Governing Body Minutes – July 9, 2024

CYRUS K. HOLLIDAY BUILDING, Topeka, Kansas, Tuesday, July 9, 2024. 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, Ortiz, Banks, Miller, Dobler, Duncan, and Hoferer -8. Mayor Padilla presided -1. Absent: Councilmember Kell -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 9, 2024, 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 012B, Topeka, Kansas, 66603 or via email at cclerk@topeka.org on or before July 9, 2024, for attachment to the meeting minutes.

AFTER THE MEETING was called to order, Father Dan Coronado, Our Lady of Guadalupe Church, provided the invocation.

THE PLEDGE OF ALLEGIANCE was recited by meeting participants.

A PRESENTATION on the $25,000,000 U.S. Department of Transportation Raise Grant received by the City of Topeka was presented by Alleigh Weems, Public Works Management Analyst.

Councilmembers Valdivia-Alcala, Hiller and Ortiz as well as Mayor Padilla thanked Ms. Weems for her work in securing the grant and expressed their excitement for the impact it will have on the city.

Councilmember Duncan asked if any of the projects slated for grant funding are included in the Capital Improvement Plan (CIP).

Braxton Copley, Public Works Director, reported there was one CIP project along Golden Avenue that would utilize grant funding allowing them to reprogram the CIP funding. He noted Staff was intentional in selecting project locations so the City would receive 100% of the grant funding being made available.

CONSENT AGENDA was presented as follows:

RESOLUTION NO. 9555 introduced by City Manager Dr. Robert M. Perez, naming banks and savings institutions that are designated as depositories for all City of Topeka accounts and authorizing signatories and rescinding City of Topeka Resolution No. 9524, was presented.

RESOLUTION NO. 9556 introduced by City Manager Dr. Robert M. Perez, authorizing the City of Topeka's participation in the Kansas Municipal Investment Pool and authorizing signatories and rescinding City of Topeka Resolution No. 9490, was presented.

MINUTES of the regular meeting of July 2, 2024, was presented.

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

RESOLUTION NO. 9557 introduced by City Manager Dr. Robert M. Perez, in accordance with Section 18.60.010 of the Topeka Municipal Code (TMC), approving a Conditional Use Permit to allow for the expansion of a “Cultural Facility” on property located at 4400 SW 10th Avenue (Kansas Children’s Discovery Center) and zoned “R-1” Single Family Dwelling District, all being within the City of Topeka, Shawnee County, Kansas, was presented. *(CU09/4A) (Council District No. 9)*

Dan Warner, Planning Division Director, reported the request by the Kansas Children's Discovery Center to amend the existing Conditional Use Permit (CUP) was approved in 2009, and the amended CUP will allow for a 16,120 square foot addition to the existing facility for new exhibit halls and classrooms. He stated the applicant conducted a Neighborhood Information Meeting on May 22, 2024, and no concerns with the proposal were expressed. He noted the Planning Commission and Staff are recommending approval.

Mayor Padilla announced prior to proceeding with the vote, each member of the Governing Body who has engaged in ex parte communication with any individual either in favor of, or against, the matter being considered, must state that the communication occurred and indicate that even in light of having engaged in the communication they were able to fairly, objectively, and impartially consider the measure based only upon the evidence provided on the record. The record includes the Planning Commission minutes, the Staff report and its attachments, the public comments made during the Planning Commission hearing and similar relevant information related to the matter.

No ex parte communication was declared by Governing Body members.

Councilmember Miller stated he would abstain from voting due to his wife being an employee of the Kansas Children's Discovery Center.

Councilmember Hoferer moved to approve the resolution. The motion seconded by Councilmember Hiller carried. Councilmember Miller abstained. (8-0-1)

ORDINANCE NO. 20498 introduced by City Manager Dr. Robert M. Perez, annexing land to the City of Topeka, Kansas, in accordance with K.S.A. 12-520(7), located approximately 380 feet to the west of the intersection of NW 25th Street and NW Button Road on the north side 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. (A24/02) (Council District No. 2)

Dan Warner, Planning Division Director, reported the applicant has requested annexation of 38.7 acres located on the north side of NW 25th Street approximately 380 feet to the west of NW Button Road. He stated the proposed use of a steel manufacturing site was consistent with the Employment Tier designation in the Land Use and Growth Management Plan and the subject property was contiguous to the city and services will be extended for private use by the developer.

