



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

Governing Body Agenda

December 6, 2022
6:00 PM

Mayor: Michael A. Padilla

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	Vacant	District No. 9
Brett D. Kell	District No. 5		

City Manager: Stephen Wade

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

Written public comment may also be considered to the extent it is personally submitted at the meeting or to the City Clerk's Office located at 215 SE 7th Street, Room 166, Topeka, Kansas, 66603 or via email at cclerk@topeka.org on or before the date of the meeting for attachment to the meeting minutes.

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. on Thursday in the City Clerk's Office, 215 SE 7th Street, Room 166, Topeka, Kansas, 66603 or on the City's website at <https://www.topeka.org>.

CALL TO ORDER:

INVOCATION:

PLEDGE OF ALLEGIANCE:

1. ROLL CALL:

2. APPOINTMENTS:

A. Board Appointment - Board of Building and Fire Appeals

BOARD APPOINTMENT recommending the appointment of Sam Stallbaumer to the Board of Building and Fire Appeals for a term ending December 6, 2024. *(Resides in Shawnee County and operates business within City limits.)*

B. Board Appointment - Board of Building and Fire Appeals

BOARD APPOINTMENT recommending the reappointment of Angela Sharp to the Board of Building and Fire Appeals for a term ending December 31, 2024. *(Council District No. 8)*

C. Board Appointment - Downtown Business Improvement District Advisory Board

BOARD APPOINTMENT recommending the appointment of John Hunter to the Downtown Business Improvement District Advisory Board to fill a term ending December 6, 2024.

D. Board Appointment - Board of Plumbing Appeals

BOARD APPOINTMENT recommending the reappointment of Paul Miller to the Board of Plumbing Examiners for an term ending December 31, 2024. *(Council District No. 6)*

E. Board Appointment - Board of Building and Fire Appeals

BOARD APPOINTMENT recommending the reappointment of Steve Mohan to the Board of Building and Fire Appeals for a term ending December 31, 2024. *(Council District No. 7)*

3. CONSENT AGENDA:

A. Professional Engineering Contract - Finney and Turnipseed, Transporation and Civil Engineering, LLC - Project No 121005.00 Bridge Replacement SE 29th Street Over Butcher Creek -

APPROVAL of a Public Works Engineering Contract between the City of Topeka and Finney and Turnipseed, in an amount not to exceed \$106,750 for engineering services.

(Approval will authorize the City Manager to sign and execute the contract for an amount not to exceed \$106,750 for design and construction documents for the replacement of the SE Street Bridge over Butcher Creek underneath the BNSF Railroad Bridge, East of Kansas Ave. project number T-121005.00.)

B. MINUTES of the regular meeting of November 15, 2022

C. APPLICATIONS:

4. ACTION ITEMS:

A. Ordinance - Cacti Land, LLC - Request to Annex (SE 39th Street and Croco Road)

ORDINANCE introduced by City Manager Stephen Wade annexing land to the City of Topeka, Kansas, in accordance with K.S.A 12-520c, generally located at on the east side of SE Croco Road and approximately 1,300 feet south of SE 37th Street within unincorporated Shawnee County, Kansas and assigning the annexed land to Council District No. 4.

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

(Approval will annex a 79-acre tract into the City near SE Croco and SE 39th for the purposes of a residential subdivision.)

B. Discussion and Possible Action - 2024 Social Service Grants Committee Process and Funding Amount

DISCUSSION and possible **ACTION** of the 2024 Social Service Grants Committee Process and Funding in the amount of \$434,904. *(The Committee recommended approval by a vote of 2-0-0 on October 21, 2022)*

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

(Approval of the SSG Grant Process Cycle would include the Calendar, Priorities, Scoring Sheet and Funding Amount for 2024.)

C. Resolution - 45th Street

RESOLUTION introduced by City Manager Stephen Wade, requesting the Director of Alcoholic Beverage Control to convene a hearing regarding the drinking establishment license of 45th Street to determine whether to revoke the license and to notify the City of Topeka if a license renewal application is received

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

(Approval would request the Director of Alcoholic Beverage Control ("ABC") to convene a hearing to revoke the drinking establishment license of 45th Street and notify the City Manager if the owner attempts to renew the license).

D. Selection of Council Member - Council District No. 9

SELECTION of Council Member to fill the unexpired term of Council District No. 9.

Election Requirement: A minimum of five (5) votes must be secured for one or more candidates. The successful candidate will be the candidate who has secured the most votes.

(Interviews with applicants will be conducted in the order the applications were received. The appointee shall serve the remainder of the district seat term through the end of 2025. Following the election in November 2025, voters will elect a permanent representative to serve a four-year term beginning in January 2026.)

Oath of Office will be conducted at the next regular Governing Body meeting following the selection of a representative for Council District 9.

