



City Council Chambers 214 SE 8th St.  
2nd Floor Topeka, KS 66603  
<https://www.topeka.org>

## Governing Body Agenda

January 7, 2025  
6:00 PM

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### ***PRELIMINARY***

Mayor: Michael A. Padilla

#### Councilmembers

Karen A. Hiller	District No. 1	Marcus D.L. Miller	District No. 6
Christina Valdivia-Alcala	District No. 2	Neil Dobler	District No. 7
Sylvia E. Ortiz	District No. 3	Spencer Duncan	District No. 8
David Banks	District No. 4	Michelle Hoferer	District No. 9
Brett D. Kell	District No. 5		

City Manager: Dr. Robert M. Perez

Addressing the Governing Body: Public comment for the meeting will be available via Zoom or in-person. Individuals must contact the City Clerk's Office at 785-368-3940 or via email at [cclerk@topeka.org](mailto:cclerk@topeka.org) by no later than 5:00 p.m. on the date of the meeting, after which the City Clerk's Office will provide Zoom link information and protocols prior to the meeting. View the meeting online at <https://www.topeka.org/communications/live-stream/> or at <https://www.facebook.com/cityoftopeka/>.

Written public comment may also be considered to the extent it is 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](mailto:cclerk@topeka.org) on or before the date of the meeting for attachment to the meeting minutes.

If you need any accommodations for the meeting, please contact the City ADA Coordinator at 785-368-4470. Kansas Relay Service at 800-766-3777. Please provide a 48 Hour Notice if possible. Assistive listening devices are available for use in the community forum.

Agendas are available by 5:00 p.m. on Thursday in the City Clerk's Office, 215 SE 7th Street, Room 012B, Topeka, Kansas, 66603 or on the City's website at <https://www.topeka.org>.

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**CALL TO ORDER:**

**INVOCATION:**

**PLEDGE OF ALLEGIANCE:**

**1. ROLL CALL:**

**2. PRESENTATIONS:**

- **Joint Economic Development Organization Update**

**3. CONSENT AGENDA:**

A. **MINUTES** of the regular meeting of December 17, 2024

B. **APPLICATIONS:**

**4. ACTION ITEMS:**

A. **Election of Deputy Mayor**

**ELECTION** of Deputy Mayor to serve a one-year term pursuant to Topeka Municipal Code Section A2-26(c).

**Voting Requirement:** Action requires at least six (6) votes of the Governing Body.

*(The Deputy Mayor shall serve in the absence or temporary disability of the Mayor for a one-year term ending in January 2026.)*

**5. NON-ACTION ITEMS:**

A. **Discussion - Camping Prohibitions**

**DISCUSSION** concerning camping prohibitions amending Sections 9.45.350 and 9.45.360 of the Topeka Municipal Code.

*(Approval will expand the definition of public infrastructure and clarify parameters for camping on private property.)*

**6. PUBLIC COMMENT:**

**Public comment for the meeting will be available via Zoom or in-person. Individuals must contact the City Clerk's Office at 785-368-3940 or via email at [cclerk@topeka.org](mailto:cclerk@topeka.org) by no later than 5:00 p.m. on the date of the meeting, after which the City Clerk's Office will provide Zoom link information and protocols prior to the meeting. Written public comment may also be considered to the extent it is 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](mailto:cclerk@topeka.org) on or before the date of the meeting for attachment to the meeting minutes. View the meeting online at <https://www.topeka.org/communications/live-stream/> or at <https://www.facebook.com/cityoftopeka/>.**

**7. ANNOUNCEMENTS:**

**8. EXECUTIVE SESSION:**

**Executive Sessions are closed meetings held in accordance with the provisions of the Kansas Open Meetings Act.**

*(Executive sessions will be scheduled as needed and may include topics such as personnel matters, considerations of acquisition of property for public purposes, potential or pending litigation in which the city has an interest, employer-employee negotiations and any other matter provided for in K.S.A. 75-4319.)*

**9. ADJOURNMENT:**



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DATE:	January 7, 2025	
CONTACT PERSON:	Amanda Stanley, City Attorney	DOCUMENT #:
SECOND PARTY/SUBJECT:		PROJECT #:
CATEGORY/SUBCATEGORY		
CIP PROJECT:	No	
ACTION OF COUNCIL:		JOURNAL #:
		PAGE #:

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**DOCUMENT DESCRIPTION:**

- Joint Economic Development Organization Update

**VOTING REQUIREMENTS:**

**POLICY ISSUE:**

**STAFF RECOMMENDATION:**

**BACKGROUND:**

**BUDGETARY IMPACT:**

**SOURCE OF FUNDING:**

**ATTACHMENTS:**

**Description**

JEDO Presentation



CITY OF  
**TOPEKA**



# Overview of JEDO

The Joint Economic Development Organization

# | Overview of JEDO

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2 | History of JEDO

3 | Voting Rights

4 | Selection of Members

5 | Rotation between City and County

6 | Meeting Times

7 | Funds Allocation



# History

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- Established by Interlocal Agreement between Shawnee County and the City of Topeka in 2001
- JEDO Board is comprised of 13 members
- JEDO is funded through the half cent county wide retailers sales tax established by the inter-local agreement and is to be used for economic development.



## Who gets to Vote?

- The three Shawnee County Commissioners;
- City of Topeka Mayor;
- Deputy Mayor; and
- Two City Council members
- If the Deputy Mayor or other voting City Council member cannot be present at a meeting, an alternate may be selected by the absent member with full voting rights. The alternate shall be a City Council member of the absent member's choice; provided, however, that such alternate may only serve after providing the JEDO Chairperson a written proxy from the absent member

Nonvoting members are the remaining six Council members





## When are the Councilpersons selected?

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- At the third governing body meeting each January after the election of the deputy mayor.



# Rotating Chairperson and Administration

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- The City and County rotate the position of JEDO Chairperson with the Mayor serving in odd-numbered years pursuant to City of Topeka Resolution No. 7623 and the Chairperson of the County Commission serving in even-numbered years commencing on January 1 of the respective year.
- The City and the County also rotate the administrative duties with the City providing those services in odd-numbered years and the County doing so in even-numbered years.



# When does JEDO Meet?

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- 2nd Wednesday of February, May, September, and December
- Meetings are open to the public and televised
- Public comment is allowed on each actionable agenda item and at the end of each meeting. Citizens are given four minutes to speak and comments must relate to topics directly relevant to JEDO business.



# How are Funds Spent?

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(1) \$5 million annually for economic development priorities of JEDO administered through GoTopeka

(2) Remaining split for Infrastructure

- Fifty-Two Percent (52%) to County for specific projects and
- Forty-Eight Percent (48%) to the City for specific projects
- JEDO may alter the distribution formula, or reduce the amount of funds allocated for any particular improvement or project. Each year, at JEDO's May meeting, the County and the City shall distribute an updated priority list, accompanied by a project status update, as a matter of information only.





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January 7, 2025

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**DATE:** January 7, 2025  
**CONTACT PERSON:** Amanda Stanley, City Attorney  
**DOCUMENT #:**  
**SECOND PARTY/SUBJECT:** Deputy Mayor Election  
**PROJECT #:** 2025  
**CATEGORY/SUBCATEGORY** 006 Communication / 005 Other  
**CIP PROJECT:** No  
**ACTION OF COUNCIL:**  
**JOURNAL #:**  
**PAGE #:**

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**DOCUMENT DESCRIPTION:**

**ELECTION of Deputy Mayor to serve a one-year term pursuant to Topeka Municipal Code Section A2-26(c).**

**Voting Requirement:** Action requires at least six (6) votes of the Governing Body.

*(The Deputy Mayor shall serve in the absence or temporary disability of the Mayor for a one-year term ending in January 2026.)*

**VOTING REQUIREMENTS:**

Action requires at least six (6) votes of the Governing Body.

**POLICY ISSUE:**

Pursuant to Topeka Municipal Code Section A2-26(c) the Deputy Mayor will serve in the absence or temporary disability of the Mayor.

The Deputy Mayor shall serve until January 2026. Pursuant to Governing Body Rules and Procedures 4.1(b) In the absence of the mayor, the deputy mayor shall preside. Anytime there is a need for an election of a Deputy Mayor, Councilmembers who have served the longest period of time and have not previously served as Deputy Mayor will automatically be nominated. Councilmember Kell will automatically be nominated for Deputy Mayor.

**STAFF RECOMMENDATION:**

Staff recommends the Governing Body move to nominate and elect a Deputy Mayor.