Councilmember Miller moved to adopt the ordinance. The motion seconded by Councilmember Dobler carried unanimously.

The ordinance was adopted on roll call vote as follows: Ayes: Councilmembers Hiller, Valdivia-Alcala, Ortiz, Banks, Miller, Dobler, Duncan, Hoferer and Mayor Padilla -9.

RESOLUTION NO. 9558 introduced by City Manager Dr. Robert M. Perez, notifying the County Clerk of: (1) a proposed intent to exceed the revenue neutral rate for the City of Topeka's 2025 budget; (2) the proposed tax rate; and (3) the date, time and location of the public hearing to consider adopting a budget that exceeds the revenue neutral rate, was presented.

Josh McAnarney, Budget Manager, provided an overview of the Mill Levy and the Revenue Neutral Rate to include the Property Tax Collection from the Mill Levy **(Attachment A)**, Cost to Property Owners **(Attachment B)** and how the Petition for the Property Tax Ordinance (*Agenda Item 4D*) would impact the City's RNR **(Attachment C).** He stated approval of the resolution would not increase the mill levy but instead, provide notice to the Shawnee County Clerk that the Governing Body was considering adopting a budget for 2025 that exceeds the RNR.

Dr. Robert M. Perez, City Manager, reported the City would be facing a $15 million deficit for the 2025 Operating Budget.

Councilmember Duncan clarified approval of the resolution sets the September 10, 2024, public hearing date for the Governing Body to consider exceeding the RNR. He stated he would vote in favor of the resolution, however, he looks forward to the budget ideas of City Manager Perez. He stated he would not support increasing the mill levy to 40 mills.

Councilmember Dobler moved to lower the mill levy from 40.952 to 38.952 mills on line 23 of the resolution. The motion was seconded by Councilmember Valdivia-Alcala.

City Manager Perez stated the proposed reduction in the mill levy equates to $2.8 million.

Councilmember Dobler asked if the City could legally designate an increase in the mill levy to be used exclusively to fund public safety.

Amanda Stanley, City Attorney, stated she believes it may be possible; however, she would research to confirm and report back to the Governing Body.

Councilmember Hiller asked if a series of budget discussions and department presentations would be provided to the Governing Body.

Budget Manager McAnarney reported the City would be hosting a series of public engagement sessions starting on July 10, 2024, as well as budget discussions would take place at Governing Body meetings beginning July 30, 2024 and continuing through August and September.

The motion to amend line 23 of the resolution to lower the mill levy from 40.952 to 38.952 mills carried unanimously on roll call vote. (9-0-0)

Councilmember Hiller announced the following budget public input sessions:

- July 10: 7:30 to 8:30 p.m., Crestview Community Center, 4801 SW Shunga Dr.
- July 15: 6:30 to 7:30 p.m., Oakland Community Center, 801 NE Poplar St.
- July 17: 6:00 to 7:00 p.m., Hillcrest Community Center, 1800 SE 21st St.
- July 22: 6:00 to 7:00 p.m., Topeka & Shawnee Co. Public Library, Marvin Auditorium, 1515 SW 10th Ave.

Councilmember Miller moved to approve the resolution as amended. The motion seconded by Councilmember Valdivia-Alcala carried unanimously on roll call vote. (9-0-0)

AN ORDINANCE submitted pursuant to the Initiative and Referendum Statutes, was presented.

