Governing Body Minutes – July 19, 2022

CITY COUNCIL CHAMBERS, Topeka, Kansas, Tuesday, July 19, 2022. The Governing Body members of the City of Topeka met in regular session at 6:00 P.M. with the following Councilmembers present: Councilmembers Hiller, Valdivia-Alcala, Kell, Dobler and Lesser -5; and Councilmembers, Ortiz, Emerson and Naeger participated remotely -3. Deputy Mayor Duncan presided -1. Absent: Mayor Padilla -1.

Public comment for the meeting was available via Zoom or in-person. Individuals were required to contact the City Clerk's Office at 785-368-3940 or via email at cclerk@topeka.org by no later than 5:00 p.m. on July 19, 2022, after which the City Clerk's Office provided the Zoom link information and protocols prior to the meeting start time. Written public comment was also considered to the extent it was personally submitted at the meeting or to the City Clerk's Office located at 215 SE 7th Street, Room 166, Topeka, Kansas, 66603 or via email at cclerk@topeka.org on or before July 19, 2022, for attachment to the meeting minutes.

AFTER THE MEETING was called to order, Pastor David Deck, Crossroad Wesleyan Church, provided the invocation.

THE PLEDGE OF ALLEGIANCE was recited by meeting participants.

ADVISORY COUNCIL APPOINTMENT of Anthony Fadale to the City of Topeka Americans with Disabilities Act (ADA) Advisory Council for a term ending July 31, 2024. (Council District No. 7)

Councilmember Dobler moved to approve the board appointment. The motion seconded by Councilmember Kel carried unanimously on roll call vote. (9-0-0)

PRESENTATION on the Shawnee County Emergency Management Outdoor Warning System was provided by Dusty Nichols, Director of Shawnee County Emergency Management.
Councilmember Valdivia-Alcala asked if the City plans to fill the City of Topeka Emergency Manager Position. She requested Mr. Nichols provide a more in-depth presentation regarding flooding and fire emergency response and thanked the Shawnee County Emergency Management Team for working towards restarting the Community Emergency Response Team (CERT) Program.

Bill Cochran, Interim City Manager, stated the position was eliminated with no plans to reinstate in the near future; however, Mr. Nichols plans to provide emergency training for elected officials.

Councilmember Kell asked if there was a backup system in place in the event the main system failed.

Deputy Mayor Duncan questioned if new installations are tested to make sure the sirens are placed in the proper location in order to be utilized to the fullest extent and if the sirens work better in certain environmental landscapes or situations.

Councilmember Hiller asked if there are particular roles the Governing Body needs to play in the emergency management process.

Councilmember Naeger thanked Mr. Nichols and his team members for their hard work in keeping the community safe.

SCEM Director Nichols stated there are several mechanisms in place that will serve as backup for citizens to receive warnings; all new siren installations are tested to make sure placement is ideal; and they work directly with the contractor to address environmental needs of the area regarding the best placement of sirens. He reported Governing Body members have the opportunity to become involved in emergency preparedness by participating in National Incident Management System (NIMS) training, coordinated through Shawnee County Emergency
Management.

CONSENT AGENDA was presented as follows:

ORDINANCE NO. 20364 introduced by Interim City Manager William E. Cochran, allowing and approving City expenditures for the period May 28, 2022 to June 24, 2022, and enumerating said expenditures therein, was presented.

RESOLUTION NO. 9339 introduced by Interim City Manager William E. Cochran, granting various neighborhood organizations exceptions to the provisions of City of Topeka Code Section 9.45.150, et seq., concerning noise prohibitions, was presented.

RESOLUTION NO. 9340 introduced by Interim City Manager William E. Cochran filling a vacancy on the Friends of the Zoo (FOTZ) Board of Directors, was presented.

MINUTES of the regular meeting of July 5, 2022 and July 12, 2022, were presented.

Councilmember Kell moved to approve the consent agenda. The motion seconded by Councilmember Ortiz carried unanimously on roll call vote. (9-0-0)

DISCUSSION regarding the City of Topeka 2023 Operating Budget was presented.

Bill Cochran, Interim City Manager, stated this is the first of many discussions regarding the 2023 operating budget. He announced a special meeting of the Governing Body has been scheduled on July 26, 2022 to continue discussion on the budget and reminded Governing Body members to keep the date of August 23, 2022 open in case an additional meeting needs to be scheduled.

