



City Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
<https://www.topeka.org>

Governing Body Agenda

October 20, 2020
6:00 PM

Mayor: Michelle De La Isla

Councilmembers

Karen A. Hiller	District No. 1	Hannah Naeger	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
Tony Emerson	District No. 4	Michael Lesser	District No. 9
Mike Padilla	District No. 5		

City Manager: Brent Trout

Addressing the Governing Body: No person shall address the Governing Body during a Governing Body Meeting, unless they have notified the City Clerk at (785)368-3940 or by email at cclerk@topeka.org by 5:00 p.m. on the day of any Governing Body Meeting or sign up to speak at the meeting by 6:00 p.m. Written public comment may be submitted by email or in writing to the City Clerk for attachment to the minutes. Due to the public safety mandates surrounding the COVID-19 pandemic only 45 people, including staff members, will be allowed to gather in the City Council Chambers at one time. This notification requirement shall not apply to items added during the course of a meeting.

Persons addressing the Governing Body will be limited to 4 consecutive minutes on a particular agenda item. Debate, question/answer dialogue or discussion between Governing Body members will not be counted towards the 4 minute time limitation. The Chair may extend time with the unanimous consent of the Governing Body or by an affirmative vote of 7 Governing Body members may extend the 4 minute limitation. The requirement to notify the City Clerk will not apply towards public hearings required by State and Federal law.

To make arrangements for special accommodations please call 785-368-3940. A 48-hour advance notice is preferred. The Federal Communications Commission (FCC) has adopted use of the 711 dialing code for access to Telecommunications Relay Services (TRS). TRS permits persons with a hearing or speech disability to use the telephone system via a text telephone (TTY) or other device to call persons with or without such disabilities. To reach the City Clerk's office using the TRS, please dial 711.

(Agendas are available by 5:00 p.m. Thursday afternoon in the City Clerk's office, 215 SE 7th -Room 166 and on the City's web site at <https://www.topeka.org>)

CALL TO ORDER:

INVOCATION:

PLEDGE OF ALLEGIANCE:

1. ROLL CALL:

2. APPOINTMENTS:

A. Board Appointment - Topeka Public Building Commission

BOARD APPOINTMENT recommending the reappointment of Randy Clayton to the Topeka Public Building Commission for a term ending September 30, 2024.

3. CONSENT AGENDA:

A. MINUTES of the regular meeting of October 13, 2020

B. APPLICATIONS:

4. ACTION ITEMS:

A. Resolution - Transportation Alternatives (TA) Grant

RESOLUTION introduced by City Manager Brent Trout supporting the City of Topeka's application for funding from the Kansas Department of Transportation for Topeka Bikeways Phase IV implementation.

Voting Requirement: At least six (6) votes of the Governing Body is required.

(Approval supports the City's application to Kansas Department of Transportation (KDOT) Alternatives grant program.)

B. Ordinance - Amending Ordinance No. 20257; Repealing Provisions Relative to Installation and Repair of Water and Sewer Lines in Commercial and Industrial Developments

ORDINANCE introduced by City Manager Brent Trout amending Section 1 and Section 2 of Ordinance No. 20257, codified at Sections 13.10.280 and 13.20.130 of the Topeka Municipal Code, to repeal provisions allowing installation and repair of water and sewer lines by contractors licensed to install City utilities servicing certain developments.

Voting Requirement: At least five (5) votes of the City Council is required. The Mayor does not vote.

(Approval would remove the ability of contractors licensed to install city utilities to install and repair water and sewer lines servicing an industrial or commercial development.)

C. Fire Service Special Committee Report - Request to Extend Deadline

REQUEST to extend the deadline for the City of Topeka Fire Service Special Committee to report to the Governing Body from November 10, 2020, to no later than April 6, 2021.

Voting Requirement: At least six (6) votes of the Governing Body is required.

(Approval will provide additional time for the Committee to finish its work and report to the Governing Body no later than April 6, 2021.)

5. PUBLIC COMMENT

In-person public comment will now be allowed at Governing Body meetings. Individuals must notify the City Clerk's office by 5:00 p.m. on the day of the meeting. Due to the public safety mandates surrounding the COVID-19 pandemic only 45 people, including staff members, will be allowed to gather in the City Council Chambers at one time. Please be advised after a person participates in public comment it may be necessary for them exit the meeting in order to allow others to enter the Council Chambers to provide their public comment. Written public comment may be submitted by email or in writing to the City Clerk for attachment to the minutes. -- Email: cclerk@topeka.org -- Address: 215 SE 7th Street, Room 166, Topeka, Kansas, 66603

6. ANNOUNCEMENTS:

7. 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.)

8. ADJOURNMENT:



City of Topeka
Council Action Form
Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
October 20, 2020

DATE: October 20, 2020
CONTACT PERSON: Mayor Michelle De La Isla DOCUMENT #:
SECOND PARTY/SUBJECT: Topeka Public Building Commission PROJECT #:
CATEGORY/SUBCATEGORY 006 Communication / 005 Other
CIP PROJECT: No
ACTION OF COUNCIL: JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

BOARD APPOINTMENT recommending the reappointment of Randy Clayton to the Topeka Public Building Commission for a term ending September 30, 2024.

VOTING REQUIREMENTS:

At least five (5) votes of the City Council is required. Mayor does not vote.

POLICY ISSUE:

Not applicable.

STAFF RECOMMENDATION:

Mayor De La Isla is recommending the reappointment of Randy Clayton for a term that would end September 30, 2024. Mr. Clayton represents the Shawnee County Commissioners nomination.

BACKGROUND:

KSA 12-1757. This is a statutory board wherein the Mayor recommends and the Council has final approval. The Topeka Public Building Commission was created pursuant to KSA 12-1757 et seq., and shall have the powers granted according to the provisions of the statute, not inconsistent with the provisions contained within the Topeka City Code. The Commission is to be comprised of members nominated from USD 501, the Kansas Secretary of Administration, the Shawnee County Commissioners as well as four members nominated by the Mayor; only the nominees from the Mayor require residency within the city limits.

BUDGETARY IMPACT:

There is no budgetary impact to the City.

SOURCE OF FUNDING:

Not Applicable.

ATTACHMENTS:

Description

R. Clayton - Topeka Public Building Commission Application - 2020

Profile

Randy

First Name

Clayton

Last Name

randyjclayton@outlook.com

Email Address

1221 SW Indian Hills Rd.

Street Address

Suite or Apt

Topeka

City

KS

State

66615

Postal Code

Are you a resident of the City of Topeka?☐ Yes ☒ No**What district do you live in? ***☒ Other / Outside City LimitsCheck for your district here -> <https://www.topeka.org/citycouncil>

Home: (785) 478-9017

Primary Phone

Mobile: (785) 554-3656

Alternate Phone

Which Boards would you like to apply for?

Topeka Public Building Commission: Submitted

Clayton Wealth Partners

Employer

Co-Founder

Job Title

Are you a registered voter?☒ Yes ☐ No**Are you currently a full or part-time employee of the City of Topeka?**☐ Yes ☒ No**If yes, please advise in which department you work:****Are you or any immediate family member related to any city governmental official or employee?**☐ Yes ☒ No

If yes, please advise who and how you are related:

Are you or have you been a party to any civil litigation involving the City of Topeka?

☐ Yes ☒ No

If yes, please explain:

Are you delinquent in payment of any taxes, fees, fines or special assessments owed to the State of Kansas, Shawnee County or the City of Topeka?

☐ Yes ☒ No

If yes, please explain:

Please state why you are interested in serving on this board or commission:

I have served on this commission for a number of years. My long-term experience in financial field allows me to bring expertise to the commission.

Interests & Experiences

Please describe your education, experience and expertise including any honors or awards, civic, cultural, charitable or professional organization memberships that relate to the position you are seeking.

Washburn University, BA 1984, Topeka Business Hall of Fame 2017, Certified Financial Planner 1984, 40 years experience in finance and co-founder of a registered investment advisor.

Upload a Resume

Please attach any additional information you believe may be helpful in considering your application.

Voluntary Self Identification

Completion of your race/ethnicity and gender on your application is voluntary and will not affect your opportunity to be appointed to a City of Topeka Board or Commission.

Ethnicity *

☒ Caucasian/Non-Hispanic

Gender *

☒ Male

Acknowledgements and Verification

Purpose of information being submitted.

☒ I Agree

The information I am submitting is true and correct.

☒ I Agree

Electronic Signature

☒ I Agree

Notification to applicants for City Board/Commissions

Please be advised that your application and any documents that you attach are public records and, as such, are available to the public, upon request, pursuant to the Kansas Open Records Act.

If you are appointed to the position, your application and resume will be included in the governing body meeting agenda which is posted online.

<http://topeka.novusagenda.com/agendapublic/>



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Council Action Form
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214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
October 20, 2020

DATE: October 20, 2020
CONTACT PERSON: Bill Fiander DOCUMENT #:
SECOND PARTY/SUBJECT: TA Grant - Bikeways PROJECT #:
Phase 4
CATEGORY/SUBCATEGORY 020 Resolutions / 005 Miscellaneous
CIP PROJECT: Yes
ACTION OF COUNCIL: JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

RESOLUTION introduced by City Manager Brent Trout supporting the City of Topeka's application for funding from the Kansas Department of Transportation for Topeka Bikeways Phase IV implementation.

Voting Requirement: At least six (6) votes of the Governing Body is required.

(Approval supports the City's application to Kansas Department of Transportation (KDOT) Alternatives grant program.)

VOTING REQUIREMENTS:

At least six (6) votes of the Governing Body is required.

POLICY ISSUE:

The City desires to submit an application to the Kansas Department of Transportation (KDOT) for Transportation Alternatives (TA) Program funds afforded by the Fixing America's Surface Transportation Act. The application would advance implementation of the major project priorities contained in the Topeka Bikeways Master Plan's supplemental action plan (Topeka Fast-Track Bike Plan) recently approved by the Metropolitan Topeka Planning Organization (MTPO) policy board.

The Public Infrastructure Committee recommended approval of the resolution (4-0) at their September 28, 2020 meeting.

STAFF RECOMMENDATION:

Staff recommends the Governing Body move to approve the resolution.

BACKGROUND:

The application is proposed for the following projects:

- Downtown Connections – separated bike facilities connecting neighborhoods to Downtown from SE 6th Avenue, Kansas Avenue Bridge, SW 8th Street, and the Landon Trail
- Trail Connections – various neighborhoods connecting to the Shunga, Landon, and Soldier Creek Trails
- NW Tyler Street - a multi-use path on NW Tyler Street between Waddell Street and Lyman Road

The first two projects implement major priorities of the MTPO's Topeka Fast-Track Bike Plan. The third project implements the City's adopted Complete Streets Policy.

