

## **Council Minutes – November 5, 2013**

COUNCIL CHAMBER, Topeka, Kansas, Tuesday, November 5, 2013. The Councilmembers of the City of Topeka met in regular session at 6:00 P.M., with the following Councilmembers present: Councilmembers Hiller, Campos II, Ortiz, Everhart, De La Isla, Manspeaker, Schwartz, Schmidt and Harmon -9. Mayor Larry E. Wolgast presided -1.

AFTER THE MEETING was called to order, Dean Steve Lipscomb, Grace Episcopal Cathedral Church gave the invocation.

THE PLEDGE OF ALLEGIANCE was recited by those present in the chamber.

A PRESENTATION and summary on the City of Topeka's 2013 Legislative Agenda and proposed 2014 priorities was given by Whitney Damron, City Lobbyist.

Jim Colson, City Manager, distributed a list of the City's 2013 Priorities and potential 2014 Priorities and stated the presentation is an opportunity for the Governing Body to ask questions and clarify information to finalize priorities for 2014.

Mayor Wolgast asked if there is a general consensus in the legislature to support penalties for non-payment of property taxes.

Whitney Damron stated it was his understanding there is not a lot of support; however, the legislature may support a different approach as some legislators believe if there is not a change, those who are not paying their property taxes will be protected.

Jim Colson stated it is very important to focus on the neighborhoods and how abandonment affects those areas. He noted it is imperative to investigate and support any efforts that would allow the ability to gain possession of abandoned properties, streamline the abandonment process and make improvements to those properties. He also stated the goal is not to allow blighted properties to negatively impact neighborhoods.

Whitney Damron reported proposed House Bill 2075 would allow non-profit organizations or municipalities to seek possession of property if it is considered abandoned which would allow investment to improve a property.

Mayor Wolgast inquired if the City has researched a land bank program to use as a tool to improve abandoned properties.

Chad Sublet, City Attorney, reported under a land bank authorization, an abandoned property that is purchased and given to a land bank has to be used for a public purpose. He stated under proposed House Bill 2075, the City could re-purpose the abandoned property and sell it because the Bill includes a municipality, as well as, a non-profit entity.

Mayor Wolgast stated many municipalities feel strongly that the current framework for municipal elections should remain in place.

Councilmember Manspeaker stated he is open to discussing proposed changes to municipal elections framework because there is very little time to prepare between non-partisan and partisan elections for the Shawnee County Election Commission. He reported he submitted the dual majority vote on city and county consolidation to the list of priorities because there is a group of legislators talking about consolidation and stated he believes consolidation provides a more efficient government and taxpayers should be allowed to vote on the issue.

Councilmember Ortiz asked if it is essential to continue supporting the Kansas Neurological Institute (KNI) on the City's Legislative Agenda.

Whitney Damron reported there will continue to be budget reductions proposed for KNI; however, they are not closing, just finding more efficiencies and he believes the City should monitor the issue.

Councilmember Ortiz stated she would prefer to continue support for Amtrak in the Midwest because she believes it is an important service to the community. She also stated she

believes the municipal election proposed changes could be removed because cities are allowed to charter out of any changes made to the framework and change elections without legislative approval, as well as, remove the penalties for repeat offenders of code violations and delinquent payment of property taxes. She asked if a motion could be made at this time to remove the issues from the legislative agenda.

Mayor Wolgast stated he believes the presentation was provided to develop a consensus of the Council on the City's priorities for 2014.

Councilmember Ortiz asked where in the process is the City in regards to establishing a land bank program.

Chad Sublet stated he would research the information and report back to the Council.

Councilmember Ortiz stated she supports tourism in the Capital City; however, she questioned why it is a proposed priority on the legislative agenda when the City allocates funding to Visit Topeka to promote tourism.

Mayor Wolgast stated the goal is to work in conjunction with the State of Kansas on tourism in the Capital City.

Councilmember Campos II stated there are many departments within the State that are working to advertise tourism in the Capital City such as the Kansas Department of Wildlife and Parks advertising the Kaw River as an attraction for many outdoor activities from Junction City to Kansas City. He requested more information about the use of eminent domain and what is currently allowed in relation to vacant properties because there are many variables in the process of determining an abandoned property.

Mayor Wolgast reminded the Governing Body to submit their priorities for 2014 to finalize the City's 2014 Legislative Agenda in the next few weeks.

Councilmember Schwartz asked what other revenue streams besides the motor fuel tax payments are allocated to municipalities.

Whitney Damron reported there are alcoholic beverage taxes and other revenue streams that are allocated to municipalities. He reported Kansas lawmakers will be asking during the upcoming legislative session to repeal a fee on mortgage loans that bankers and real estate agents call an unfair tax that duplicates other charges in the loan process and stated he would suggest monitoring the proposal as it moves forward.

Councilmember Schwartz requested a list of the City's revenue streams so that she could comprise her list of legislative agenda priorities to monitor and support.

Mayor Wolgast offered to distribute a list of 2014 priorities approved by the League of Kansas Municipalities (LKM) for their legislative agenda to the Council if they are interested.

Councilmember Hiller reported Amtrak ridership has grown which is a great improvement and looks forward to supporting the developments. She stated she believes any changes to the current framework of municipal elections should be monitored because she is concerned municipal elections would not receive enough public participation if grouped with partisan elections. She spoke in support of a partnership to encourage a state initiative to develop tourism in the Capital City and noted there are already steps being taken to increase advertising for local tourism. She encouraged the Governing Body to explore opportunities for alternate sources of revenue such as taxing highly sugared, fatty or salty foods.

Whitney Damron stated LKM has pursued similar revenue streams during the legislative session without much success.