Adam Vaughn, Senior Financial Analyst, thanked Staff members for providing him the necessary information and details to develop a comprehensive 2023 operating budget to present to the Governing Body. He provided an overview of the budget adoption schedule; a summary of community meetings including prioritization of established goals; summary of strategic priorities
and key indicators for the City’s 2023 Budget Priorities including Public Safety, Investing in Infrastructure, Developing Neighborhoods, Quality of Life and Good Governance. He highlighted the next steps in implementing outcome based budgeting to be phased in over the next three years as well as an overview of each section of the budget book. He noted Staff is in the process of creating budget videos to support increased transparency of the budget process for citizens; a 2023 Citizens Guide has been printed in English and Spanish; and all budget questions can be sent to www.budget@topeka.org.

Deputy Mayor Duncan inquired on the deadline to adopt the 2023 budget and asked how the outcome based budgeting initiative is working.

Councilmember Hiller inquired on more detailed information on presentation schedules.

Financial Analyst Vaughn stated each department will provide a presentation in a similar manner as previous years. He highlighted the following tentative schedule:

- July 26, 2022 would cover Public Safety and Infrastructure which includes the Police, Fire, Municipal Court, Public Works and Utilities Departments
- August 9, 2022 would cover Developing Neighborhoods and Quality of Life which includes the Planning, Human Resources and Information Technology Departments
- August 16, 2022 would cover Good Governance which includes Finance, Legal and Executive Departments

Councilmember Ortiz stated she would contact Staff if she needs more detailed information about the budget and requested a detailed presentation schedule be distributed to the Governing Body.

Stephen Wade, Administrative and Financial Services Director, reported a detailed line item budget has been posted online at https://www.topeka.org/finance/budget/. He stated the Governing Body has until September 20, 2022 to adopt the budget, however, Staff is requesting adoption of the budget on September 13, 2022 to allow them time to finalize and certify the budget to the Shawnee County Clerk by October 1, 2022.
PUBLIC COMMENT was submitted via email by Danielle Twemlow (Attachment A) and provided by the following individuals:

Chrstal Brim referenced the June 24, 2022, police involved shooting of Christopher Kelly. She asked what self-protection devices Topeka Police Officers are trained to utilize. She also inquired on the number of cases filed with the City of Topeka Independent Police Auditor. She referenced other use of force cases and the outcomes and stated the community is tired of police brutality and wants to be part of the solution.

Sandra Lassiter referenced the allocation of American Rescue Plan Act (ARPA) Funds for Social Services in the amount of $10 million by the City. She announced she plans to apply for ARPA Funds to help support the operations of the International Academy, a private K-12 school sponsored by Community First Inc.

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

Brenda Younger, City Clerk, provided an overview of the July 26, 2022, Governing Body Special Meeting agenda.

Bill Cochran, Interim City Manager, announced the City of Topeka Redistricting Commission meeting on August 4, 2022 at 5:00 p.m. in the First Floor Conference Room of the Cyrus K. Holliday building located at 620 SE Madison Street, Topeka. He stated the Commission will be reviewing City Council District boundaries based on the recent 2020 U.S. Census. He noted detailed information about the Commission and the process is available on the City’s website at: https://www.topeka.org/citycouncil/.

Councilmember Kell reminded citizens to vote at the upcoming August 2, 2022 primary elections. He encouraged citizens to check on neighbors and family members during the extreme
hot weather.

Councilmember Naeger encouraged citizens to check on their neighbors, family members and pets during the extreme hot weather.

Councilmember Lesser asked Interim City Manager Cochran to provide details on the 2\textsuperscript{nd} Annual First Responder Golf Foundation Tournament hosted by the Topeka Country Club.

Interim City Manager Cochran reported the Topeka Country Club will host the annual golf tournament on August 1, 2022 from 8:00 a.m. to 6:00 p.m. to support first responders serving the community by helping to promote awareness of Post-Traumatic Stress Disorder (PTSD) in the first responder professions including the Topeka Police and Fire Departments, Shawnee County Sheriff’s Department, Shawnee County District Attorney’s Office, Shawnee County Department of Corrections and retired first responders.

Councilmember Hiller encouraged everyone to vote at the upcoming August 2, 2022 primary elections. She announced National Night Out events will occur in various neighborhoods throughout the city on August 6, 2022. She stated there will be a new announcement regarding the City of Topeka Changing Our Culture of Property Maintenance soon, and noted the initiative is progressing nicely. She announced the second annual Kaw River Float on July 23, 2022.

Councilmember Valdivia-Alcala referenced the interview panel for City Manager candidates coordinated by Mayor Padilla and Interim City Manager Cochran. She submitted the names of Dr. Sandra Lassiter and Janice Watkins to be included on the interview panel. She stated when she reviewed the list of the panel members she felt the names were not representative of those in underserved communities. She thanked Finance Director Stephen Wade for informing the Governing Body on the Bipartisan Safer Communities Act, in which $6.7 billion will be used for improving mental health services, enhancing school safety, providing assistance to law
enforcement as well as additional support and training to those in relevant fields. She stated no
funding was specifically allocated to local governments at this time, however, the funding is for
local schools and agencies for training. She asked Staff to monitor the funding closely in case an
opportunity becomes available to utilize funding for the Topeka Police Department Behavior
Health Unit Crisis Intervention Team as well as funding for mental health assistance in housing
services. She requested prayers for the family of NIA President David Bowden for health and
recovery.