BUDGETARY IMPACT:

The City will provide 20% match for the three projects as follows if approved:

Downtown Total = \$1,408,160

KDOT 80% = \$1,126,528

City 20% = \$281,632

Trail connections Total = \$197,464

KDOT 80% = \$157,971.20

City 20% = \$39,492.80

NW Tyler Total = \$423,185

KDOT 80% = \$338,548

City 20% = \$84,637

All Projects Combined Total = \$ 2,028,809

KDOT 80% = \$1,623,047.20

City 20% = \$405,761.80

SOURCE OF FUNDING:

CIP

- Countywide Half-Cent Sales Tax (Bikeways Master Plan 2020)
- General Obligation (NW Tyler)

ATTACHMENTS:

Description

TA Resolution

TA Project Map

1 RESOLUTION NO. _____
2

3 A RESOLUTION introduced by City Manager Brent Trout supporting the City of
4 Topeka's application for funding from the Kansas Department of
5 Transportation for Topeka Bikeways Phase IV implementation.
6

7 WHEREAS, the City desires to submit an application to the Kansas Department of
8 Transportation for Transportation Alternatives Program funds afforded by the Fixing
9 America's Surface Transportation Act; and

10 WHEREAS, the application would advance implementation of the Topeka Bikeways
11 Master Plan and its supplemental action plan (Topeka Fast-Track Bike Plan) as recently
12 approved by the Metropolitan Topeka Planning Organization (MTPO) policy board; and

13 WHEREAS, after appropriate input from the MTPO's Complete Streets Advisory
14 Committee and staff, the Governing Body supports submission of an application for
15 funding the following projects of the Bikeways Phase IV implementation:

16 • Downtown Connections – separated bike facilities connecting neighborhoods to
17 Downtown from SE 6th Avenue, Kansas Avenue Bridge, SW 8th Street, and the Landon
18 Trail

19 • Trail Connections – various neighborhoods connecting to the Shunga, Landon,
20 and Soldier Creek Trails

21 • NW Tyler Street - a multi-use path on NW Tyler Street between Waddell Street
22 and Lyman Road

23 NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE
24 CITY OF TOPEKA, KANSAS, that:

25 Section 1. The Governing Body authorizes the City Manager to submit an
26 application to the Kansas Department of Transportation for transportation alternatives

program funds provided through the Fixing America’s Surface Transportation Act (FAST-Act).

Section 2. The City assures the Kansas Department of Transportation of sufficient City match requirements needed for the construction, operation, and maintenance of these three projects.

Section 3. The City Manager is also authorized to submit additional information as may be required and act as the official representative of the City in this and subsequent related activities.

Section 4. The City assures the Kansas Department of Transportation that the City is willing and able to administer the designing, letting and construction of these projects, if any or all of these projects are selected for funding.

ADOPTED and APPROVED by the Governing Body on_____.

CITY OF TOPEKA, KANSAS

Michelle De La Isla, Mayor

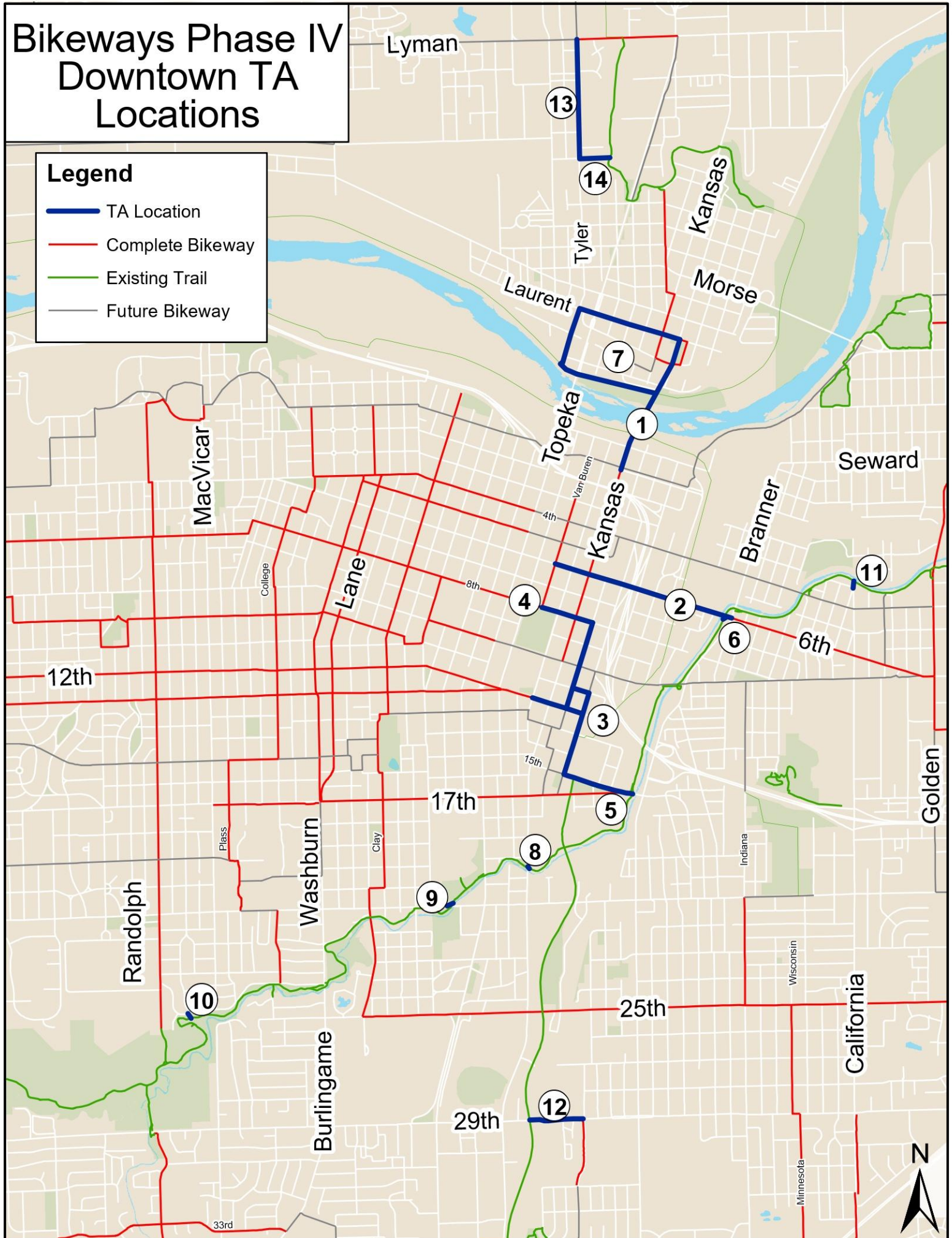
ATTEST:

Brenda Younger, City Clerk

Bikeways Phase IV Downtown TA Locations

Legend

- TA Location
- Complete Bikeway
- Existing Trail
- Future Bikeway





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October 20, 2020

DATE: October 20, 2020
CONTACT PERSON: Council Member Tony Emerson
DOCUMENT #:
SECOND PARTY/SUBJECT: PROJECT #:
CATEGORY/SUBCATEGORY 013 Ordinances - Codified / 146 Utilities
CIP PROJECT: No
ACTION OF COUNCIL: JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

ORDINANCE introduced by City Manager Brent Trout amending Section 1 and Section 2 of Ordinance No. 20257, codified at Sections 13.10.280 and 13.20.130 of the Topeka Municipal Code, to repeal provisions allowing installation and repair of water and sewer lines by contractors licensed to install City utilities servicing certain developments.

Voting Requirement: At least five (5) votes of the City Council is required. The Mayor does not vote.

(Approval would remove the ability of contractors licensed to install city utilities to install and repair water and sewer lines servicing an industrial or commercial development.)

VOTING REQUIREMENTS:

At least five (5) votes of the City Council is required. The Mayor does not vote.

POLICY ISSUE:

Whether to adopt an ordinance amending Ordinance No. 20257 by repealing the provisions authorizing certain contractors to install and repair water and sewer lines servicing an industrial or commercial development.

STAFF RECOMMENDATION:

Staff is making no recommendation.

BACKGROUND:

Ordinance No. 20257, which became effective on September 14, 2020, adopted the 2018 Uniform Plumbing Code (UPC). Prior to its adoption by the Council, two amendments were approved. These amendments to the Topeka Municipal Code allow contractors licensed by the City to install City utilities to install and repair water and sewer lines servicing industrial or commercial developments designed by a licensed engineer. In light of concerns

raised by some members of the community, the proposed ordinance is being brought forward so that the Council may consider amending Ordinance No. 20257 to remove these previously adopted amendments in order to provide an opportunity to engage in further discussion with the various stakeholders.

Procedure: The Governing Body Rules and Procedures provide that Roberts Rules of Order ("RRO") are to be referred to for purposes of addressing any procedural issues not set out in the Governing Body Rules. RRO Section 35 authorizes the Governing Body to "Amend an Item Previously Adopted," which would allow the Body to amend Ordinance No. 20257. Any Councilmember can move to amend Ordinance No. 20257 by adopting the proposed ordinance, which removes the above-referenced provisions. Because notice was provided at the Governing Body meeting held October 13, 2020, at least five (5) votes of the Council will be required to adopt the proposed ordinance. As this is a home rule ordinance that is subject to veto by the Mayor, the Mayor cannot vote.

BUDGETARY IMPACT:

There is not budgetary impact to the City.

SOURCE OF FUNDING:

Not Applicable

ATTACHMENTS:

Description

Proposed Ordinance Amending Ordinance 20257

Ordinance No. 20257 - Adopting 2018 Uniform Plumbing Code (UPC)

1 (Published in the Topeka Metro News _____)

2
3 ORDINANCE NO. _____

4
5 AN ORDINANCE introduced by City Manager Brent Trout amending Section 1 and
6 Section 2 of Ordinance No. 20257, codified at § 13.10.280 and §
7 13.20.130 of the Topeka Municipal Code, to repeal provisions
8 allowing installation and repair of water and sewer lines by
9 contractors licensed to install City utilities servicing certain
10 developments.

11
12 WHEREAS, Ordinance No. 20257, passed and approved on August 18, 2020,
13 adopted the 2018 Uniform Plumbing Code; and

14 WHEREAS, Ordinance No. 20257 was amended to add language that would
15 allow contractors licensed to install City utilities to install and repair water and sewer
16 lines servicing an industrial or commercial development; and

17 WHEREAS, some members of the community have expressed concerns and a
18 desire that the Governing Body reassess the added language; and

19 WHEREAS, the Governing Body wishes to amend Ordinance No. 20257.

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

22 Section 1. That section 13.10.280, Repair and responsibilities of property
23 owner and City, of The Code of the City of Topeka, Kansas, is hereby amended to read
24 as follows:

25 **Repair and responsibilities of property owner and City.**

26 (a) The customer water service line shall be the responsibility of the property
27 owner and shall be constructed, maintained, repaired or replaced at the sole cost of the
28 property owner. All installation or repair work shall be done as required by the currently
29 adopted plumbing code and other appropriate ordinances.

30 (b) All customer water service lines which are not located on public property,

public right-of-way or easement shall be the responsibility of the property owner and shall be repaired or replaced at the sole cost of the property owner. All installation or repair work shall be done as required by the currently adopted plumbing code and other appropriate ordinances.