Amanda Stanley, City Attorney, stated this was a process by which citizens can ask for an ordinary home rule ordinance to pass by either an election or by submission of a petition. She reported there are several steps outlined in the Statute that must be followed and on February 22, 2024, Earl McIntosh submitted the enclosed petition included in the agenda packet to the Office of the Shawnee County Counselor pursuant to K.S.A. 25-3601 which requires that Office to provide a written advisory opinion as the legality of the form of the question. She stated only the form of the question was evaluated, not whether the petition was a valid use of the Initiative and Referendum statutes as outlined in K.S.A. 12-3013 et seq. On or around February 27, 2024, the Shawnee County Counselor's Office issued the written advisory opinion that the form of the question appeared to meet the statutory requirements. Following collection of the necessary signatures (25% of the electors who voted at the last preceding regular city election) and verification of the signatures by the Shawnee County Election Commissioner, the petition packet was submitted to the City Clerk on July 8, 2024. She stated the reason the ordinance appeared on the July 9, 2024, Governing Body Meeting agenda was because according to the Statute, the City has 20 days from the time the petition was submitted to the City Clerk to act on the item, and the next scheduled Governing Body meeting was on July 30, 2024. She stated the Governing Body has the following options

1. Pass the ordinance without altercation (in its original form) within 20 days after it has been submitted to the City Clerk;
2. Call a Special Election unless a Regular City Election is scheduled within 90 days and submit the proposed ordinance to the city electors; or
3. Let the ordinance die for lack of a motion upon the advice of the City Attorney that the ordinance exceeds a city’s authority under constitutional home rule and cannot be validly passed by the city and, even if it was not an unconstitutional ordinance, it would be an administrative ordinance and not eligible to be submitted in this manner.

The proposed ordinance language was as follows:

A PETITION FOR A NEW CITY OF TOPEKA, KS ORDINANCE RELATING TO PROPERTY TAXES Pursuant to KS.A. 12-3013:

We the undersigned qualified and registered voters in the City of Topeka, KS are in favor of the following ordinance.

Shall the following be adopted?

Be it ordained by the governing body of the City of Topeka

Property Tax Ordinance

Section 1: Revenue Neutral Rate limitation
a. The City of Topeka hereby establishes that the annual-increase in revenue from property taxes on private, commercial and agriculture properties shall not exceed the revenue neutral rate without obtaining public consent through a vote.
b. The revenue neutral rate is defined as the rate that generates revenue equal to the previous year's revenue.

Section 2: Public Vote Requirement
a. Any proposed increase in property taxes above the revenue neutral rate shall require approval through a public vote held during a scheduled election.
b. The City Council shall present the proposed increase amount in terms of aggregate and percentage to the public with transparent information detailing the reasons and impact of the proposed tax hike.

Section 3: Public Vote Out-come.
a. In the event the public vote does not authorize an increase beyond the revenue neutral rate, the City of Topeka is obligated to reduce the mill levy to maintain revenues at the revenue neutral level.

Section 4: Compliance and Implementation.
a. The City Council, the Office of Finance, and other relevant departments shall ensure compliance with this ordinance.
b. The implementation of any tax increase or reduction in mill levy, as determined by public vote or revenue neutral rate, shall be enforced in the subsequent fiscal year.

Section 5: Severability.
a. Should any provision of this ordinance be deemed invalid or unenforceable, it shall not affect the validity or enforceability of the remaining provisions.

Section 6: Effective Date.

a. This ordinance shall take effect upon approval by the City Council and in accordance with the laws governing such enactments.

City Attorney Stanley stated while there was a mechanism to pass ordinances by petition – these ordinances are ordinary in nature. She reported they must consider as a City Council if it was something they could legally have the authority to do. Home Rule powers are set out in Article 12, Section 5 of the Constitution, and one of the limitations of power listed in Article 12, Section 5(b) specifically states that cities shall exercise their determination of local affairs in government by ordinance with referendums only in cases prescribed by the Legislature. This has been interpreted by Courts to say "the City cannot pass ordinary ordinances that call for elections that are not specifically called for in State law." She stated the ordinance as written, calling for an election, does exceed the legislative authority the Constitution Home Rule gives the City Council, making the ordinance not constitutionally valid. She reported because the ordinance was not constitutionally valid the Governing Body has the option to do nothing – let the motion die for lack of a second, preventing it from moving forward to an election and not passing an unconstitutional ordinance. Additionally in analyzing this ordinance, even if a court could find that the ordinance passed constitutional muster, K.S.A. 12-3013 is not applicable to administrative ordinances. The subject matter falls under the test of the 2009 McAlister v. City of Fairway Supreme Court Case, a four-part guideline test of the Kansas Supreme Court established to guide us on what is legislative verses what is administrative for this law. She stated it appears to be an administrative ordinance because it attempts to execute an existing law already governed by State Statute that governs the Revenue Neutral Rate (RNR) specific to timelines on how a governing body exceeds State law; the ordinance was also specific on how the next fiscal year has to be set along with the budget and cash basis stipulations – all appearing to attempt to implement an existing law making it an administrative function. The ordinance also makes decisions regarding the budget which requires specialized training deemed by courts. Finally, the ordinance involves a statewide concern in which the Legislature has delegated decision making to the Governing Body.