Councilmember Duncan reminded citizens the ARPA funding application deadline is July
31, 2022. He announced the Policy and Finance Committee will meet July 25, 2022 for a quick
application process update and thanked Staff and members of the Committee for the fast response
on application questions. He reported seven applications have been submitted and 21 are in
process. He announced the National Night Out event information will be available online at
www.safestreets.org when finalized. He reminded citizens to vote in the upcoming August 2, 2022
primary elections, and reminded unaffiliated registered voters that they also can vote in the
primaries.

Councilmember Kell moved to recess into executive session for a period of time not to exceed two hours to discuss individual candidates for city manager, pursuant to KSA 75-
4319(b)(1). To aid in the discussion, the following individuals were present: Members of the
Governing Body; Paul Bossert and Patti Mellard from Key Staff; and City Attorney Amanda
Stanley. No action was anticipated when the meeting resumed open session in the City Council
Chambers. The motion was seconded by Councilmember Hiller.

Deputy Mayor Duncan asked all those in favor of recessing into executive session to indicate so verbally by saying “yea” and those opposing to indicate so verbally by saying
“no.” After the voice vote occurred, Deputy Mayor Duncan announced the motion carried on voice vote. Councilmember Ortiz voted “no.” (8-1-0)

Following a two hour time period, the meeting reconvened into open session and Deputy Mayor Duncan announced no action was taken during the executive session.

Deputy Mayor Duncan moved to amend the July 26, 2022 Special Meeting agenda to include an Executive Session to discuss the City Manager search process. The motion seconded by Councilmember Dobler carried unanimously on roll call vote. (9-0-0)

NO FURTHER BUSINESS appearing the meeting adjourned at 9:10 p.m.

(SEAL)

Brenda Younger,
City Clerk
Attachment A
Good evening.
I was able to participate in one of the community budget workshops on public safety. One thing I stressed was that crime prevention is not a policing issue. What police do is respond to crime. The data clearly states that if we want to reduce crime we must address the social determinants of health. While reviewing the budget document for this evening, it included the information compiled from the community sessions. This summary states that more funding should be allocated to expand the CIT team. There was specific discussion around this that needs clarity for those not in attendance. There was no indication from community members that this meant that additional money should go to the TPD to fund all shifts or to expand - but that it should be a focus of spending.
There is no public listing of the TPDs itemized budget but here is what we do know:

- They receive 41.5% of the city's general fund (taxpayer dollars). This is a higher percentage than police receive in Chicago, IL, Minneapolis, MN, Baton Rouge LA, Los Angeles, CA, Baltimore, MD, Charleston, SC, Denver, CO, and New York, NY. (Source: Action Center on Race and the Economy)
  - This equates to roughly $349 per person in Topeka. The Vera Institute of Justice published the 50 largest cities in the US and what they spend per person. Topeka (obviously not on the list) spends more on police per person than 7 of those cities.

- According to FBIs data reporting, TPD has had 2.2 - 2.3 certified officers with a badge and gun per person for over a decade. This is the recommended ratio according to the FBI for a city our size. TPD is top heavy and promotions lead to less officers on the street count. There are 6 officers and a Lieutenant who are assigned to the schools. The school system has an entire police force of their own. If additional officers are needed for our community safety, why would we overlap with another department?

- It was stated in council meetings in 2020 and forward that there was in fact enough funding for all 3 shifts of CIT to be filled, they just weren’t. In those 2 years there has been no progress in that effort. Is it time to reimagine a different option to crisis response housed elsewhere when there are mental health calls? This is done in many cities successfully.
  - Under ARPA guidelines it is required for applicants to prove they have successful programs and won’t be coming back to ask for more money later. The TPD should be required to be funding what is a priority within the department and a public safety need before the council ever considers pouring more money into a program that has not functioned fully.

- Additional funding to the department should not be considered until other options have also been discussed such as moving animal control out of the TPD. This is done in partnership with Helping Hands and other partner agencies recently in Lawrence and it is successful. Have we continued to maintain the tank? Other militarized equipment?

The council has a responsibility to prioritize the safety of the public which includes setting timelines and goals to fully staff CIT and include a goal of expanding without increasing the budget. During this evaluation process, the council should strongly look at the amount of funding they are allocating to social determinants of health, especially mental health, in our community in comparison to policing and where mental health response could function better elsewhere.