~~(c) Any contractor licensed to install City utilities, including a plumbing contractor, may install or repair a water main, City water service line, or customer water line, servicing an industrial or commercial development project that has been designed by a licensed engineer. The contractor shall ensure that all connection and service lines are tested up to the cap outside each building.~~

~~(d)~~ Property owner shall be responsible for any expenses incurred by the Water Division for the repair to the customer water service line, including, but not limited to, any materials, equipment, service, or labor, including the repair to public property, streets, alleys or other public utilities caused by the property owner's negligent or intentional actions.

~~(e)~~ All City water service lines shall be the responsibility of the Water Division and shall be repaired only by the Water Division.

Section 2. That section 13.20.130, Permit -- Required, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Permit – Required.

(a) No sewer or drain of any kind shall be connected with the sewers constructed under authority of the City within any of the main sewer districts or sewer subdistricts of the City, except by written permission of the City Engineer and by compliance with all the rules, regulations and specifications provided for the proper construction and maintenance of such sewers or drains.

(b) Any person owning property within the City limits, which property is not within any lateral sanitary sewer district theretofore created, desiring to make connection to the sanitary sewage system, shall make application for a permit to the Utilities Department.

~~(c) Any contractor licensed to install City utilities, including a plumbing contractor, may install or repair any sewer line servicing an industrial or commercial development project that has been designed by a licensed engineer. The contractor shall ensure that all connection and service lines are tested up to the cap outside each building.~~

Section 3. That original § 13.10.280 and § 13.20.130 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 City Council on _____.

CITY OF TOPEKA, KANSAS

Michelle De La Isla, Mayor

ATTEST:

Brenda Younger, City Clerk

(Published in the Topeka Metro News September 14, 2020)

ORDINANCE NO. 20257

AN ORDINANCE introduced by City Manager Brent Trout adopting the 2018 Uniform Plumbing Code, amending Chapter 14.35, Sections 13.10.280, 13.20.130 and 5.63.030 of the Topeka Municipal Code

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

Section 1. That section 13.10.280, Repair and responsibilities of property owner and City, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Repair and responsibilities of property owner and City.

(a) The customer water service line shall be the responsibility of the property owner and shall be constructed, maintained, repaired or replaced at the sole cost of the property owner. All installation or repair work shall be done as required by the currently adopted plumbing code and other appropriate ordinances.

(b) All customer water service lines which are not located on public property, public right-of-way or easement shall be the responsibility of the property owner and shall be repaired or replaced at the sole cost of the property owner. All installation or repair work shall be done as required by the currently adopted plumbing code and other appropriate ordinances.

(c) Any contractor licensed to install city utilities, including a plumbing contractor, may install or repair a water main, city water service line, or customer water line, servicing an industrial or commercial development project that has been designed by a licensed engineer. The contractor shall ensure that all connection and service lines are tested up to the cap outside each building.

(ed) Property owner shall be responsible for any expenses incurred by the

Water Division for the repair to the customer water service line, including, but not limited to, any materials, equipment, service, or labor, including the repair to public property, streets, alleys or other public utilities caused by the property owner's negligent or intentional actions.

(de) All City water service lines shall be the responsibility of the Water Division and shall be repaired only by the Water Division.

Section 2. That section 13.20.130, Permit -- Required, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Permit – Required.

(a) No sewer or drain of any kind shall be connected with the sewers constructed under authority of the City within any of the main sewer districts or sewer subdistricts of the City, except by written permission of the City Engineer and by compliance with all the rules, regulations and specifications provided for the proper construction and maintenance of such sewers or drains.

(b) Any person owning property within the City limits, which property is not within any lateral sanitary sewer district theretofore created, desiring to make connection to the sanitary sewage system, shall make application for a permit to the Utilities Department.

(c) Any contractor licensed to install city utilities, including a plumbing contractor, may install or repair any sewer line servicing an industrial or commercial development project that has been designed by a licensed engineer. The contractor shall ensure that all connection and service lines are tested up to the cap outside each building.

Section 3. That section 14.35.010, Uniform Plumbing Code – Adopted, of The

Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Uniform Plumbing Code – Adopted.

(a) The 2018 Uniform Plumbing Code, ~~2012 Edition~~, is hereby adopted by reference and made part of the code for the city. The ~~2012~~2018 Uniform Plumbing Code Illustrated Training Manual and the ~~2012~~2018 Uniform Plumbing Code Answers and Analysis Manual as published by the International Association of Plumbing and Mechanical Officials may be considered and applied by the authority having jurisdiction to the extent necessary in the authority's sole discretion to implement and enforce this code.

(b) The following appendices are hereby adopted:

Appendix A – Recommended Rules for Sizing the Water Supply System.

Appendix B – Explanatory Notes on Combination Waste and Vent Systems.

Appendix C – Alternate Plumbing Systems.

Appendix D – Sizing Stormwater Drainage Systems.

Appendix E – Manufactured/Mobile Home Parks and Recreational Vehicle Parks.

~~Appendix G – Sizing of Venting Systems Serving Appliances Equipped with Draft Hoods, Category 1 Appliances, and Appliances Listed for Use With Type B Vents.~~

Appendix H – Private Sewage Disposal Systems.

Appendix I – Installation Standards for PEX Tubing Systems for Hot- and Cold-Water Distribution and the Installation Standards for Trenchless Insertion of Polyethylene (PE) Pipe for Sewer Laterals set forth in TMC 14.35.440.

Appendix J – Combination of Indoor and Outdoor Combustion and Ventilation Opening Design.

Appendix K – Potable Rainwater Catchment Systems.

Appendix L – Sustainable Practices ~~(with prior approval by the city of Topeka plumbing board appeals).~~

Appendix M – Peak Water Demand Calculator.

Section 4. That section 14.35.020, Authority having jurisdiction designated, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Authority having jurisdiction designated.

Whenever the term “authority having jurisdiction” is used in the code, it shall be construed to mean the development services division director or his or her designee.

Section 5. That section 14.35.030, Uniform Plumbing Code – Copies on file in clerk’s office, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Uniform Plumbing Code – Copies on file in clerk’s office.

At least one copy of the Uniform Plumbing Code as adopted shall be on file with the city clerk to be available for inspection by the public at all reasonable business hours. ~~The administrative departments of the city charged with the duty of enforcement of this chapter shall be supplied, at the cost of the city, such a number of copies of the code as may be deemed necessary by the respective department heads.~~

Section 6. That section 14.35.050 of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

~~401.11.5~~102.7, Moved Buildings.

Section ~~401.11.5~~102.7, Moved Buildings, is hereby deleted in its entirety and the following provisions shall be substituted therefor:

Plumbing systems that are part of buildings or structures moved into this

jurisdiction shall comply with the provisions of Chapter 8.60 TMC and Section ~~403.5.5.2~~105.2 of the ~~2012~~2018 Uniform Plumbing Code.

Section 7. That section 14.35.060 of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

~~402.1~~103.1, Authority Having Jurisdiction.

~~402.1~~103.1, Authority Having Jurisdiction, is hereby deleted in its entirety and the following provisions shall be substituted therefor:

The Authority Having Jurisdiction shall be the Authority duly appointed to enforce this code. The Authority Having Jurisdiction shall have the power to render interpretations of this code and to adopt and enforce rules and regulations supplemental to this code as deemed necessary in order to clarify the application of the provisions of this code. Such interpretations, rules, and regulations shall comply with the intent and purpose of this code.

In accordance with the prescribed procedures and with the approval of the appointing authority, the Authority Having Jurisdiction shall be permitted to appoint such number of technical officers, inspectors and other employees as shall be authorized from time to time. The Authority Having Jurisdiction shall be permitted to deputize such inspectors or employees as necessary to carry out the functions of the code enforcement agency.

Section 8. That section 14.35.065 of The Code of the City of Topeka, Kansas, is hereby renumbered as 14.35.090 and amended to read as follows:

~~402.3~~107.0, Board of Appeals.

~~402.3~~107.0, Board of Appeals, including subsections ~~402.3.4~~107.1 and 107.2, is hereby deleted in its entirety.

Section 9. That section 14.35.070 of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

~~103.1.1~~104.2, Exempt Work.

~~103.1.1~~104.2, Exempt Work, is hereby deleted in its entirety and the following provisions shall be substituted therefor:

A permit shall not be required for the following:

(1) The stopping of leaks, in drains, soil, waste, or vent pipe, provided that a trap, drainpipe, soil, wastes, or vent pipe become defective and it becomes necessary to remove and replace the same with new material, the same shall be considered as new work and permit shall be procured and inspection made as provided in this code. Replacement of fixture fittings and/or faucets, tubular traps, continuous wastes and tailpieces shall not require a permit.

(2) The clearing of stoppages, including the removal and reinstallation of water closets, or the repairing of leaks in pipes, valves, or fixtures, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for work to be done in violation of the provisions of the code or other laws or ordinances of this jurisdiction.

Section 10. That section 14.35.075 of The Code of the City of Topeka, Kansas, is hereby repealed.

~~103.1.2.1, Permits and Licensing—Water Softener Installations.~~

~~103.1.2.1, Permits and Licensing—Water Softener Installations, is hereby created by the addition of the following provisions:~~

Individuals licensed under TMC 5.63.080 working in the water softening/conditioning trade shall be allowed to install water softening/conditioning appliances and connect them to the potable water supply lines. The licensed individual may install up to ten (10) feet of pipe horizontally for each connection plus the licensed individual may install pipe in a vertical drop to the appliance. Piping from the water softening/conditioning appliance to any fixture shall be done by a licensed plumbing contractor.

Section 11. That section 14.35.080 of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

103.4104.5, Fees.

~~103.4104.5, Fees, including subsections 103.4.1, 103.4.2, 103.4.3, 103.4.4~~104.5.1, 104.5.2, 104.5.3 and Table ~~103.4104.5~~, is hereby deleted in its entirety.

Section 12. That section 14.35.090 of The Code of the City of Topeka, Kansas, is hereby renumbered as 14.35.100 and amended to read as follows:

Definitions.

Chapter 2, Definitions, 204.0, Bathroom Group, is hereby deleted in its entirety and the following definition shall be substituted therefor:

Bathroom Group. Any combination of fixtures, not to exceed one water closet, two lavatories, either one bathtub, or one combination bath/shower, and/or one shower, and may include a bidet and an emergency floor drain.

~~Chapter 2, Definitions, 206.0, is hereby amended by the addition of the following definition:~~

~~Dry Vent. A vent that does not receive the discharge of any sewage or waste.~~

Section 13. That section 14.35.100, 312.12.3 TUB WASTE OPENINGS of The

Code of the City of Topeka, Kansas, is hereby renumbered as 14.35.110.

Section 14. That section 14.35.110, 314.4 EXCAVATIONS, of The Code of the City of Topeka, Kansas, is hereby renumbered as 14.35.120.

Section 15. That section 14.35.120 of The Code of the City of Topeka, Kansas, is hereby renumbered as 14.35.300 and amended to read as follows:

705.7.2705.6.2, Solvent Cement Joints.