5. PUBLIC COMMENT:

Public comment for the meeting will be available via Zoom or in-person. Individuals must contact the City Clerk's Office at 785-368-3940 or via email at cclerk@topeka.org by no later than 5:00 p.m. on the date of the meeting, after which the City Clerk's Office will provide Zoom link information and protocols prior to the meeting. Written public comment may also be considered to the extent it is personally submitted at the meeting or to the City Clerk's Office located at 215 SE 7th Street, Room 166, Topeka, Kansas, 66603 or via email at cclerk@topeka.org on or before the date of the meeting for attachment to the meeting minutes. View the meeting online at <https://www.topeka.org/communications/live-stream/> or at <https://www.facebook.com/cityoftopeka/>.

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:



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DATE: December 6, 2022
CONTACT PERSON: Mayor Michael A. Padilla DOCUMENT #:
SECOND PARTY/SUBJECT: Board of Building and Fire Appeals PROJECT #:
CATEGORY/SUBCATEGORY 006 Communication / 005 Other
CIP PROJECT: No
ACTION OF COUNCIL: JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

BOARD APPOINTMENT recommending the appointment of Sam Stallbaumer to the Board of Building and Fire Appeals for a term ending December 6, 2024. (*Resides in Shawnee County and operates business within City limits.*)

VOTING REQUIREMENTS:

Action requires at least five (5) votes of the City Council. Mayor does not vote.

POLICY ISSUE:

The City of Topeka Board of Building and Fire Appeals (BBFA) is responsible for reviewing and deciding on appeals relative to the application and interpretation of the currently adopted commercial and residential building and fire codes utilized within the Topeka jurisdiction. The BBFA has authority to hear and decide upon proposed alternatives, equivalencies and performance measures that may not be specifically prescribed by these codes. To be approved, any proposal must comply with the intent of the provisions of these codes. The BBFA does not have the authority to waive the requirements of these codes.

STAFF RECOMMENDATION:

Councilmember Emerson nominates and Mayor Padilla recommends the appointment of Sam Stallbaumer to the Board of Building and Fire Appeals for a two-year term that will end December 6, 2024. The position requires the member be a licensed architect and live within the city. Mr. Stallbaumer meets these requirements.

BACKGROUND:

This is a City-created board where the City Council nominates and the Mayor appoints. If no nominations are received, the Mayor may appoint.

The board shall be comprised of seven members who shall be currently licensed or engaged in or have substantial past experience in the following fields or professions: licensed professional engineer, licensed architect, licensed commercial contractor, or other experienced professional working in a field related to building construction. The board shall always consist of at least two engineers, two architects, and one contractor. A board member who is otherwise qualified but does not reside in the City may be appointed if the candidate resides in Shawnee County and is employed or operates a business within the City and will serve a two-year term.

BUDGETARY IMPACT:

There is no budgetary impact to the City.

SOURCE OF FUNDING:

Not Applicable.

ATTACHMENTS:

Description

S. Stallbaumer - BBFA Appointment Application & Resume 2022

City of Topeka Boards and Commissions Application

Submission date: **24 October 2022, 1:45PM**
Receipt number: **113**
Related form version: **5**

Profile

First Name	Sam
Last Name	Stallbaumer
Email Address	samstallbaumer@kbsci.com
Street Address	7900 NW Rochester Rd
Suite or Apt	
City	Topeka
State	Kansas
Zip	66617
Are you a resident of the City of Topeka?	No
What district do you live in?	Other/Outside City Limits
Primary Phone	785 224 8249
Alternate Phone	785 266 4222
Employer	KBS Constructors, Inc.
Job Title	COO
Which Board would you like to apply for?	Board of Building and Fire Appeals
Are you a registered voter?	Yes

Are you currently a full or part-time employee of the City of Topeka? **No**

Which department do you work for?

Are you or any immediate family member related to any city governmental official or employee? **No**

Who are you related to and how are you related?

Are you or have you been a party to any civil litigation involving the City of Topeka? **No**

Please explain the litigation and your role in it:

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? **No**

Please explain your delinquent payment situation.

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

I have been in the construction industry for nearly 25 years in Topeka and would like to have and opportunity to give back to the industry which has provided for me all these years.

Interests & Experiences

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

I have a BS in Construction Science and Management from Kansas State University and have worked in Commercial Construction since 1997 in the Topeka area. I have worked in a number of roles in the industry and believe my well rounded experience would be beneficial to the board. i am involved with Washburn Tech and serve on the Advisory Committee for the Building Technology/Carpentry curriculum.

List any professional licenses you hold in Kansas and advise if they are current. (We reserve the right to request a copy of your license prior to approval of your appointment.)

I have passed the ICC 550 - Kansas Standard General Building Contractor (A) exam. I have certification from the City of Emporia as Builder - General

****Please upload a resume or any additional information** [SamS Bio.pdf](#)
you believe may be helpful in considering your
application.

Voluntary Self Identification

Ethnicity	Caucasian/Non-Hispanic
Gender	Male

Acknowledgements and Verification

Purpose of Information being submitted.	I Agree
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The information I am submitting is true and correct.	I Agree
--	---------

Your electronic signature



[Uploaded signature image: ss.PNG](#)

Alternative electronic signature

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.