Earl McIntosh distributed a handout **(Attachment D)** and referenced the petition he submitted including over 5,000 signatures to the Governing Body for consideration regarding a Property Tax Ordinance. He stated he believes the citizens have a right to approve an increase in property taxes through a public vote.

Lanell Griffith referenced an email she sent to the Governing Body **(Attachment E)** and stated if they create a better tax environment in Topeka, Shawnee County as well as the entire state of Kansas people will want to live here. She spoke to the need of reducing property taxes and the impact it would have on the vital needs of citizens.

Mayor Padilla stated he would like to discuss the full implications of what the outcomes could be if the RNR vote goes to the public and does not pass. He reported the tax increase was used to raise funds for critical city infrastructure, fix the roads as well as to pay City workers including first responders. He stated, if this decision goes to a public vote and fails, we will not be able to increase budgets in those areas for years, which would greatly impact our ability to improve our city. It would hurt our recruiting efforts as we would not be able to offer competitive wages for police officers, which in turn, would become a public safety issue. The Governing Body fully understand the state of our economy and know the impact the nationwide inflation has had on our families here in Topeka. The last thing we want to do is to increase taxes while our families are already struggling, however, the proposed increase above the RNR is crucial at this point in time for our city. As Mayor, my proposal is to have our elected officials decide on this policy with our constituents in mind, as they do with every decision they make. Our promise as a Governing Body is to be transparent with how we operate, and the efforts currently being made to cut costs in our departments, to help offset the burden on our families. If the ordinance introduced by petition and referendum is not passed, that does not mean we will not seek public input on the matter. We will hold public budget hearings, some of which are already scheduled, to hear how the public would like the money spent.

Councilmember Duncan stated they were presented with a petition asking the city to either adopt upon receipt or send to the ballot box an initiative that would keep the City at the Revenue Neutral Rate for the next 10 years. He reported he would not support adoption of the petition and provided the following explanation of his reasons and the actions he would be proposing:

> "Let me be clear: while I have concerns with this specific petition and its validity, I agree with its message. This petition is the voice of the people expressing their growing frustration with property tax rates and the real-world struggles current rates create. I hear you loud and clear. I have a solid record of introducing property tax reduction measures every year I have been on the City Council. Some have been adopted, others have not had enough votes. I have voted against budgets that did not lower the mill levy. I have voted to stay revenue neutral and will likely do so again in the future. However, binding the City to the revenue neutral rate for a decade or requiring a public vote every year before the budget process, as this petition requests, without an ability to make changes, handcuffs future budget decisions, including the ability to continue investment in public safety and infrastructure. There are also significant legal reasons the petition is concerning. The Revenue Neutral Rate is a state law the city adopted to adhere to that law. Because of that, revenue neutral rate ordinances are administrative ordinances, and cannot be challenged by petition under state law. Also, the petition asks for the City to conduct elections each year prior to Revenue Neutral Hearings, however that exceeds a city's authority under constitutional home rule and cannot be validly passed by a city. At its core, while the petition is looking to address the problem, it only touches the surface. We must initiate real property tax reform that factors in the complexities of the system and touches on all levels of government and taxing authorities. Otherwise, our actions may feel productive in the short term, but do not create the long-term change that must occur. Attached are steps I have put forward to bring forth real property tax relief to all Topekans. It includes steps by the city, along with work we need to encourage on the state and County level. I have been working on this issue since the first day I was elected and will continue to do so. I believe while this petition may not be valid, the message it carries needs to be heard by all elected officials in Shawnee County and hope they join our efforts to change the system and reduce property taxes in Topeka."