~~705.7.2705.6.2~~, Solvent Cement Joints, is hereby deleted in its entirety and the following provisions shall be substituted therefor:

Plastic pipe and fittings designed to be joined by solvent cementing shall comply with appropriate IAPMO Installation Standards.

Solvent cement joints for PVC pipe and fittings shall be clean from dirt and moisture. Pipe shall be cut square and pipe shall be deburred. Where surfaces to be joined are cleaned and free of dirt, moisture, oil, and other foreign material, apply primer in accordance with ASTM F656. Primer shall be applied until the surface of the pipe and fitting is softened. Solvent cements in accordance with ASTM D 2564 shall be applied to all joint surfaces. Joints shall be made while both the inside socket surface and outside surface of pipe are wet with solvent cement. Hold joint in place and undisturbed for 1 minute after assembly.

Exception: One step cements for non-pressure PVC, drain, waste and vent piping that comply with the requirements of ASTM D2564-96(a), ASTM F493-92 and ASTM F656-96(a) may be used without the use of primer.

Section 16. That section 14.35.130 of The Code of the City of Topeka, Kansas, is hereby repealed.

403.4, Metered Faucets.

403.4, Metered Faucets, is hereby deleted in its entirety.

Section 17. That The Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered 14.35.130, which said section reads as follows:

314.4.1 Installation of Thermoplastic Pipe and Fittings.

314.4.1, Installation of Thermoplastic Pipe and Fittings, is hereby deleted in its entirety.

Section 18. That section 14.35.140 of The Code of the City of Topeka, Kansas, is hereby renumbered as 14.35.150 and amended to read as follows:

402.11402.10, Slip Joint Connections.

402.11402.10, Slip Joint Connections, is hereby deleted in its entirety and the following provisions shall be substituted therefor:

Fixtures having concealed slip joint connections shall be provided with a framed area no less than 12" x 18" to be used for access. This area may be covered with wallboard, paneling or other interior wall finishes.

Section 19. That The Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered 14.35.140, which said section reads as follows:

407.4, Transient public lavatories.

407.4, Transient public lavatories, is hereby deleted in its entirety.

Section 20. That section 14.35.150, 418.6 SPECIAL PROVISIONS, of The Code of the City of Topeka, Kansas, is hereby renumbered as 14.35.180.

Section 21. That section 14.35.143 of The Code of the City of Topeka, Kansas, is hereby renumbered as 14.35.160 and amended to read as follows:

414.3, Drainage Connections.

414.3, Drainage Connections, is hereby deleted in its entirety and the following

provisions shall be substituted therefor amended by the addition of the following exceptions:

EXCEPTIONS:

1. Domestic dishwashers may be installed without an airgap fitting on the discharge side of the dishwashing machine provided the waste hose is securely fastened to the bottom side of the countertop.

2. Commercial dishwashing machines ~~shall~~may discharge indirectly through an air gap or direction connection in accordance with Section 704.3 with floor drain protection.

Section 22. That section 14.35.147 of The Code of the City of Topeka, Kansas, is hereby renumbered as 14.35.170 and amended to read as follows:

418.4418.3, Location of Floor Drains.

~~418.4418.3~~, Location of Floor Drains, is hereby deleted in its entirety and the following provisions shall be substituted therefor:

Floor drains shall be installed in the following areas:

(1) Toilet rooms containing two or more water closets or a combination of one water closet and one urinal, except in a dwelling unit.

(2) Commercial kitchens and in accordance with Section 704.3.

(3) Laundry rooms in commercial buildings and common laundry facilities in multi-family dwelling buildings.

(4) Repair garages and/or gasoline stations where oil or flammable waste may exist. Floor drains shall drain to an approved oil or flammable liquid interceptor installed in accordance with Section 1017.0.

Section 23. That section 14.35.160 of The Code of the City of Topeka, Kansas,

is hereby renumbered as 14.35.190 and amended to read as follows:

422.1, Fixture Count.

422.1, Fixture Count, is hereby deleted in its entirety and the following provisions shall be substituted therefor:

Plumbing fixtures shall be provided for the type of building occupancy and in the minimum number shown in Table 2902.1 of the International Building Code, 2006~~2015~~ Edition.

Section 24. That section 14.35.180 of The Code of the City of Topeka, Kansas, is hereby repealed.

~~**507.4, Drainage Pan.**~~

~~507.4, Drainage Pan, is hereby deleted in its entirety and the following provisions shall be substituted therefor:~~

~~When a water heater is located in an attic, attic ceiling assembly, floor ceiling assembly, or floor subfloor assembly where damage may result from a leaking water heater, a watertight pan of plastic or non-corrosive materials having a minimum size of twenty-four (24) inches square or twenty-four (24) inches in diameter with a minimum two (2) inch lip shall be installed beneath the water heater with a minimum three-quarter (3/4) inch (20 mm) diameter drain to an approved location.~~

Section 25. That section 14.35.170, TABLE 422.1 MINIMUM PLUMBING FACILITIES, of The Code of the City of Topeka, Kansas, is hereby renumbered as 14.35.200.

Section 26. That section 14.35.190 of The Code of the City of Topeka, Kansas, is hereby repealed.

269 **507.5, Relief Valve Discharge.**

270 ~~507.5, Relief Valve Discharge, is hereby deleted in its entirety and the following~~
271 ~~provisions shall be substituted therefor:~~

272 ~~Discharge from a relief valve into a water heater pan shall be prohibited.~~
273 ~~Provided, however, relief valves on water heaters in multiple story residential~~
274 ~~units, each having an individual tank, may discharge into a water heater pan if~~
275 ~~the pan is provided with a full two (2) inch vented floor drain, is connected to the~~
276 ~~building drain and vent system, and provisions are made to ensure that the trap~~
277 ~~is properly primed. Water heater relief valves on water heaters installed over a~~
278 ~~crawl space may discharge into a water heater pan if the pan is provided with a~~
279 ~~full two (2) inch floor drain and that drain is extended to the exterior of the~~
280 ~~building. The relief valve may not discharge directly into the crawl space.~~

281 Section 27. That section 14.35.200 of The Code of the City of Topeka, Kansas,
282 is hereby repealed.

283 **603.4.3, Access and Clearance.**

284 ~~603.4.3, Access and Clearance, is hereby deleted in its entirety and the following~~
285 ~~provisions shall be substituted therefor:~~

286 ~~Access and clearance shall be provided for the required testing, maintenance,~~
287 ~~and repair. Access and clearance shall require a minimum of one (1) foot (305~~
288 ~~mm) between the lowest portion of the assembly and grade, floor, or platform.~~
289 ~~Installations elevated more than five (5) feet (1524 mm) above the floor or grade~~
290 ~~shall be provided with a permanent platform capable of supporting a tester or~~
291 ~~maintenance person. Authority Having Jurisdiction approval is required before~~
292 ~~backflow devices are installed at an elevation of six (6) feet or more above the~~

293 floor or grade.

294 Section 28. That section 14.35.220 of The Code of the City of Topeka, Kansas,
295 is hereby amended to read as follows:

296 **603.5.18603.5.17, Potable Water Outlets and Valves.**

297 ~~603.5.18~~603.5.17, Potable Water Outlets and Valves, is hereby deleted in its
298 entirety and the following provisions shall be substituted therefor:

299 Potable water outlets, freeze-proof yard hydrants, combination stop and waste
300 valves, or other fixtures that incorporate a stop and waste feature that drains into
301 the ground shall not be installed underground. Freezeless yard hydrants, meeting
302 the requirements of ASSE 1057 (Freeze resistant Sanitary Yard Hydrants with
303 Backflow Protection) shall be approved for use within the city limits of Topeka.
304 These devices are to supply potable water without danger of damage to the
305 hydrant due to freezing, to provide protection of the potable water supply from
306 contamination due to ground water, and to prevent potential backflow by means
307 of back siphonage with the installation of an approved atmospheric vacuum
308 breaker meeting the requirements of ASSE 1052 (Performance Requirements for
309 Hose Connection Backflow Preventers).

310 Section 29. That section 14.35.230, TABLE 610.3, of The Code of the City of
311 Topeka, Kansas, is hereby renumbered as 14.35.280.

312 Section 30. That The Code of the City of Topeka, Kansas, is hereby amended
313 by adding a section, to be numbered 14.35.230, which said section reads as follows:

314 **605.0 JOINTS AND CONNECTIONS; 605.05 Generally.**

315 605.05, Generally, is hereby created under "Joints and Connections" and shall
316 read as follows:

317 All fittings that comply with ASSE 1061 shall not be used underground.

318 Section 31. That The Code of the City of Topeka, Kansas, is hereby amended
319 by adding a section, to be numbered 14.35.260, which said section reads as follows:

320 **608.5, Discharge Piping, subsection (7).**

321 608.5, Discharge Piping, subsection (7), is hereby deleted in its entirety and the
322 following provisions shall be substituted therefor:

323 Discharge from a relief valve into a water heater pan shall be prohibited.
324 Provided, however, relief valves on water heaters in multiple story residential
325 units, each having an individual tank, may discharge into a water heater pan if
326 the pan is provided with a full two (2) inch vented floor drain, is connected to the
327 building drain and vent system, and provisions are made to ensure that the trap
328 is properly primed. Water heater relief valves on water heaters installed over a
329 crawl space may discharge into a water heater pan if the pan is provided with a
330 full two (2) inch floor drain and that drain is extended to the exterior of the
331 building. The relief valve may not discharge directly into the crawl space.

332 Section 32. That The Code of the City of Topeka, Kansas, is hereby amended
333 by adding a section, to be numbered 14.35.270, which said section reads as follows:

334 **609.11.2, Pipe Installation Wall Thickness.**

335 609.11.2, Pipe Installation Wall Thickness, is hereby deleted in its entirety and
336 the following provisions shall be substituted therefor:

337 Hot water pipe insulation shall have a minimum wall thickness of not less than 1
338 inch (25 mm) for a pipe ½ inch (13 mm) up to 1 ¼ inch (32 mm) in diameter.
339 Insulation wall thickness shall not be less than 1 ½ inches (37 mm) for a pipe of 2
340 inches (51 mm) or more in diameter, this can be reduced to 1 inch (25 mm) if

341 pipng is located within a partition within a conditioned space.

342 Section 33. That section 14.35.280, 610.8, SIZE OF METER AND BUILDING
343 SUPPLY PIPE, of The Code of the City of Topeka, Kansas, is hereby renumbered as
344 14.35.290.

345 Section 34. That section 14.35.290 of The Code of the City of Topeka, Kansas,
346 is hereby renumbered as 14.35.310 and amended to read as follows:

347 **705.9.1.1705.8.1.1, ETCO “T” Cone and Couple Adapters.**

348 705.9.1.1705.8.1.1, ETCO “T” Cone and Couple Adapters, is hereby created by
349 the addition of the following provisions:

350 The use of this type of clay tile to plastic adapter is limited to sanitary sewer
351 installations and may only be used for the connection of the building sewer to the
352 clay tile sewer main wye or tap. The joint and connecting pipe shall be installed
353 at no more than twenty-two (22) degrees from the horizontal and shall be laid on
354 undisturbed ground or a firm bed of one-quarter (1/4) inch crushed rock or similar
355 material. The crushed rock shall be no less than one-quarter (1/4) inch nor
356 greater than three-quarter (3/4) inch.