**BACKGROUND:**

The City's charter ordinance requires election of a Deputy Mayor at the first governing body meeting in January. The Deputy Mayor serves for a one-year term and in the absence or temporary disability of the Mayor. Rule 4.1(b) of the Governing Body Rules provides that Council Members who have served the longest period of time and have not previously served as Deputy Mayor will automatically be nominated. In addition to automatic nominations, additional councilmembers can still be nominated until the nomination is closed by motion. The Rule only requires that the longest serving who has not served be automatically nominated not that they automatically become the Deputy Mayor.

Councilmember Kell is eligible to be nominated. If he refuses, then Councilmember Hoferer would be eligible, followed by Councilmember Banks and Councilmember Miller.

The Deputy Mayor shall appoint the members to each standing committee for Policy and Finance, Public Infrastructure, Public Health and Safety, Social Service Grants and Transient Guest Tax, as well as any special committees. Below is a list of Deputy Mayors that have served over the past several years:

2024 - Christina Valdivia-Alcala  
2023 - Neil Dobler  
2022 - Spencer Duncan  
2021 - Mike Padilla  
2020 - Tony Emerson  
2019 - Sandra Clear  
2018 - Brendan Jensen  
2017 - Jeff Coen  
2016 - Michelle De La Isla  
2015 - Karen Hiller  
2014 - Denise Everhart  
2013 - Sylvia Ortiz

**BUDGETARY IMPACT:**

There is no budgetary impact to the City.

**SOURCE OF FUNDING:**

Not Applicable.

**ATTACHMENTS:****Description**

TMC A2-26 Meetings - Deputy Mayor

**Sec. A2-26. Meetings – Deputy Mayor.**

- (a) The governing body shall establish, by ordinance, a meeting schedule for each calendar year, with a minimum of two meetings each month.
- (b) The governing body shall elect a Councilmember to serve as deputy mayor in the absence or temporary disability of the mayor.
- (c) A deputy mayor shall be elected at the first governing body meeting in January to serve for a one year term. (C.O. 122 § 1, 2-8-22.)

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**The Topeka Municipal Code is current through Ordinance 20384, passed November 1, 2022.**

Disclaimer: The City Clerk's Office has the official version of the Topeka Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

[City Website: www.topeka.org](http://www.topeka.org)

[Code Publishing Company](#)



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DATE: January 7, 2025  
CONTACT PERSON: Deputy Mayor Valdivia- DOCUMENT #:  
Alcala and  
Councilmember Dobler  
SECOND PARTY/SUBJECT: Camping Prohibitions PROJECT #:  
CATEGORY/SUBCATEGORY 013 Ordinances - Codified / 078 Health and Sanitation  
CIP PROJECT: No  
ACTION OF COUNCIL: JOURNAL #:  
PAGE #:

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**DOCUMENT DESCRIPTION:**

**DISCUSSION** concerning camping prohibitions amending Sections 9.45.350 and 9.45.360 of the Topeka Municipal Code.

*(Approval will expand the definition of public infrastructure and clarify parameters for camping on private property.)*

**VOTING REQUIREMENTS:**

Discussion only. Action requires five (5) votes of the City Council. The Mayor does not vote. The proposed ordinance involves a matter of home rule on which the Mayor has veto authority.

**POLICY ISSUE:**

Whether or not to clarify the definition of public infrastructure.

**STAFF RECOMMENDATION:**

Discussion only. Staff recommends the City Council move to adopt the ordinance when considered. The Mayor does not vote.

**BACKGROUND:**

The proposed language amendments are as follows:

- Line 26: Amend the definition of "Camp" to exclude camping at camping sites for recreational vehicles, travel trailers, campers or tents.
- Line 41: Amend the definition of "Public Infrastructure" to reflect the Federal Emergency Management



Agency (FEMA) language.

- Line 60: Amend to state "Within 100 feet instead of 500 feet of any Public Infrastructure."
- Line 62: Amend to state camping is illegal "Upon private property (except by the owner on record or lawful tenant) exceeding 10 days within a six-month period."