Chad Sublet stated he had distributed a memorandum when the issue was discussed during the City's budgetary process, indicating who was responsible for certain revenue streams.

Councilmember Hiller stated she had received the memo; however, she wants to seek new financial resources statewide to benefit everyone. She suggested that the bikeways project and any other bicycling issues be included on the City's 2014 Legislative Agenda.

Mayor Wolgast stated he believes it isn't necessary to continue including the efforts to exempt the Statehouse renovation project from state and local sales tax on the City's Legislative Agenda since the project is near completion.

Whitney Damron stated in his opinion, future statehouse projects may be an issue and are appropriate to keep on the agenda in general.

Councilmember Ortiz reminded the Governing Body to submit their legislative agenda items for 2014 to Ginny Burghart, City Council Assistant, as soon as possible.

THE CONSENT AGENDA was presented as follows:

MINUTES of the regular meeting of October 22, 2013, was presented.

A Dance Hall License application and An Open After Midnight License application for Eclipse Night Club located at 4117 SW Huntoon Street, was presented.

Councilmember Schmidt moved to approve the consent agenda. The motion seconded by Councilmember De La Isla carried unanimously. (9-0-0)

NO Retail Cereal Malt Beverage License applications were presented.

A CHARTER ORDINANCE introduced by City Manager Jim Colson, amending Charter Ordinances codified at Topeka Municipal Code Sections A2-26, A2-30 and Section A2-55, all concerning council meetings, agendas and readings was presented for first reading.

AN ORDINANCE introduced by City Manager Jim Colson, amending City of Topeka Code Sections 2.15.020 through 2.15.040, 2.15.070, 2.15.080, 3.55.060, 5.20.080 and Section 5.55.120 concerning meetings of the City Council and specifically repealing said original sections was presented for first reading.

AN ORDINANCE introduced by Councilmember Denise Everhart, concerning exotic and wild animals, amending City of Topeka Code Section 6.05.060 and specifically repealing said original section was presented for first reading.

AN ORDINANCE introduced by City Manager Jim Colson, annexing land to the City of Topeka, Kansas, in accordance with K.S.A. 12-520, generally located on the west side of Indian Hills Road approximately 1,340 feet south of the intersection of SW 21<sup>st</sup> Street and Indian Hills Road, within unincorporated Shawnee County, Kansas, and adjacent to the City of Topeka corporate limits, and said land being annexed for all City purposes was presented for first reading. (A13/2)

PRESENTATIONS BY THE CITY MANAGER, MAYOR AND MEMBERS OF THE COUNCIL;

Jim Colson, City Manager, asked Police Chief Ron Miller, to report on the area-wide Registered Offender Sweep.

Ron Miller, Police Chief, reported the Topeka Police Department in collaboration with the Shawnee County Sherriff's Department, United States Marshals and a number of other federal agencies participated in a Registered Offender Sweep to verify addresses of individuals. He stated 78% of the registered offenders were in compliance; however, 109 were non-compliant which require follow-up and verification. He noted the agencies would continue to monitor the offenders and verify addresses of those that are non-compliant or not found.

Councilmember Hiller expressed sympathy to the Stan Redmond family. She thanked Aly Van Dyke, Topeka Capital Journal, for the article on the efforts of the Ward Meade neighborhood residents improving the Sumner School property. She stated the neighborhood group has set up a website so people could volunteer or donate towards the rehabilitation of Sumner School.

Councilmember Campos II congratulated Pam Simecka, City Controller, in her new position as Finance Director for the City of Midland, Texas. He expressed appreciation for her help during his first year serving on the City Council and her dedication to the City of Topeka. He also congratulated the City Manager and City staff for hosting a successful townhall meeting on November 4, 2013, where good discussion and ideas transpired.

Councilmember Ortiz thanked veterans for their service and dedication. She stated she has received many compliments from constituents regarding the SE 21<sup>st</sup> Street Improvement Project from SE California Street to SE Golden Avenue, and thanked City staff for communicating with residents about the project timelines. She referenced the street closure at SE Golden Avenue from SE 10<sup>th</sup> Street to Interstate 70 due to repairs being made by the Kansas Gas Service Company and asked how long the area would be closed.

Jim Colson, City Manager, stated he would check the status of the project and report back to the Council.

Councilmember De La Isla reported that great efforts are being made in the Hi-Crest Neighborhood and encouraged participation by area residents and community leaders.

Councilmember Manspeaker referenced the City's e311 customer service portal and stated a constituent informed him that it was very easy to report an issue, they received continued updates and the issue was resolved within 48 hours. He stated he appreciates the continued communication between City staff members and citizens.

Councilmember Schwartz stated she believes the townhall meeting was a success and generated good discussion between City staff members and the public.

Councilmember Schmidt thanked the City Manager and City staff members for the excellent forum at the townhall meeting and the positive energy brought by the people wanting to make Topeka a better place to live. He concurred with Councilmember Hiller regarding

Sumner School and stated he is excited to see an entire group of people interested in the historic preservation of Topeka.

Mayor Wolgast announced a Joint Economic Development Organization (JEDO) Board meeting is scheduled for November 7, 2013, at 5:30 p.m., in the City Council Chambers located at 214 SE 8<sup>th</sup> Street to discuss potential 2014 goals and objectives and the budget for economic development. He reported a meeting would be held in December to take action on the goals and budget. He also reported the Policy and Finance Committee met before the Council meeting and complimented the City on moving forward on items presented and noted there were materials distributed at the Policy and Finance Committee meeting that he would make available for Councilmembers if they are interested.

Joseph Ledbetter appeared to speak under public comment.

NO FURTHER BUSINESS appearing the meeting was adjourned at 7:06 p.m.

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Brenda Younger  
City Clerk