357 Section 35. That section 14.35.300, 707.4 LOCATION, of The Code of the City
358 of Topeka, Kansas, is hereby renumbered as 14.35.320.

359 Section 36. That section 14.35.310, 710.1, BACKFLOW PROTECTION of The
360 Code of the City of Topeka, Kansas, is hereby renumbered as 14.35.330.

361 Section 37. That section 14.35.320, 712.2 WATER TEST, of The Code of the
362 City of Topeka, Kansas, is hereby renumbered as 14.35.340.

363 Section 38. That section 14.35.330 of The Code of the City of Topeka, Kansas,
364 is hereby renumbered as 14.35.350 and amended to read as follows:

365 **723.0723.1, Building Sewer Test, General.**

366 ~~723.0723.1, Building Sewer Test, General~~, is hereby deleted in its entirety and
367 the following provisions shall be substituted therefor:

368 Building sewers shall be tested if in the opinion of the Authority Having
369 Jurisdiction the building sewer is deteriorated, damaged or may not be watertight
370 due to improper installation. If required, testing shall be done by plugging the end
371 of the building sewer at its points of connection with the public sewer or private
372 sewage disposal system and completely filling the building sewer with water from
373 the lowest to the highest point thereof, or by approved equivalent low-pressure
374 air test. The building sewer shall be watertight at all points.

375 Section 39. That section 14.35.360 of The Code of the City of Topeka, Kansas,
376 is hereby repealed.

377 **908.2, Horizontal Wet Venting for a Bathroom Group.**

378 ~~908.2, including 908.2.1 and 908.2.2, is hereby deleted in its entirety and the~~
379 ~~following provisions shall be substituted therefor:~~

380 ~~908.2.1 Where Permitted. A bathroom group located on the same floor level, in a~~
381 ~~residential application, shall be permitted to be vented by a horizontal wet vent if all~~
382 ~~of the following conditions are met.~~

383 ~~908.2.1.1 Vent Connection. The dry vent connection to the wet vent shall be an~~
384 ~~individual vent for the bidet, shower, or bathtub. One or two vented lavatory(s) shall~~
385 ~~be permitted to serve as a wet vent for a bathroom group. Only one (1) wet-vented~~
386 ~~fixture drain or trap arm shall discharge upstream of the dry-vented fixture drain~~
387 ~~connection. All dry vents connections to the horizontal wet vent shall be in~~
388 ~~accordance with Sections 905.2 and Section 905.3.~~

908.2.1.2 Size. The wet vent shall be sized based on the fixture unit discharge into the wet vent. The wet vent shall be not less than two (2) inches (50 mm) in diameter for four (4) dfu or less, and not less than three (3) inches (80 mm) in diameter for five (5) dfu or more. The dry vent shall be sized in accordance with Tables 7-3 and 7-5 based on the total fixtures units discharging into the wet vent.

908.2.1.3 Trap Arm. The length of the trap arm shall not exceed the limits in Table 10-1. The trap size shall be in accordance with Section 1003.3. The vent pipe opening from the horizontal wet vent, except for water closets and similar fixtures, shall not be below the weir of the trap.

908.2.1.4 Water Closet. The water closet fixture drain or trap arm connection to the wet vent shall be downstream of all fixture drain or trap arm connections to the horizontal wet vent.

908.2.1.5 Additional Fixtures. Additional fixtures shall discharge downstream of the wet vent system and be conventionally vented. Only the fixtures within the bathroom group shall connect to the wet-vented horizontal branch.

Section 40. That section 14.35.340 of The Code of the City of Topeka, Kansas, is hereby renumbered as 14.35.360 and amended to read as follows:

807.4807.3, Domestic Dishwashing Machines.

~~807.4807.3, Domestic Dishwashing Machines, is hereby deleted in its entirety and the following provisions shall be substituted therefor~~amended by the addition of the following exception:

EXCEPTION:

Domestic dishwashers may be installed without an air-gap fitting on the discharge side of the dishwashing machine provided the waste hose is securely

fastened to the bottom side of the countertop.

Section 41. That section 14.35.350, 905.2 HORIZONTAL DRAINAGE PIPES, of The Code of the City of Topeka, Kansas, is hereby renumbered as 14.35.370.

Section 42. That section 14.35.390 of The Code of the City of Topeka, Kansas, is hereby repealed.

~~1007.0, Trap Seal Protection.~~

~~1007.0, Trap Seal Protection, is hereby deleted in its entirety and the following provisions shall be substituted therefor:~~

~~Floor drain or similar traps directly connected to the drainage system and subject to infrequent use shall be protected with a trap seal primer, except where not deemed necessary for safety or sanitation by the Authority Having Jurisdiction. Trap seal primers shall be accessible for maintenance. Floor drains, subject to infrequent use and not protected by a trap seal primer, shall be protected by an ASSE 1072 listed barrier type floor drain seal protection device.~~

Section 43. That section 14.35.400 of The Code of the City of Topeka, Kansas, is hereby repealed.

~~1014.1.3, Food Waste Disposal Units and Dishwashers.~~

~~1014.1.3, Food Waste Disposal Units and Dishwashers, is hereby deleted in its entirety and the following provisions shall be substituted therefor:~~

~~Unless specifically required or permitted by the Authority Having Jurisdiction, no food waste disposal unit or dishwasher shall be connected to or discharge into a hydromechanical grease interceptor. Food waste disposal units and dishwashers shall be required to discharge into a gravity grease interceptor.~~

Section 44. That section 14.35.410, 1014.1.4 EXCEPTIONS, of The Code of

the City of Topeka, Kansas, is hereby renumbered as 14.35.390.

Section 45. That section 14.35.420 of The Code of the City of Topeka, Kansas, is hereby renumbered as 14.35.400 and amended to read as follows:

4401.91101.10, Filling Stations and Motor Vehicle Washing Establishments.

~~4401.91101.10~~, Filling Stations and Motor Vehicle Washing Establishments, is hereby deleted in its entirety.

Section 46. That section 14.35.430 of The Code of the City of Topeka, Kansas, is hereby renumbered as 14.35.410 and amended to read as follows:

4208.5.2.31208.6.3.2, Copper and BrassCopper Alloy Pipe.

~~4208.5.2.31208.6.3.2~~, Copper and BrassCopper Alloy Pipe, is hereby deleted in its entirety and the following provisions shall be substituted therefor:

Copper and brass pipe shall not be used if the gas contains more than an average of 0.3 grains of hydrogen sulfide per 100 scf of gas (0.7 mg/100 L).

Copper or brass pipe shall only be allowed if the natural gas supplier shall warrant in writing that the hydrogen sulfide content of the gas shall at all times be below the aforementioned amount. Therefore copper and copper alloy pipe and fittings may not be used within the city limits of Topeka. All references in the ~~2012~~2018 Uniform Plumbing Code to copper pipe and tubing as a material acceptable for gas piping as well as the brazing and sizing requirements for copper are hereby repealed.

Section 47. That The Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered 14.35.420, which said section reads as follows:

1208.6.4.2, Copper and Copper Alloy Tubing.

1208.6.4.2, Copper and Copper Alloy Tubing, is hereby deleted in its entirety and

the following provisions shall be substituted therefor:

Copper and brass tubing shall not be used if the gas contains more than an average of 0.3 grains of hydrogen sulfide per 100 scf of gas (0.7 mg/100 L). Copper or brass tubing shall only be allowed if the natural gas supplier shall warrant in writing that the hydrogen sulfide content of the gas shall at all times be below the aforementioned amount. Therefore copper and copper alloy tubing and fittings may not be used within the city limits of Topeka. All references in the 2018 Uniform Plumbing Code to copper pipe and tubing as a material acceptable for gas piping as well as the brazing and sizing requirements for copper are hereby repealed.

Section 48. That section 14.35.440 of The Code of the City of Topeka, Kansas, is hereby renumbered as 14.35.430 and amended to read as follows:

1208.5.8.11208.6.11.1, Pipe Joints.

~~1208.5.8.1~~1208.6.11.1, Pipe Joints, is hereby deleted in its entirety and the following provisions shall be substituted therefor:

Pipe joints shall be threaded, flanged, brazed, ~~or welded,~~ or press-connect fittings that comply with CSA LC-4. Where nonferrous pipe is brazed, the brazing materials shall have a melting point in excess of 1,000° F (538° C). Brazing alloys shall not contain more than 0.05 percent phosphorus. (NFPA 54:5.6.8.1) Welded joints on ferrous piping shall be performed by individuals licensed as journeymen in the plumbing or mechanical trade with a current certification of welding competency from a state recognized testing agency. The testing requirements for the welder's competency shall be based on the requirements of the ASME Boiler and Pressure Vessel Code, Section IX.

Section 49. That section 14.35.450 of The Code of the City of Topeka, Kansas, is hereby renumbered as 14.35.440 and amended to read as follows:

1208.5.9.21208.6.12.2, Heat-Fusion Joint.

~~1208.5.9.21208.6.12.2~~, Heat-Fusion Joint, and Fittings is hereby deleted in its entirety and the following provisions shall be substituted therefor:

Heat-fusion joints shall be made in accordance with qualified procedures that have been established and proven by test to produce gastight joints at least as strong as the pipe or tubing being joined. Joints shall be made with the joining method recommended by the pipe manufacturer. Heat-fusion fittings shall be marked "ASTM D 2513." All joints in approved heat fusion welded plastic gas piping shall be performed by individuals who are licensed as journeyman in the plumbing or mechanical trade and certified to do heat fusion welding by the manufacturer of the piping being installed.

Section 50. That The Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered 14.35.450, which said section reads as follows:

Appendix I.

Appendix I is hereby amended by the addition of the following provisions for Installation Standards for Trenchless Insertion of Polyethylene (PE) Pipe for Sewer Laterals:

IAPMO IS 26-2006

1.0 Scope.

1.1 Scope.

This standard shall govern the Trenchless Installation of Polyethylene (PE) pipe for use in sanitary and storm sewers. The installed pipe shall comply with the

requirements of the Uniform Plumbing Code (UPC) published by the International Association of Plumbing and Mechanical Officials (IAPMO) as to grade and connections to existing pipe and shall also comply with this standard.

Note: The following sections of the Uniform Plumbing Code apply:

103.5.6 Testing of Systems

103.5.7.2 Responsibility

103.5.8 Other Inspections

103.5.81 Defective Systems

103.6.1 Other Connection

218.0 Definition of PE

301.1 Minimum Standards

309.0 Workmanship

312.0 Protection of Piping and Materials and Structures

314.0 Trenching, Excavating and Backfill

Chapter 7 Sanitary Drainage

701.2 Drainage Fittings

705.11.3 Plastic Pipe to Other Materials

2.0 PRODUCT REQUIREMENTS

2.1 Minimum Standards

2.1.1 Materials. Materials shall comply with the following: The polyethylene pipe used is covered by the American Society for Testing (ASTM) standards listed later in this standard. [UPC 301.1]

Materials : HDPE Extra High Molecular Weight 3408 SDR 17 Pipe Socket-Type PE Fittings for Outside Diameter-Controlled Polyethylene Pipe

Note: The HDPE 3408 SDR 17 pipe used in this process was selected because of its ability to retain its circular shape even when bent on a 4-foot radius during and after installation.

