewalk on one side and a 10-foot wide shared use path on the other, curb & gutter and stormwater. It also includes the improvement of the intersection at 29<sup>th</sup> and Auburn Road with a roundabout. This

is to provide for additional traffic that is modeled and expected with growth of that area, as well as the construction of the Washburn Rural Middle School. The County has made the ask of the City to partner and share in the project cost with \$1M. Staff has had the engineer for the consultant review the information and provide information as to what that request would mean to the City of Topeka. The \$1M would cover the cost of the removal and replacement of the existing share of the pavement, that is now the City's responsibility after the annexation of the road to the center line. Because it is the removal and replacement of the existing pavement, it allows the City to pay for it out of the city-wide half cent sales tax fund. As previously discussed, there was a surplus of that fund, which had been built up intentionally to allow for the funding of the City's portion of this cost, rather than having to bond this amount. The City's Legal Department has prepared a contract between the City and County would specify the City's share, as well as to make it clear that costs are to be no greater than \$1M, with the caveat that it needs to pay for replacement of the existing street, so that the project falls within the parameters of the city-wide half cent sales tax.

Staff is requesting approval.

Committee member Dobler commented that, he was in support of the project, however noted that the west side of the stretch from 29<sup>th</sup> to K4 is in the County, and they will not be paying City property tax, and the east side is tax-exempt. He would like staff to look at annexing the areas that are developed or not developed, on the west side of Auburn Road, and possibly to the north, as it is all adjacent to the city limits. He feels these areas would be ripe for growth and that the City should take advantage of this by looking to annex those areas as well.

MOTION: Committee member Dobler made a motion to approve the resolution to move forward to the Governing Body. Committee member Hoferer seconded the motion. Motion approved 3-0-0.

Committee member Hoferer inquired if the Committee would also need to move the agreement. Director Copley stated the City Manager would have the authority to execute the contract upon Governing Body approving he amendment to the CIP authorizing the project.

##### **5) FIRM Project Memo - Fire Department Page System**

Fire Chief Randall Phillips provided an overview of the fire station alerting and paging system. He noted these systems have been causing problems for some time. The systems are how the stations across the city are connected to the Dispatch center, receive emergency calls. In working with Facilities, the Fire Department staff have determined that this is a serious issue, as it is a mission critical piece of infrastructure. With the age and condition of a number of the

speakers in the different facilities, as well as the wiring is outdated. There have been numerous patches and repairs made over the years, but it has now gotten to the point of needing to consider a whole piece replacement.

Facilities and TFD staff were able to identify other FIRM projects for the Fire Department that were slated to be addressed and move them around to prioritize this project and move it up in the order. Staff is recommending approval.

Chairman Emerson inquired about what design will be involved? Director Copley stated the project cost was the reason this needed to come before the Committee and the Governing Body, so that a bid could be put out as soon as possible. A consultant is needed in order to get the plans together so that the contractors will have a document to bid for. Per the City's Purchasing policy, projects over \$100K require a full project manual be put out. There is an existing contract, so the consultant is working on the design right now. It will be able to get put out to bid quickly upon Governing Body approval.

MOTION: Committee member Hoferer made a motion to approve the request and to move it to the Governing Body. Committee member Dobler seconded. Motion approved 3-0-0.

#### **6) Utilities Update - North Topeka WWTP Nutrient Removal Project:**

Utilities Director Sylvia Davis provided an update on the CMAR project. This is something the Governing Body has received information on over the past couple of years. Staff began looking closely at this in 2020. The Kansas Department of Health and Environment (KDHE) sets goals for cities. When the City is looking for implementing new regulatory goals, KDHE provides a target for us to shoot for. The City came close to achieving the goals, however the final goals that they put into the City's newest permits were lower than anticipated. There are some upgrades needed for the plant in order to meet the new goals. Staff has proposed to the Governing Body, through the CIP process, a new approach to completing this work. The Construction Manager At Risk was an attempt to meet an agreement with KDHE to get the work done by an agreed to date, but December 2023 to put that infrastructure to the test. The hope is to meet the goals and show that the City has met the goals, by the end of 2024. The Construction Manager At Risk was approved. The City has entered into a contract with Garney Construction. This initial contract was \$180K to complete pre-construction work. They also worked with the design engineers, Black & Veatch and Bartlett & West. They completed the facility plan and preliminary design work in 2020. Since Garney has come on, they have added one amendment for the first GMP, a guaranteed maximum price to procure some equipment up front. That will help

staff stay on track and push through the process as quickly as possible. It is not a traditional: design, then bid, then build. Now the City is up for its second guaranteed maximum price, which is the final \$11.8M and will wrap up the City's responsibility for the project. Any overages will be their responsibility through the rest of the process, which is a nice feature of the CMAR process. So far, things are going well. Staff may be pushing the first timeline of construction, December 2023. The City maintains a great working relationship with KDHE and staff will continue to update them on the process as they continue along.

Director Davis reiterated the purpose of the report, that since it does not follow the usual project process, she felt it was important to inform the Committee where things stand at this time, and where the expenditures are going. The project is under budget from the original projection. The estimated project budget was \$17M.

Committee member Hoferer inquired about how the procurement of equipment was going? Director Davis noted that being able to go through the first GMP helped significantly. Through this process, Garney was able to assist with the procurement of equipment process so that it was on the way, while the design stage was wrapping up. The biggest pieces that have the biggest lead times were able to settle on those and have them on their way while the other pieces were moving.

Chairman Emerson indicated that with some smaller towns, these types of projects were also able to be completed under budget, and he agrees that this is a better process. He thanked staff for their work on their work and forethought.

No action sought by Staff on this item.

Chairman Emerson suggested Director Davis bring this to the Governing Body, as it is not often their department is able to share good news as often.

## **7) Other Items**

No additional items.

## **8) Adjourn**

Chairman Emerson adjourned the meeting at 11:32am.

The video of this meeting can be viewed at: [https://youtu.be/KP\\_3D6kSUcE](https://youtu.be/KP_3D6kSUcE)