Mayor Padilla referenced the options provided by the City Attorney and inquired on the will of the Governing Body.

The ordinance failed for lack of a motion.

DISCUSSION regarding an ordinance introduced by Deputy Mayor Christina Valdivia-Alcala concerning trees in mobile home parks, was presented.

Councilmember Valdivia-Alcala stated this was a much needed law to help those who need it the most, specifically, those mobile home park residents who are the most vulnerable. She asked Property Maintenance Division Director Schardine to provide an overview of the process. She stated she believes this would be considered an extension of the City of Topeka Changing Our Culture of Property Maintenance initiative.

John Schardine, Property Maintenance Division Director, confirmed the ordinance would apply to mobile home parks only and includes the assistance of a certified arborist. He stated he believes approval of the ordinance would help address the issue directly.

Paul Lassey, Caravan Community Mobile Home Park resident, stated he believes the arborist was not the best solution to address the overgrown vegetation of the mobile home park. He spoke to the incident related to the safety of his grandson and thanked Councilmembers Hiller and Valdivia-Alcala for their work in implementing new laws.

DISCUSSION regarding renewal of franchise for Kansas Gas Service, a Division of ONE Gas, Inc., was presented.

Amanda Stanley, City Attorney, reported approval would set the franchise fee and provide for the terms and conditions for the use of public rights-of-way. She noted it was a 20-year term agreement with the option of 5-year reopeners allowing the City to keep 5% of gross receipts.

Councilmember Duncan inquired on how the terms of the agreement were determined.

City Attorney Stanley stated she would research if the terms were determined by City preference or outlined in State statute and report back to the Governing Body.

PUBLIC COMMENT was provided by the following individuals:

Al Struttman, Moberts Downtown business owner, stated his customers are being forced to deal with the unsheltered population which was having a negative impact on his business. He urged the Governing Body to increase Downtown public safety efforts and provide him the resources he needs to address the problem.

Jonathan Smith expressed concern with the lack of funding allocated to NIAs and stated NIAs are already struggling to improve neighborhoods. He encouraged the Governing Body to increase funding for NIAs.

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

Brenda Younger, City Clerk, announced the July 16, 2024, Governing Body Meeting was cancelled, and a Special Meeting of the Governing Body has been scheduled on July 30, 2024, pursuant to Resolution NO. 9548.

Dr. Robert M. Perez, City Manager, invited Governing Body members to attend the public input budget sessions as announced by Councilmember Hiller.

Councilmember Ortiz encouraged citizens to participate in the 91st Fiesta Mexicana Celebration. She commented on the positive impact the Topeka Way to Work Program has on the community.

Councilmember Miller asked Staff to increase education for City of Topeka Fireworks Regulations next year specifically as it relates to the sale and discharge of fireworks in city limits.

Councilmember Dobler referenced the RNR discussion that took place previously on the agenda. He stated he would like to begin 2025 budget discussions with a flat revenue neutral rate and then determine what was needed as they move forward with budget deliberations.

Councilmember Duncan asked Staff to gather public input on proposed budget cuts from citizens and staff. He encouraged citizens to participate in budget public input sessions and announced upcoming District 7 “Office Hours – Listening Time” events with detailed information listed online at https://www.duncanfortopeka.com/events/lt4s8.

Councilmember Hiller spoke in support of a flat mill levy rate or revenue neutral rate for the 2025 Operating Budget. She asked citizens to provide their input on good budget ideas and spoke in support of spending cash instead of bonding.

Councilmember Valdivia-Alcala spoke to recent NIA budget discussions and referenced the need to re-envision how NIA participation can be increased. She stated she plans to contact Community Engagement and begin to work to address the additional neighborhoods that are now considered Low-to-Moderate Income and not part of an NIA. She commented on the vast volunteerism opportunity that takes place annually at the Fiesta Mexican celebration. She stated more information could be found at www.fiestatopeka.com.