2.1.2 Table 1401.1 Standards.

ASTM D 2239

ASTM D 2447

ASTM D 2657

ASTM D 2683

ASTM D 3261

ASTM F 714

ASTM F 894

IAPMO PS 25

2.2 Protection of Pipe.

2.2.1 Storage and Handling. Pipe shall be stored in a way to protect it from mechanical damage (slitting, puncturing, etc.). It shall be stored under cover to keep it clean and avoid long term exposure to sunlight. Exposure to sunlight during normal construction periods is not harmful.

2.3 Types of Joints. PE joints shall be made as follows:

2.3.1 Molded Rubber Coupling Joints. Molded rubber coupling joints shall be installed in accordance with Appendix I of the UPC and with section 705.

2.3.2 Shielded Coupling Joints. Shielded coupling joints shall be installed in accordance with Appendix I of the UPC and with section 705.4.2.

2.3.4 Hubless Cast Iron Pipe Joints. Hubless cast iron pipe joints shall be installed in accordance with Appendix I of the UPC and with section 705.4.2.

2.3.5 Heat Fusion Joints. Heat fusion joints shall be made according to the manufacturer's procedure, installation instructions, and either ASTM D 2659 or ASTM D 3261.

2.4 Trenchless Installation of sewers will be as follows:

I. Preliminary Steps. Inspect the inside of the sewer line using a television camera and video tape recorder to ascertain the line condition. Mark the details revealed by the video inspection including:

1. The ground surface to show the location of the lateral tie of the city wye.
2. The line location with an arrow in the street pointing back at the lateral.
3. The property denoting the lateral location.
4. The locations of the proposed excavations.

Obtain utility line identification service contact information and all applicable permits.

II. Excavation. In addition to the above markings, the local utility companies will mark utilities. Considerations are soil density; clearance from obstacles, utilities, and structures; location of bends; and water service locations. Excavations and shoring shall be in accordance with jurisdictional safety requirements.

III. Set Up. Fuse the proper length of polyethylene pipe in accordance with ASTM D 2657 and fuse the end to a small length that is attached to the pulling head. A rod pusher cable is pushed through the damaged host pipe and attached to the pulling cable, which is then drawn through the pipe. The clevis end of the cable is attached to the pulling head. The pulling equipment is then set up according to the manufacturer's instructions.

IV. Pulling. Pull the pulling head through. Once the pull is done, complete the connection to the existing piping.

2.5 Cleanouts. Cleanouts shall be installed in accordance with UPC Section 707.0.

2.6 Inspections. The completed piping shall be internally inspected by television camera unless waived by the Administrative Authority. [UPC 103.5]

2.7 Testing. Completed piping shall be subjected to testing in accordance with Section 712.0 or 723.0 of the UPC.

Section 51. That section 14.35.460 of The Code of the City of Topeka, Kansas, is hereby repealed.

~~1211.5, Appliance Shutoff Valves and Connections.~~

~~1211.5, Appliance Shutoff Valves and Connections, is hereby deleted in its entirety and the following provisions shall be substituted therefor:~~

~~Appliances connected to a piping system shall have an accessible, approved manual shutoff valve with a nondisplaceable valve member, or a listed gas convenience outlet installed within six (6) feet (1.8 m) of the appliance it serves. Where a connector is used, the valve shall be installed upstream of the connector. A union or flanged connection shall be provided downstream from this valve to permit removal of controls.~~

~~Exceptions:~~

~~(1) Shutoff valves shall be permitted to be accessibly located inside or under an appliance where such appliance is removed without removal of the shutoff valve.~~

~~(2) Shutoff valves shall be permitted to be accessibly located inside~~

605 wall heaters and wall furnaces listed for recessed installation where
606 necessary maintenance is performed without removal of the shutoff
607 valve.

608 Section 52. That section 14.35.480 of The Code of the City of Topeka, Kansas,
609 is hereby repealed.

610 **~~Appendix I, Installation Standards — IAPMO IS 9-2006 Section 2.7.6, Primers.~~**

611 ~~Appendix I, Installation Standards — IAPMO IS 9-2006 Section 2.7.6, Primers, is~~
612 ~~hereby deleted in its entirety and the following provisions shall be substituted therefor:~~

613 ~~Primers. A listed primer in compliance with ASTM F656 shall be used on all PVC~~
614 ~~DWW joints. Provided, however, one step cements for non-pressure PVC, Drain,~~
615 ~~Waste and Vent piping that comply with the requirements in ASTM D2564-96(a),~~
616 ~~ASTM F493-92 and ASTM F656-96(a) may be used without the use of primer.~~

617 Section 53. That section 5.63.030, License required, of The Code of the City of
618 Topeka, Kansas, is hereby amended to read as follows:

619 **License required; water softener/conditioner additional authorized work.**

620 (a) License required. It shall be unlawful for any person to conduct, carry on
621 or engage in the business of commercial or residential construction or remodeling,
622 excavation, elevator repair or construction, concrete work, demolition, swimming pool
623 construction, roofing, fire alarm installation, fire sprinkler installation, water
624 softener/conditioner, lawn irrigation system installation or mechanical, electrical or
625 plumbing trades, without first obtaining the appropriate contractor's license.

626 (b) Water softener/conditioner additional authorized work. Individuals licensed
627 in the water softener/conditioner trade may install water softening/conditioning
628 appliances and connect the appliances to the potable water supply lines. Licensees

may install up to ten (10) feet of pipe horizontally for each connection in addition to installing pipe in a vertical drop to the appliance. Piping from the water softener/conditioning appliance to any fixture shall be installed by a licensed plumbing contractor.

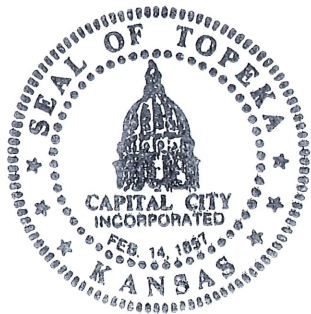
Section 54. That original §§ 13.10.280, 13.20.130, 14.35.010, 14.35.020, 14.35.030, 14.35.050, 14.35.060, 14.35.065, 14.35.070, 14.35.080, 14.35.090, 14.35.120, 14.35.140, 14.35.143, 14.35.147, 14.35.160, 14.35.220, 14.35.290, 14.35.330, 14.35.340, 14.35.420, 14.35.430, 14.35.440, 14.35.450 and 5.63.030 of The Code of the City of Topeka, Kansas, are hereby specifically repealed.

Section 55. This ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper.

Section 56. This ordinance shall supersede all ordinances, resolutions or rules, or portions thereof, which are in conflict with the provisions of this ordinance.

Section 57. 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 August 18, 2020.



CITY OF TOPEKA, KANSAS

Michelle De La Isla, Mayor

ATTEST:

Brenda Younger, City Clerk



City of Topeka
Council Action Form
Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
October 20, 2020

DATE: October 20, 2020
CONTACT PERSON: Brent Trout, City Manager
DOCUMENT #:
SECOND PARTY/SUBJECT: Fire Service Special Committee Report - Extend Deadline
PROJECT #:
CATEGORY/SUBCATEGORY 006 Communication / 005 Other
CIP PROJECT: No
ACTION OF COUNCIL: Discussion 12-10-19. JOURNAL #:
Approved Contract No.
48289 12-7-19. Extend
Report Deadline until
Nov 10, 2020 (03-10-20)
PAGE #:

DOCUMENT DESCRIPTION:

REQUEST to extend the deadline for the City of Topeka Fire Service Special Committee to report to the Governing Body from November 10, 2020, to no later than April 6, 2021.

Voting Requirement: At least six (6) votes of the Governing Body is required.

(Approval will provide additional time for the Committee to finish its work and report to the Governing Body no later than April 6, 2021.)

VOTING REQUIREMENTS:

At least six (6) votes of the Governing Body is required.

POLICY ISSUE:

Development of fire protection services in the City of Topeka as it relates to the proper type of service provided and the location of fire stations. Discussions should be taken in the context of the cost to provide the desired level of service based on financial resources available.

STAFF RECOMMENDATION:

Staff recommends the Governing Body move to extend the deadline for the City of Topeka Fire Service Special Committee to report to the Governing Body from November 10, 2020, to no later than April 6, 2021.

BACKGROUND:

On December 17, 2019, the Governing Body authorized the purchase of land (Contract No. 48289) for the potential use as a future location for a fire station. During the discussion, the Governing Body voted to establish an ad hoc committee to review fire service for the City of Topeka consisting of City Council Members, Fire Department personnel, citizens and others who work in the related area of fire protection.

Initially, the committee work was to be completed by April 2020, due to the assumption that committee recommendations would have an effect on the 2021 budget; however, this was not the case. On March 10, 2020, the City Manager requested the deadline for the final report be extended to no later than November 10, 2020.

The request to extend until April 6, 2021, is due to restrictions surrounding the COVID-19 pandemic. The proposed process for the committee is attached. The final process will be established by the Council Members serving on the committee.

BUDGETARY IMPACT:

Not Applicable

SOURCE OF FUNDING:

Not Applicable

ATTACHMENTS:**Description**

Fire Service Special Committee Proposed Process

Contract No. 48289 - Cedar Crest Properties, LLC (Dec 17, 2019)

Excerpt of Governing Body Meeting Minutes - Dec 10 and Dec 17, 2019 and March 10, 2020

Draft Proposal for Fire Service Special Committee

Fire Service Special Committee

- I. Makeup of the Committee
 - a. Councilman Mike Lesser
 - b. Councilwoman Sylvia Ortiz
 - c. Councilwoman Christine Valdivia-Alcala
 - d. Fire Chief Duke
 - e. Deputy Fire Chief Kelly Adams
 - f. Two Firefighters chosen by local firefighter union
 - g. County Emergency Management Representative
 - h. City of Topeka, Emergency Management Coordinator, Jim Green
 - i. Local citizen, Sandra Clear
 - j. Local citizen, Pablo Martinez
 - k. Local citizen, David King
 - l. Local citizen, Tony Blancas

Select a chair from the Council Members and add committee members if desired by the committee.