**BUDGETARY IMPACT:**

Currently, there are 20 known camps to abate with an estimated cost of \$12,000

**SOURCE OF FUNDING:**

Operational Budget

**ATTACHMENTS:**

**Description**

Ordinance

(Published in the Topeka Metro News \_\_\_\_\_)

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE introduced by Deputy Mayor Valdivia-Alcala and Councilmember Dobler, concerning camping prohibitions, amending § 9.45.350 and § 9.45.360 of the Topeka Municipal Code and repealing original sections.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF TOPEKA, KANSAS:

Section 1. That section 9.45.350, Definitions, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Definitions.**

Unless the particular provisions or the context otherwise requires, the definitions contained in this section shall govern the construction, meaning, and application of words and phrases used in this article.

“Camp” means to use property for living accommodation purposes, such as sleeping activities or making preparations to sleep (including the laying down of bedding for the purpose of sleeping); or storing personal property (including, but not limited to, clothing, sleeping bags, bedrolls, blankets, sheets, luggage, backpacks, kitchen utensils, cookware, and similar material); or making any fire, regularly cooking meals, using any tents, or living in a parked vehicle. These activities constitute camping when it reasonably appears, in light of all the circumstances, that a person(s) is using such property as a living accommodation. Camping does not include camping on a property by the owner of record or a lawful tenant for a period not to exceed 10 days within any six-month period, nor camping upon any property properly zoned or permitted for establishments primarily engaged in providing overnight or short-term camping sites for recreational vehicles, travel trailers, campers or tents.

29 “Flood control works” means the system comprised of levees, flood walls, relief  
30 wells, closure structures, pump stations and ponding areas that serve to protect the City  
31 from flooding.

32 “Levee” means the Waterworks Levee Unit, the South Topeka Unit, the  
33 Auburndale Unit, the Oakland Unit and the North Topeka Unit.

34 “Levee critical zone” means 500 feet from the centerline of the land side of a  
35 levee and 300 feet from the centerline of the levee to the water’s edge.

36 “Personal property” means any and all tangible property, and includes, but is not  
37 limited to, goods, materials, merchandise, tents, tarpaulins, bedding, sleeping bags,  
38 hammocks, personal items such as luggage, backpacks, clothing, documents and  
39 medication, and household items.

40 “Public infrastructure” means ~~bus shelters, bridges, overpasses and flood control~~  
41 works, government buildings, government structures, government facilities, government  
42 equipment storage or repair locations, facilities operated by the government for public  
43 use, bus shelters, roadways, highways, medians, traffic circles, bridges, overpasses,  
44 railways, flood control works, water delivery systems, wastewater delivery systems,  
45 electrical generation systems, electrical transmission systems, communication  
46 transmission systems, health care facilities, schools, and child care facilities.

47 “Store, stored or storing” means to put aside or accumulate for use when  
48 needed, to keep for safekeeping, and/or to place or leave in a location.

49 “Tent” includes any tarp, cover, structure or shelter, made of any material that is  
50 not open on all sides and which hinders an unobstructed view behind or into the area  
51 surrounded by the tarp, cover, structure or shelter.

“Trail” means the trails conveyed to Shawnee County pursuant to City of Topeka Contract No. 41460 which includes Deer Creek Trail, Soldier Trail, Shunga Trail and Landon Trail.

Section 2. That section 9.45.360, Unlawful camping, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Unlawful camping.**

It is unlawful and a public nuisance for any person to camp in the following areas, unless otherwise allowed by the Topeka Municipal Code:

- (a) Within 500-100 feet of any Public infrastructure;
- (b) Within 10 feet of any doorway, loading dock, stairway or fire escape;
- (c) Upon private property, except by the owner of record or a lawful tenant for a period not to exceed 10 days within a six-month period;
- (~~e~~d) Within an area bounded by Topeka Boulevard from SW 10th Avenue to NW Crane Street; Madison Street from SE 10th Avenue to NE Crane Street; Crane Street from Topeka Boulevard to NE Madison Street; and 10th Avenue from Topeka Boulevard to SE Madison Street; and
- (~~e~~) Within an area bounded by Topeka Boulevard from NW Curtis Street to NW Morse Street; NE Quincy Street from NE Curtis Street to NE Morse Street; Morse Street from NE Quincy Street to NW Topeka Boulevard; and Curtis Street from NE Quincy Street to NW Topeka Boulevard; and
- (~~e~~f) Within a levee critical zone, within 500 feet of the centerline of any trail, or within 50 feet of the centerline of any sidewalk inside City limits to protect the health, safety and general welfare of the citizens of the City.