Mayor Padilla encouraged citizens to volunteer at the Fiesta Mexican celebration. He spoke to the importance of registering to vote for the upcoming 2024 elections.

Following at 10-minute recess, Councilmember Valdivia-Alcala moved to recess into executive session not to exceed 20 minutes to discuss employer/employee negotiations relating to one or more unions as justified by K.S.A. 75-4319(b)(3). The meeting will resume in the Cyrus K. Holliday Building. The following staff will assist the Governing Body in its deliberations: City Manager Perez and any other staff he deems necessary. The motion was seconded by Mayor Padilla.

Mayor Padilla asked all those in favor of recessing into executive session to indicate so by verbally by saying “yea” and those opposing to indicate so verbally by saying “no.” The motion carried unanimously on voice vote. (9-0-0)

At the conclusion of the executive session, the meeting reconvened into open session and Mayor Padilla announced no action was taken during the executive session.

Mayor Padilla moved to recess into executive session not to exceed 20 minutes to discuss employer/employee negotiations relating to one or more unions as justified by K.S.A. 75-4319(b)(3). The meeting will resume in the Cyrus K. Holliday Building. The following staff will assist the Governing Body in its deliberations: City Manager Perez and any other staff he deems necessary. The motion was seconded by Councilmember Miller.

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

At the conclusion of the executive session, the meeting reconvened into open session and Mayor Padilla announced no action was taken during the executive session.

NO FURTHER BUSINESS appearing the meeting adjourned at 8:46 p.m.

(SEAL)

____

Brenda Younger City Clerk

ATTACHMENT A

Property Tax Collection from Mill Levy

Categories	General Fund	Debt Service Fund	Special Liability Fund	Totals
Current Mill Rate	25.554	10.717	.681	**36.952**
Percentage	69.16%	29.00%	1.84%	**100%**
RNR (35.341)	$34,453,901	$15,421,729	$979,957	**$50,855,587**
Current Mill (36.952)	$36,772,125	$15,421,729	$979,957	**$53,173,811**
Maximum Mill (40.952)*	$42,528,112	$15,421,729	$979,957	**$58,929,798**

- Value of 1 mill is **$1,438,997**
- Exceeding the RNR rate in favor of the current mill rate means the city would collect an additional **$2,318,224** from property taxes
- The maximum mill rate would generate $8.1m above the RNR and $5.8m over the current mill rate
- ***The maximum mill rate proposed does NOT mean it will be increased to that rate**

ATTACHMENT B

Cost to Property Owners

Various Mill Rates	$150,000 Appraised Property	$200,000 Appraised Property	$250,000 Appraised Property	$300,000 Appraised Property
RNR Rate @ 35.341	$609.63	$812.84	$1,016.05	$1,219.26
Current COT Mill Rate @ 36.952	$637.42	$849.90	$1,062.37	$1,274.84
Maximum Mill Rate @ 40.952*	$706.42	$941.90	$1,177.37	$1,412.84
Variance of +/- 1 Mill	$17.25	$23.00	$28.75	$34.50

***The maximum mill rate proposed does NOT mean it will be increased to that rate**

Petition & RNR Impact

- Timing of Public Vote/Budget deadlines would make it impossible to increase mill levy rate:
  - This would essentially set property tax revenue for 10 years: $50,855,587
  - Leaving the city much more reliant on volatile revenue sources

- Stagnant revenue would require a reduction in general fund services that funds police, fire and public works. Those three departments account for 80% of general fund expenses.

- Requiring a public vote, to exceed RNR would widen the gap in 2025 by $2.3M in revenue for 2025

ATTACHMENT D

July 9th, 2024
Topeka City Council
1st Floor Conference Rm
620 SE Madison St
Topeka, KS 66607

Mr. Mayor and Council,

My name is Earl McIntosh and I helped organize the property tax petition. Several hundred volunteers, from all over the city, assisted me. We collected over 5,400 signatures. These signatures represent all cultural backgrounds, political parties, and income classes in our city. We collected signatures from every neighborhood and business district in Topeka. We didn't miss any part of the city. Mr. Mayor, if you are looking for one issue to bring the city together it is property tax relief.