- II. Purpose of Fire Service Committee
 - a. The charge of the committee is to study the current provision of fire service in our community and determine the appropriate level and type of future fire service for Topeka. Final report to the Governing Body no later than November 10, 2020.
- III. Proposed Process for Committee
 - a. The first meeting actions will be to elect a chair, review the charge of the committee and make any changes as desired. The first meeting will also consist of an explanation of what we currently have for assets and personnel. We will review current operations and review the current capital and operating budgets for provision of this service.
 - b. The committee will be provided copies of all past studies done on the provision of fire service in the City of Topeka
 - c. The next step will be to conduct a review of each of the past studies done on the provision of fire service in Topeka
 - d. Presentation from AMR regarding ambulance service in Topeka
 - e. We will look at defining what is most important in fire service for Topeka
 - i. Medical Calls versus Fire Calls
 - ii. Basic Life Support versus Advance Life Support for medical calls
 - iii. Alternative vehicle types for medical calls
 - iv. Response time targets
- IV. Budget Components
 - a. Fire Stations
 - b. Fire Trucks and Equipment
 - c. Personnel (salary, benefits, training, personal gear)
- V. What is the future of fire service across the United States look like and what does recruitment of fire fighters look like for the future
- VI. Develop options for consideration by Committee and deliberate on them
- VII. Make a recommendation to the Governing Body

3E.



City of Topeka
Council Action Form
Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
December 17, 2019

JAN 03 2020

DATE: December 17, 2019

CONTACT PERSON: Craig Duke - Jason Peek

DOCUMENT #:

48289

SECOND PARTY/SUBJECT:

PROJECT #:

CATEGORY/SUBCATEGORY 019 Reports / 009 Real Estate

CIP PROJECT: Yes

ACTION OF COUNCIL: Discussion 12-10-19.

JOURNAL #:

Approved 12-17-19

PAGE #:

DOCUMENT DESCRIPTION:

APPROVAL of a Real Estate Agreement between Cedar Crest Properties, LLC and the City of Topeka in the amount of \$290,000.

Voting Requirement: At least six (6) votes of the Governing Body is required.

(Approval would authorize the purchase of Lots 6 and 7 from the Cedar Crest Office Park located at SW 6th Street shown in Attachment No. 1 for construction of a new fire station.

VOTING REQUIREMENTS:

At least six (6) votes of the Governing Body is required.

POLICY ISSUE:

Whether to acquire property on SW 6th Avenue to construct a new fire station.

STAFF RECOMMENDATION:

Staff recommends the Governing Body move to approve the real estate agreement.

BACKGROUND:

Plans have been in the development stage for a new fire station located in the NW area of Topeka since approximately 2009. Previous studies and recommendations suggested that a station constructed near the north end of the Wanamaker corridor would better serve the growing area.

In 2010, the City acquired land on SW 6th Street through a donation from the Sisters of Charity of Leavenworth Health System on the SE corner of the former Menninger campus. The donation was made with the condition that the station be completed prior to February 2018. A new Fire Station was funded in

City of Topeka Contract No. 48289
REAL ESTATE PURCHASE AGREEMENT

This Real Estate Purchase Agreement ("Agreement") is made and entered into on the 17th day of December, 2019 by and between CEDAR CREST PROPERTIES LLC ("Seller") and the City of Topeka, a municipal corporation ("Buyer").

1. Sale of Property. Subject to the terms and conditions herein set forth, Seller hereby agrees to sell and convey to Buyer by good and sufficient general warranty deed, free and clear of encumbrances, and Buyer hereby agrees to purchase, that certain real estate legally described as:

Lot 6 and Lot 7, Block A, Cedar Crest Office Park Subdivision, City of Topeka, Shawnee County, Kansas, according to the recorded plat thereof.

commonly known as Cedar Crest Office Park, Lots 6 and 7, Topeka, Kansas, (the "Real Estate"). The Real Estate shall include all attached improvements permanently affixed to the premises, or any improvements thereon, with the following exceptions:

2. Purchase Price. The purchase price for the Real Estate shall be the sum of Two Hundred Ninety Thousand and 00/100 (\$290,000) ("Purchase Price").

3. Relocation costs. There are no relocation costs associated with this purchase.

4. Time of Purchase. The time for closing of the purchase of the Real Estate shall be within sixty (60) days of the date upon which all of the conditions precedent are satisfied or waived in writing by the party for whose benefit the condition is provided.

5. Title and Conveyance. Seller agrees to cooperate with Buyer in securing a title insurance commitment (the "Commitment") to insure the Real Estate in the amount of the Purchase Price, which Commitment shall show marketable title vested in Seller, subject to all rights of way, easements, and restrictions of record. The Commitment shall be delivered to Buyer at least ten (10) days prior to the closing of this transaction for examination by Buyer or Buyer's attorney. In Buyer's opinion, if Seller's title to the Real Estate is not marketable, Buyer shall notify Seller in writing, specifying its objections. Seller shall use its best efforts, within a reasonable time (not to exceed ten (10) days) after receipt of such objections from Buyer in which to correct such title objections and the closing date shall be extended for up to such period of time. In the event the title objections are not corrected by Seller to the satisfaction of Buyer within the aforesaid period of time, Buyer may terminate this Agreement upon written notice to Seller or elect to close notwithstanding such title objections. As a part of the closing,

Seller shall cause the title company to issue and deliver to Buyer a title insurance policy in the amount of the Purchase Price. The cost of the Commitment and title insurance policy shall be paid by Buyer.

6. Voluntary Negotiation. The Seller and the Buyer acknowledge the parties entered into good faith negotiation of fair and reasonable benefits, in addition to compensation for the Real Estate. The Seller acknowledges that the Buyer has indicated that Buyer would not initiate eminent domain proceedings to acquire the Real Estate.

7. City Council Approval. It is understood and agreed between the Buyer and Seller that this Agreement and its funding is contingent upon approval by the City Council. If the City Council does not approve the Agreement and funding, the Buyer shall not be obligated to complete the purchase.

8. Seller's Representations. The Seller hereto respectively covenants, represents, and warrants that Seller owns good and marketable title to the Real Estate; which covenants, representations, and warranties shall be true and accurate as of the date of closing and shall survive the closing and the transfer of the deed of conveyance.

9. Taxes and Assessments. All taxes and assessments on the Real Estate due and payable in prior years and a prorata share of present taxes, based upon taxes and assessments for 2019, shall be paid by Seller to date of closing.

10. Closing and Possession. Except as provided in Section 4, the closing for this transaction shall occur on or before January 1, 2020 unless the parties agree to extend the date. The closing shall occur at the offices of Kansas Secured Title, and the closing costs shall be paid by Buyer. Possession shall be delivered to Buyer at closing. Any personal property left on the Real Estate after the Buyer takes possession shall be considered abandoned.

11. Default. If Buyer fails to close the purchase of the Real Estate, Seller may, at its sole option, either terminate this Agreement or exercise any rights and remedies available to it at law or in equity, including but not limited to, specific performance. If Seller fails to close the purchase of the Real Estate, Buyer may, at its sole option, either terminate this Agreement and/or exercise any rights and remedies available to it, at law or in equity, including but not limited to specific performance.

12. Successors and Assigns. This Agreement shall be binding upon and inure to the benefit of the successors and assigns of the parties hereto.

13. Construction of Agreement. This Agreement is intended to be interpreted and construed under and by virtue of the laws of the State of Kansas.

IN WITNESS WHEREOF, this Agreement has been executed as of the date first above written.

"Seller"

Steve Clark, Managing Member
Cedar Crest Properties, LLC

"Buyer"

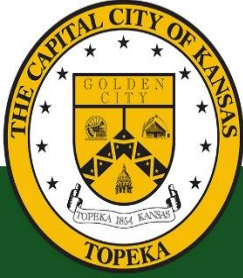
CITY OF TOPEKA, a municipal corporation

By: Michelle De La Isla
Mayor Michelle De La Isla, Mayor

ATTEST:

Brenda Young, City Clerk





CITY OF TOPEKA

City of Topeka Fire Service Special Committee

EXCERPT OF MINUTES

DECEMBER 10, 2019 - CITY COUNCIL CHAMBERS, Topeka, Kansas, Tuesday, December 10, 2019. The Governing Body members of the City of Topeka met in regular session at 6:00 P.M., with the following Councilmembers present: Hiller, Clear, Ortiz, Emerson, Padilla, Jensen, Dobler, Coen and Lesser -9. Mayor De La Isla presided -1.

DISCUSSION regarding the request to acquire property for construction of new a fire station on SW 6th Street, was presented.

Brent Trout, City Manager, stated in 2019, the Fire Department completed a risk analysis using historical call data and GIS projected drive times while looking to provide coverage to all areas of the city within a five minute response time. He stated as a result of this study it was determined the best location for a new fire station was in the area of SW 6th and Fairlawn Avenue.

Jason Peek, Public Works Director, reported that staff worked through an analysis with the Fire Department to review response coverage times and have identified available parcels in the area near of SW 6th and Fairlawn. He stated they have worked with the property owner and have negotiated a sale price of \$290,000, a price within the appraised property value range of the area. He reported purchase of land and construction design was not included in the initial project budget; therefore, they anticipate there will be a need for a project budget amendment.

Councilmember Coen asked when the item was considered for action, would this include just the purchase of the land or do they anticipate closing fire stations and relocating personnel.

Brent Trout reported personnel from Fire Station No. 11 would be transferred to the new location; and the old Fire Station No. 11 building would be used to store equipment and to conduct offsite training events for the Police and Fire Departments.

Councilmember Dobler asked what process was used to identify the proposed location.

Jason Peek stated site location was determined by creating map layers with the assistance of the Shawnee County GIS system and response time data service levels from the Fire Department. He noted the new parcels are located in the vicinity of the SW 6th Street location donated by Sisters of Charity in 2010.

Councilmember Clear requested additional information on how the data was calculated for the different response times for both the old and new fire station locations. She asked if Fire Fighters were consulted about the plan.

Kelly Adams, Deputy Fire Chief, reported they used GIS drive time and actual call time. He noted the last five deployment studies conducted support a new fire station on the west side of the city.

Craig Duke, Fire Chief, stated the goal was to reallocate resources fairly across the city.

Councilmember Coen requested a copy of the Fire Department Strategic Plan and asked if the plan specifically addresses the growth of services north of Highway 24.

Councilmember Lesser noted response times will increase in many areas of the city not just north of Highway 24. He stated the issue needs to be reviewed in totality not by just response times in one area of the city.

Councilmember Jensen expressed concern with disaster response as it relates to major bridge access.

Councilmember Emerson moved to extend the meeting past 10:00 p.m. The motion seconded by Councilmember Jensen carried. Councilmembers Clear and Ortiz voted “no.” (8-2-0)

Discussion ensued by Governing Body members concerning the importance of creating a complete strategic plan for the Fire Department before deciding where to build a new fire station and reallocating resources.

Councilmember Hiller inquired on the anticipated project budget amendment.

Jason Peek reported staff anticipates there will be an additional \$1 million needed to complete the project.

DECEMBER 17, 2019 - CITY COUNCIL CHAMBERS, Topeka, Kansas, Tuesday, December 17, 2019. The Governing Body members of the City of Topeka met in regular session at 6:00 P.M., with the following Councilmembers present: Hiller, Clear, Ortiz, Padilla, Jensen, Dobler, Coen and Lesser -8. Mayor De La Isla presided -1. Absent: Emerson -1.