Section 3. That original § 9.45.350 and § 9.45.360 of The Code of the City of Topeka, Kansas, are hereby specifically repealed.

Section 4. This ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper.

Section 5. This ordinance shall supersede all ordinances, resolutions or rules, or portions thereof, which are in conflict with the provisions of this ordinance.

Section 6. Should any section, clause or phrase of this ordinance be declared invalid by a court of competent jurisdiction, the same shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so declared to be invalid.

PASSED AND APPROVED by the Governing Body on \_\_\_\_\_.

CITY OF TOPEKA, KANSAS

Michael A. Padilla, Mayor

ATTEST:

Brenda Younger, City Clerk



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DATE: January 7, 2025  
CONTACT PERSON: DOCUMENT #:  
SECOND PARTY/SUBJECT: Public Comment PROJECT #:  
Protocol  
CATEGORY/SUBCATEGORY  
CIP PROJECT: No  
ACTION OF COUNCIL: JOURNAL #:  
PAGE #:

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**DOCUMENT DESCRIPTION:**

PUBLIC COMMENT PROTOCOL

**VOTING REQUIREMENTS:**

**POLICY ISSUE:**

**STAFF RECOMMENDATION:**

**BACKGROUND:**

**Governing Body Rule 5.5**

(c) **Public Comment on a specific agenda item:** Comments from members of the public concerning a specific agenda item will be heard at the time the item is considered. Persons will be limited to addressing the governing body one (1) time on a particular matter unless otherwise allowed by a vote of six (6) or more members of the governing body.

(d) **General public comment:** Requests by members of the public to speak during the public comment portion of a regular governing body meeting will be placed on the agenda on a "first-come, first-served" basis. The request should state the name of the individual(s) desiring to be heard. Each such individual shall be limited to addressing the governing body one (1) time and his or her comments shall be limited to topics directly relevant to business of the governing body; provided however, that comments pertaining to personnel and litigation matters shall not be allowed.

**Procedures for Addressing the Governing Body**

In accordance with Governing Body Rules 5.6 and 5.7, the following protocols for public comment apply:

- Each person shall state his or her name and city of residence in an audible tone for the record.
- All remarks shall be addressed to the Governing Body as a whole -- not to any individual member.
- In order to provide additional time for as many individuals as possible to address the Governing Body, each individual signed up to speak will need to complete his or her comments within four minutes.

The following behavior will not be tolerated from any speaker:

- Uttering fighting words
- Slander
- Speeches invasive of the privacy of individuals (no mention of names) Unreasonably Loud Speech
- Repetitious Speech or Debate
- Speeches so disruptive of proceedings that the legislative process is substantially interrupted

Any speaker who engages in this type of behavior will be warned once by the presiding office (Mayor). If the behavior continues, the speaker will be ordered to cease his or her behavior. If the speaker persists in interfering with the ability of the Governing Body to carry out its function, he or she will be removed from the City Council Chambers or Zoom meeting room.

Members of the public, Governing Body and staff are expected to treat one another with respect at all times.

#### Zoom Meeting Protocol

- Make sure your Zoom name, email and/or phone number matches what was submitted to the City Clerk when you signed up for public comment. Any misnamed or unauthorized users will not be admitted to Zoom.
- Please keep your mic muted and your camera off until you are called by the Mayor to give your comment.
- If you are cut off during your comment time due to an internet connection or technical issue, you will need to submit your comments in writing to the City Clerk at [atcclerk@topeka.org](mailto:atcclerk@topeka.org) or 215 SE 7th Street, Room 012B, Topeka, KS 66603 for attachment to the minutes.
- If you break any of the public comment rules, you will receive one warning from the Mayor. If you continue any prohibited behavior, you will be removed from the Zoom meeting room and will not be allowed to rejoin.
- Public comment is limited to four minutes. You may receive an extension at the discretion of the Governing Body. The timer will be visible to you in the 'City of Topeka Admin' window on the Zoom app. Call-in users will hear one beep when a minute is remaining and then another beep when time has expired.
- Please do not share the Zoom login information with anyone. Any unauthorized users will not be admitted to the Zoom meeting room.

#### **BUDGETARY IMPACT:**

#### **SOURCE OF FUNDING:**