Mr. Mayor, I want you and the council to know why we started this petition. The first reason is you haven't been listening to us. For the past five years we have been begging for help. Property taxes have created an immense burden on homeowners. Inflation is out of control, and it is affecting every resident in our city.

Since you haven't taken note of our concerns, we feel the need to empower ourselves. We love the City of Topeka, but we must fight back against the relentless increases in our property taxes.

I see tonight our new city manager, Dr. Perez, is requesting the city go above revenue neutral. This is unbelievable! The citizens of Topeka don't have the luxury of going above revenue neutral. Most homeowners in Topeka are now revenue negative. And more negative with each passing year.

The city can no longer brag that they haven't raised our taxes. They can't blame property tax increases on rises in home valuations. The city can no longer use that excuse because you have the opportunity to lower our mill levy to remain revenue neutral. We request that you vote down going above revenue neutral and lower the mill levy.

Mr. Mayor, I brought our petition signatures here with me tonight, all 5,400 of them. I know only 4,500 were certified but we acquired 5,400. I think that's worth noting.

The 1st Amendment to the US Constitution says we have the right to petition our government for redress of grievances. I'm here tonight to tell the council the registered voters of Topeka are grieved about property taxes. These signatures are a cry for help!

I have the utmost respect for our council and elected officials. I appreciate all you do to help our city. I really mean that. But if you ignore this petition and don't treat it with the respect and attention it deserves, it will bring shame to the city.

Nothing can speak louder than this petition. We need property tax relief. Having a public vote in order to raise our property taxes is the right thing to do for our city.

Thank you for listening.

Sincerely,

Earl McIntosh
4208 SW Stonybrook Dr
Topeka, KS 66610
785-267-7311

ATTACHMENT E

Tonya L. Bailey

From: Lanell Griffith <lanell.griffith@gmail.com>
Sent: Tuesday, July 9, 2024 3:59 PM
To: City Clerk
Subject: Agenda item 4D this evening - property taxes

Notice: -----This message was sent by an external sender-----

Topeka needs property tax relief. Feels like *taxation without representation.*

Hence, the *Permission Petition*, as the media as called our property tax relief effort.

Thank you, Mr. Mayor and City Council, for hearing my testimony.

We Kansans are suffering under rising taxes. One of the most attractive reasons for living in Kansas, and the capital city in particular, is the relatively low cost of living. However, unhinged property tax increases negate this benefit. We need tax relief! We citizens are reducing spending because of the economy. We ask that our government represent us and do the same: *cut spending* as necessary to give us some tax relief! Focus on the core responsibilities of city government such as public safety, roads, water and infrastructure in general. Keep your spending in the public sector, and stay out of competing with the private sector. Respect our tax dollars, create a better tax environment that draws people to our city, and we'll get the population and tax revenue growth we want.

This petition isn't our ideal way of conducting public policy. I'd much rather be able to trust our elected officials to represent us as they govern with our consent. You do Not have our consent to continue raising property taxes. As citizens, we generally don't have the time to monitor each taxing entities' budget and attend local government meetings often. Citizens just trying to live peacefully, work hard, and support ourselves *need tax relief.* Those whom you represent are hurt by out-of-control taxes, especially rising taxes on that which we already own. The ability to acquire, keep and sell private property is a basic human right (against theft) and a mark of a free People.

This petition is signed by people who own and rent their homes alike, as increasing property taxes means increases in the price of rent as the cost is passed on from landlord to renter. Please cut the fat the from your budget and focus on the City's core functions – that which can only be accomplished by the public sector.

Rising property taxes are a big concern throughout the United States. Last month, ABC World News emphasized this and how some states are realizing the need to respect private property.

https://www.youtube.com/watch?v=in7DWcNA41A (Please also see the comments!)

The capital city of the heartland should draw people in with a government disciplined in its spending and respectful of those who fund it.

Respectfully,

Lanell Griffith

785-969-8051

Topeka