Date: August 10, 2017
Time: 1:00 p.m.
Location: TPD, LEC Classroom A, 320 S. Kansas Ave.

Attendance
Councilmembers Present: Tony Emerson (Chair), Brendan Jensen, and Richard Harmon.
City Staff Present: Lisa Robertson, City Attorney; Mary Feighny, Deputy City Attorney; Bob Sample, Interim Director of Utilities; Braxton Copley, Interim Deputy Director of Utilities; Angela Horn, Management Analyst, Utilities

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

2) Election of Chair
Councilmember Emerson nominated Councilmember Harmon. Councilmember Jensen nominated Councilmember Emerson. The motion seconded by Councilmember Harmon carried 2:1. Councilmember Harmon announced Councilmember Emerson would serve as Policy and Finance Committee Chair for the 2017 term.

3) Approval of Minutes
Councilmember Jensen moved to approve the minutes of the December 27, 2016 meeting. The motion was seconded by Councilmember Harmon. The motion carried 3:0.

4) Revision to Topeka Municipal Code (TMC) Title 2 and Title 13 Utilities

Amend 2.25.020 Approval of memorandum agreements in conjunction with the collective bargaining process. -- Minor changes were made to reflect current practice in accordance with K.S.A. 75-4331.

Repeal 2.25.030 Employee Compensation -- The repeal will ensure there is no inconsistency between the TMC and the Personnel Code.

Amend/Renumber to 2.25.030 Oath (2.25.060) -- Amendment sets forth one central location for filing documents related to oaths taken by both elected officials and employees. Councilmember Harmon suggested making changes to the antiquated language.

Repeal 2.25.040 Payroll deduction -- The Kansas Wage Payment Act KSA 44-319, controls when and how payroll deductions can be made. Repealing this code section removes the necessity to amend the TMC every time the state law is revised and avoids potential inconsistency between controlling state law and the TMC.
Amend/Renumber to 2.25.040 Insurance Protection (2.25.070) – Theft insurance serves the same purpose as a blanket or position bond for employees and, therefore, the TMC should be amended to reflect current practice. The City’s current theft insurance policy covers employee theft up to $150K per loss; with $150K additional coverage for the City Manager, Treasurer, and Administrative and Financial Services Director and $50K additional coverage for the Mayor and Purchasing Officer.

Repeal 2.25.050 Part-Time, seasonal, and/or temporary employees or personnel – Personal Protective Equipment – Personal protective equipment for employees is already addressed in the Personnel Code, Article III, Section 3. Repeal achieves the goal of addressing this subject in a single location and eliminating unnecessary confusion. Lisa Robertson made a note of reviewing personnel code to be sure that the definition of “employee” encompasses seasonal, temporary, and part-time employees as well as full time staff.

Repeal 2.25.080 Reimbursements for conferences, seminars, conventions, and related travel – Reimbursement for employee travel is addressed in P124 Travel Policy; reimbursement for City Council travel is addressed in Resolution No. 8840. Repeal achieves the goal of addressing each of those subjects in a single location and eliminating unnecessary confusion. Councilmember Jensen inquired as to if the Mayor is included somewhere in these policies. Section 1 mentions each council member, but there is no mention of the Mayor. Lisa Robertson will check on this and report back.

Amend/Renumber to 2.25.050 Approval of employment and severance agreements (2.25.090) – Clarifies when Governing Body approval is required. Councilmember Harmon asked if the City Personnel Code addressed the processes for recruitment and selection. Lisa Robertson confirmed that it does not currently listed in this code, however will confirm that it is listed somewhere and provide an answer at the next meeting.

Amend/Renumber to 2.25.060 Accounting upon separation from employment (2.25.100) – Modifies the process to settle final pay when employment is terminated. Lisa Robertson inquired about whether this statute would be repealed along with the other statute. Lisa will do some reviewing with Jacque Russell, Human Resources Director.

Amend/Renumber to 2.25.100 Personnel rules and regulations - Adopted; Amendments (2.30.010) – The originally adopted “Personnel Rules and Regulations” have commonly been referred to as the “Personnel Code”. This amendment clarifies that both terms refer to the same document and specifies that there will be a review of the Personnel Code conducted on a more routine basis. This section also contains the procedure for approval of revisions to the Personnel Code (currently in 2.30.020). Lisa Robertson stated that she would recommend a new review and an additional regular of the personnel rules. The current copy is outdated.

Amend/Renumber to 2.25.110 Personnel rules and regulations – Copies (2.30.020) – Under current policy, the City Clerk’s Office is required to keep three original copies of the Personnel Code. The amendment would reduce the number required to one original copy.

New Chapter 2.30 “Departments Created and Established Positions” – Each City department and position, except for the Utilities Department, existed previously. The purpose for making proposed amendments is to provide greater uniformity among the
Director positions and remove unnecessary provisions. Specific job responsibilities of Department Directors are more appropriately included within the position description and should not be duplicated in the TMC.

Councilmember Jensen noted that he had received feedback from the public regarding who was appointed to the position of Municipal Judge. The feedback included citizens wanting to have more input as to who would hold that position. Mary Feighny noted that this change could be done, however it would likely require a new charter ordinance which requires approval through an election.

Councilmember Jensen asked language be inserted that would protect the City Attorney and allow him or her to speak to the Governing Body without approval from the City Manager.

Councilmember Emerson agreed and asked City Attorney Robertson to look into what other cities allow this action.

References were found throughout the Public Works Department chapter for a City Engineer. There is currently no such position. Braxton Copley suggested reviewing the entire Public Works section for references to the City Engineer and to decide if the duties described should be added to another current position.

**Title 13: Utilities Department** The addition of Section 2.30.120 would allow of the creation of the Utilities Department as a stand-alone department.

Bob Sample, Interim Director of Utilities and Braxton Copley, Interim Deputy Director of Utilities, presented information in regard to promoting the decision to make Utilities its own department.

Utilities make up 56% of Capital Improvement Plan. As it is currently organized, the department is comprised of five divisions: Business and Customer Services, Assets, Water Systems, Water Pollution Control, and Supervisory Control And Data Acquisition/Instrumentation. A Deputy Director and Director of the Utilities complete this department.

In formalizing the Utilities Department to create a new entity, there would be no changes to the current budget or employment. This would cut down on resources and time spent sending projects through the entire Public Works Department and will promote coordination and cooperation of how matters of utilities are addressed.

Braxton Copley introduced two provisions that would be accomplished by this ordinance. The first of which being a change to the reference to utilities as a division and makes it a department. The second item is that it changes, revisions, and amendments to the Industrial Pre-treatment Program; standards driven by the Environmental Protection Agency and the Kansas Department of Health and Environment. There are other provisions that could be fine-tuned to allow Utilities to serve as a stand-alone department.

Councilmember Harmon supported the move to make Utilities a stand-alone department rather than a division. Councilmember Jensen agrees. Councilmember Emerson would like to see some changes to language, however he is comfortable with the presentation and idea.

5) **Other Items Before the Committee**
   None
Meeting was adjourned.