APPROVAL of a Real Estate Agreement between Cedar Crest Properties, LLC and the City of Topeka in the amount of \$290,000 was presented. (*Contract No. 48289*)

Brent Trout, City Manager, reported staff conducted an analysis and determined the best location for a new fire station would be in the northwest area of the city along SW 6th Street and Fairlawn Avenue, providing better coverage for the northwest area of the city as well as overall response time for the entire city. He stated the analysis was based on the assumption there was no new money available; however, if there was, the location recommendation would remain the same. He noted acquisition of the land provides an opportunity to move forward with plans for a new fire station, a project that began many years ago.

Craig Duke, Topeka Fire Chief, provided a brief overview of the methodology and process used to determine the proposed location including response times, historical data, volume of calls and GIS information, with the end goal of having equalized response times for the entire city. He stated past studies validated the suggested location for a new fire station.

Councilmember Coen asked if the approval of the real estate agreement would cause the closure of any fire stations.

Brent Trout reported the intent would be to eventually close Fire Station No. 11 and relocate the crew members to the new fire station. He stated the vacant building would be used for storage as well as onsite training for the Fire and Police Departments.

Councilmember Lesser asked for confirmation that after the real estate agreement was approved, the reallocation of resources and/or the closing of a fire station would require approval by the Governing Body.

Brent Trout confirmed the Governing Body would be required to approve an amendment to the capital improvement budget in the approximate amount of \$1.1 million in order to build the new fire station. He stated discussions would also have to take place regarding the closing of Fire Station No. 11 because it would affect the overall City of Topeka operating budget.

Mayor De La Isla spoke in support of building a new fire station because it was needed for better coverage in certain districts; however, she wants to make certain approval of the real estate agreement was not contingent upon closing a fire station. She stated there needs to be more discussion on the overall Fire Department Strategic Master Plan.

Councilmember Clear expressed concern with the eventual closing of Fire Station No. 11 if the purchase of property was approved. She questioned the type of data used to make the decision and believes the building of a new fire station will not solve coverage problems for the entire city, specifically in north Topeka.

Councilmember Ortiz commented on the many Fire Department studies that have been conducted over the years and the recommendations that have not been implemented. She expressed the importance of community engagement as it relates to the overall creation of a Fire Department Strategic Master Plan and requested the acquisition of land be put on hold. She spoke in opposition of closing a fire station and requested a copy of the 2016 Fire Department Report conducted under the leadership of former City Manager Jim Colson as well as final budget numbers for an overall plan.

Councilmember Jensen stated the Governing Body continues to direct staff to do more with less and believes staff has done a good job with the directive given. He spoke in opposition of closing Fire Station No. 11 and will support the acquisition of property because it will lay the foundation in the decision to build a new fire station in a location where it was needed.

Councilmember Jensen called the question. The motion died due to a lack of a second.

Councilmember Jensen moved to approve the real estate agreement. The motion was seconded by Councilmember Padilla.

Councilmember Lesser encouraged Governing Body members to approve the purchase of the land so the opportunity was not lost. He referenced the large facilities located in the vicinity of the proposed new fire station and the need for emergency coverage by the Fire Department. He commended staff for presenting good data to the Governing Body; however, he will not support the closing of Fire Station No. 11.

Councilmember Hiller spoke in opposition of approving any items of this nature until a Fire Department Strategic Master Plan was in place. She stated the information distributed to the Governing Body needs to be clarified and questions need to be answered. She referenced the many Fire Department reports and/or studies that have been conducted over the years and the need to consider the data resulting from those reports and/or studies.

Discussion ensued by the Governing Body concerning the importance of having comprehensive discussions on fire services in the community for the purpose of creating a Fire Department Strategic Master Plan. It was the consensus of the Governing Body to include City Administration, Fire Department employees and union representatives and Governing Body members in discussions, followed by community engagement.

Councilmember Dobler spoke in general support of purchasing the property because he believes it will be the right location for a new fire station; however, if approved, it will likely set plans in motion regarding Fire Station No. 11. He expressed concern with delaying the process through the creation of a committee and asked if it was possible to include an option in the agreement to extend the offer for a short period of time, no longer than two months.

Jason Peek, Public Works Director, reported the offer for the land expires at the end of the year; however, the property owner may be amenable to a 45-day extension if needed.

Councilmember Jensen moved to create a committee consisting of City Administration, Fire Department employees and union representatives and Governing Body members to discuss

fire services in the community *i.e.* a Fire Department Strategic Master Plan. The motion was seconded by Councilmember Lesser.

Councilmember Hiller questioned if a date certain should be included in the motion and asked if the goal of staff was to complete the framework for a Fire Department Master Strategic Plan by April 2020.

Brent Trout stated he believes three months would be a reasonable target as it would accommodate capital improvement planning and operating budget deliberation deadlines.

The motion to create a committee consisting of City Administration, Fire Department employees and union representatives and Governing Body members, for the purpose of creating the framework for a Fire Department Strategic Master Plan by April 2020, carried unanimously. (9-0-0)

Councilmember Lesser moved to approve the real estate agreement. The motion seconded by Councilmember Jensen carried. Councilmembers Hiller and Ortiz voted “no.” (7-2-0)

MARCH 10, 2020 - CITY COUNCIL CHAMBERS, Topeka, Kansas, Tuesday, March 10, 2020. The Governing Body members of the City of Topeka met in regular session at 6:00 P.M., with the following Councilmembers present: Hiller, Valdivia-Alcala, Ortiz, Emerson, Padilla, Naeger, Dobler, Duncan and Lesser -9. Mayor De La Isla presided -1.

REQUEST to extend the deadline for the City of Topeka Fire Service Special Committee to report to the Governing Body from April 2020, to no later than November 10, 2020, was presented.

Brent Trout, City Manager, reported on December 17, 2019, the Governing Body voted to approve the purchase of property for a new fire station as well as establish an ad hoc committee to review fire service for the City of Topeka with the committee work to be completed by April 2020. He stated because the committee recommendations would not have an effect on the 2021 budget, he requests the deadline for the final report to the Governing Body be no later than November 10, 2020. He reported he has received commitments from individuals within the community willing to serve on the committee and highlighted the proposed committee process that would complete an in depth review for fire services.

Councilmember Hiller referenced the Draft Proposal for Fire Service Special Committee and suggested “Prevention vs. Suppression” be added as item 5 under Section 3e.

Brent Trout agreed to the addition.

Councilmember Duncan expressed the importance of the committee having clear directive from the Governing Body and determining the type of fire service needed in the future.

Councilmember Dobler asked if the City plans to manage the operations of Emergency Medical Services (EMS) in the City.

Brent Trout reported the EMS operations component will be discussed by the committee and the Advanced Life Support (ALS) program will have a big impact on the overall fire service the City provides. He noted the ALS pilot program continues to provide good data to analyze the number of fire stations needed for future fire service as well as the budgetary impact.

Councilmember Valdivia-Alcala expressed her appreciation for the opportunity to serve on the Special Committee and thanked former Councilmember Sandra Clear for serving on the Committee as well. She requested the City Manager supply the Governing Body all studies and analysis being considered by the committee to the Governing Body.

Brent Trout stated all the information and studies will be supplied in hard copy and electronic form.

Councilmember Ortiz commended the Governing Body for establishing the Special Committee. She stated it provides an opportunity for community partners, staff and all others involved to collaborate on a solution. She noted there are a number of studies to consider and expressed the importance of making sure the entire City has adequate fire service coverage.

Councilmember Ortiz moved to extend the deadline for the City of Topeka Fire Service Special Committee to report to the Governing Body from April 2020, to no later than November 10, 2020. The motion was seconded by Councilmember Emerson. (10-0-0)



City of Topeka
Council Action Form
Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
October 20, 2020

DATE:	October 20, 2020	
CONTACT PERSON:		DOCUMENT #:
SECOND PARTY/SUBJECT:		PROJECT #:
CATEGORY/SUBCATEGORY		
CIP PROJECT:	No	
ACTION OF COUNCIL:		JOURNAL #:
		PAGE #:

DOCUMENT DESCRIPTION:

VOTING REQUIREMENTS:

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

Description

October 20, 2020 Public Comment Received

Attachment A

Kelly L. Bogner

From: Andy Fry <farmerfry@gmail.com>
Sent: Tuesday, October 20, 2020 4:59 PM
To: Kelly L. Bogner
Cc: City Clerk
Subject: Re: City Council Public Comment

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Kelly,

I'm sorry to hear that virtual contacts aren't being accepted currently. I hope that can be remedied soon. Below are my comments to share with the Council.

Thanks for helping me connect that way.

--Andy Fry

Thank you Mayor De La Isla and Councilmembers for the opportunity to share my thoughts and perspective on the City's Transportation Alternatives grant application. As a regular volunteer of the Topeka Community Cycle Project I applaud City staff's choices of projects to apply for the KDOT TA Grant. Pedestrian connections from neighborhoods to our existing Shunga and other trails is a low hanging fruit that will do wonders to make our existing trails even more of a backbone for transportation without cars in this time of economic distress. Similarly the proposed enhancements of the connections between downtown, East Topeka and North Topeka will be invaluable in making Topeka a better play to live, work and play via connecting folks to jobs and resources across the community. Thank you for support thus far and I urge your support of the resolution supporting the City of Topeka's 2020 TA application.

Thank you much,
Andy Fry
1622 SW Plass

Brenda Younger

From: Joseph Ledbetter <joe@josephledbetter.com>
Sent: Tuesday, October 13, 2020 2:03 PM
To: City Clerk; City Council; Neil Dobler; Tony Emerson; Michelle De La Isla; Michael Lesser
Subject: Fwd: S - s56562041_Redacted.pdf
Attachments: S - s56562041_Redacted.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Governing Body:

Attached is a KORA Request I made ref. Woods Contract- ref Storm Water Ordinance.

Not , the spending CONTINUES! Total budget now \$500,000 from \$380,710.00 dollars. This is beyond ridiculous, and I have voiced my concerns and I request this communication be added to the Record of this discussion item.

My recommendation: I would like to see an immediate resolution passed, that ALL contracts, agreements, projects spending in excess of \$50,000 dollars require the prior approval of the City Council to be legally binding on the City of Topeka. Our spending is out of control by any standard I was taught, and it is Not transparent-because I am having to file a KORA request to find out things that the Council was not aware of. I believe we need much tighter rein on our oversight duties as the governing Board, and especially with the Utilities Dept. By the way we administratively transfer from Utilities to the City general fund, over \$600,000+ annually just for Engineering! And \$250,000 for the Legal Department. I am certain much of this work could have been done in-house. I am very concerned that hundreds of thousands, and even millions of dollars are being spent over time without prior Council knowledge and oversight. This must end!

----- Forwarded message -----

From: Joe Ledbetter <joe_ledbetter@yahoo.com>
Date: Mon, Oct 12, 2020 at 10:25 PM
Subject: S - s56562041_Redacted.pdf
To: Joseph Ledbetter <joe@josephledbetter.com>

Sent from my iPhone