Date:   October 12, 2017  
Time:   4:00 p.m.  
Location: Holliday Building, 620 SE Madison

Attendance  
Councilmembers Present: Tony Emerson (Chair), and Richard Harmon.  
City Staff Present: Lisa Robertson (Legal); Catherine Walter (Legal); Mary Feighny (Legal);  
Bob Sample (Utilities); Braxton Copley (Utilities); Brenda Younger (Clerk).  

Absent: Councilmember Brendan Jensen.

1) Call to Order  
Councilmember Emerson called the meeting to order.

2) Approval of Minutes  
Councilmember Harmon moved to approve the minutes of the August 25, 2017 meeting. The motion was seconded by Councilmember Emerson. The motion carried 2:0.

3) Follow-up issues from August 25, 2017 meeting: Topeka Municipal Code (TMC)  
Title 2  
Section 2.25.030 (b) – Oath  
Staff has suggested deletion of specific statutory provisions and replace with state law.

Section 2.25.110 – Personnel Code - Copies  
Staff has suggested the inclusion to the City Clerk’s duty to post the city’s Personnel Code to the public City of Topeka website.

Section 2.30.080 (b) – Neighborhood Relations Department Created; Enforcing Officer Designated  
The revision clarifies duties of the Neighborhood Relations Director.

Council member Emerson made a motion to send the revised Ordinance with recommendations to pass to the October 17, 2017 Governing Body meeting. Councilmember Harmon seconded the motion. The motion carried unanimously 2:0.

4) Finalize Title 13 Ordinance  
Councilmember Emerson inquired with Braxton Copley in regard to the EPA’s (Environmental Protection Agency) thoughts about separating the Utilities
Department from the Public Works Department. Braxton Copley informed the committee members that there were no questions or concerns from the EPA.

Councilmember Emerson moved to approve the Title 13 Ordinance with a recommendation to pass. Councilmember Harmon seconded the motion. The motion carried unanimously 2:0.

5) **License Code Amendments**  
Brenda Younger introduced items that staff would like to ask the committee to review the two items:

1. **Open After Midnight license:**  
   Section 5.20.070 (a) (b) would allow the police chief to inspect, review and submit the findings along with the decision, in writing, to grant or deny license applications following requirements set forth in Topeka Municipal Codes 5.05.090, 5.05.100 and 5.05.110. This change would remove the process of the applicants seeking approval from the Governing Body.

   Section 5.20.080 (c) Regarding public nuisance would allow the police chief to suspend a license immediately upon conditions defined in the code section.

   There are currently 138 active licenses. This license is for all retail businesses that sell between the hours of midnight and six o’clock in the morning. The annual license expires on March 31st and may be renewed.

   Councilmember Harmon inquired if a license has ever been denied. Brenda Younger provided the answer that to her recollection, none have been denied, however some have been suspended.

   Councilmember Harmon also inquired that there may be questions from the other Governing Body

2. **Dance Hall licenses:**  
   Section 5.65.100 would allow the police chief to review applications, conduct investigations, and submit findings with a decision to grant or deny an application, in writing, to the city clerk for further action.

   Section 5.65.130 Revocation, the section noted for repeal is covered by Section 5.05.100, so there is no power being taken away from the Governing Body, it simply removes the duplication and adds consistency and clarification.
Changes to Section 5.65.130 (c) also include clarification to allow the police chief to suspend a license immediately upon conditions defined in the code section as a public nuisance, or is knowing causing or permitting a condition to exist which injure or endangers the public health, safety or welfare.

There are currently 14 licenses. This annual license expires on December 31st and can be renewed.

Councilmember Harmon questioned the reason behind having the Open After Midnight deadline as March 31, and the Dance Hall license at December 31. He suggested that perhaps making both licenses follow a calendar year of January 1 through December 31 would help to streamline the process a bit more. Brenda Younger noted that it would not cause a problem for the City Clerk’s office.

3. Scrap Metal Dealers – Staff recommends full repeal of this code section from the Topeka Municipal Code as the State law now governs this matter and specifically prohibits cities from regulating this.

Councilmember Emerson asked for clarification regarding the scrap metal licenses and if the Governing Body could just vote to repeal it. City Attorney, Lisa Robertson confirmed that this license could go on an upcoming Governing Body agenda.

Lisa Robertson asked the committee’s preference on whether to have the Open After Midnight and Dance Hall licenses discussed as a committee meeting item or have them discussed at a Governing Body meeting initially prior to moving to the committee. Councilmember Harmon suggested having them be introduced at a Governing Body meeting first to be discussed, and then a motion could be made to move to the Policy and Finance Committee at that time. Councilmember Emerson and Lisa Robertson agreed.

Councilmember Emerson suggested having the Policy and Finance Committee meet again in November. This would allow for proper public notice, as well as to allow city staff to prepare answers to specific questions with regard to these topics.
6) Other Items Before the Committee
Pat Delapp informed committee members that the public notice listed on the Council Committee page had the incorrect time listed. The meeting notice on the e-notification system and the City Clerk’s calendar had the correct time listed.

7) Meeting was adjourned.