**ABOUT**

Sam has worked for KBS Constructors since December 1997. During his tenure at KBS, Sam has served in estimating, as a Project Manager, as a Superintendent, and as a Quality Assurance Officer. Sam served as Director of Field Operations prior to taking on his new leadership role as Chief Operations Officer.

SAM STALLBAUMER

Chief Operations Officer

EDUCATION

Bachelor of Science, Construction Science & Management
Kansas State University, Manhattan, KS

TRAINING/CERTIFICATIONS

ICC 550 - Kansas Standard General Building Contractor (A)
State of Mississippi Building Construction License
30-hour OSHA Certification
8-Hour OSHA Scaffold, Competent Person training
8-Hour OSHA National Utility Contractors Association, Fall Protection & Safety
American Society for Healthcare Engineering (ASHE) Healthcare Construction Certificate

LEADERSHIP ROLES

Member of National CEO Roundtable for the Construction Industry
Member of Washburn Institute of Technology
-Building Technology/Carpentry Advisory Committee



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DATE: December 6, 2022
CONTACT PERSON: Mayor Michael A. Padilla DOCUMENT #:
SECOND PARTY/SUBJECT: Angela Sharp - Board of Building and Fire Appeals PROJECT #:
CATEGORY/SUBCATEGORY 006 Communication / 005 Other
CIP PROJECT: No
ACTION OF COUNCIL: JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

BOARD APPOINTMENT recommending the reappointment of Angela Sharp to the Board of Building and Fire Appeals for a term ending December 31, 2024. (Council District No. 8)

VOTING REQUIREMENTS:

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

POLICY ISSUE:

The City of Topeka Board of Building and Fire Appeals (BBFA) is responsible for reviewing and deciding on appeals relative to the application and interpretation of the currently adopted commercial and residential building and fire codes utilized within the Topeka jurisdiction. The BBFA has authority to hear and decide upon proposed alternatives, equivalencies and performance measures that may not be specifically prescribed by these codes. To be approved, any proposal must comply with the intent of the provisions of these codes. The BBFA does not have the authority to waive the requirements of these codes.

STAFF RECOMMENDATION:

Councilmember Duncan nominates and Mayor Padilla recommends the reappointment of Angela Sharp to the Board of Building and Fire Appeals for a two-year term that will end December 31, 2024. The position requires the member be a licensed engineer and live within the city. Ms. Sharp meets these requirements.

BACKGROUND:

This is a City-created board where the City Council nominates and the Mayor appoints. If no nominations are received, the Mayor may appoint.

The board shall be comprised of seven members who shall be currently licensed or engaged in or have substantial past experience in the following fields or professions: licensed professional engineer, licensed architect, licensed commercial contractor, or other experienced professional working in a field related to building construction. The board shall always consist of at least two engineers, two architects, and one contractor. Board members must live within the limits of the city of Topeka and will serve a two-year term.

BUDGETARY IMPACT:

There is no budgetary impact to the City.

SOURCE OF FUNDING:

Not Applicable.

ATTACHMENTS:

Description

A. Sharp BBFA Reappointment Application 2022

City of Topeka Boards and Commissions Application

Submission date: **19 October 2022, 1:45PM**
Receipt number: **99**
Related form version: **5**

Profile

First Name	Angela
Last Name	Sharp
Email Address	angela.sharp@bartwest.com
Street Address	1200 SW Executive Drive
Suite or Apt	
City	Topeka
State	Kansas
Zip	66615
Are you a resident of the City of Topeka?	Yes
What district do you live in?	District 8
Pimary Phone	7856338933
Alternate Phone	
Employer	Bartlett & West
Job Title	Senior Engineering Specialist
Which Board would you like to apply for?	Board of Building and Fire Appeals
Are you a registered voter?	Yes
Are you currently a full or part-time employee of the City of Topeka?	No

Which department do you work for?

Are you or any immediate family member related to any city governmental official or employee? **No**

Who are you related to and how are you related?

Are you or have you been a party to any civil litigation involving the City of Topeka? **No**

Please explain the litigation and your role in it:

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? **No**

Please explain your delinquent payment situation.

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

As an Engineer it is my charge by state statute and my own code of conduct to improve the health and safety of the community. In addition to my regular professional design responsibilities, serving on this Board to further that endeavor by other design professionals provides me with a sense of satisfaction.

Interests & Experiences

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

I am a graduate of the University of Kansas with a BS in Civil Engineering. I am a licensed Civil Engineer in the State of Kansas and have practiced in our community for 28 years. I have served on numerous local charitable Boards of Directors including The Ronald McDonald House, the Red Cross, Stormont Vail Foundation and Kansas Children's Discovery Center. I am currently the Chair of the Board of Building and Fire Appeals.

List any professional licenses you hold in Kansas and advise if they are current. (We reserve the right to request a copy of your license prior to approval of your appointment.)

I am a licensed Civil Engineer in the State of Kansas

****Please upload a resume or any additional information** [Sharp_Angela_Resume.pdf](#)
you believe may be helpful in considering your
application.

Voluntary Self Identification

Ethnicity	Caucasian/Non-Hispanic
Gender	Female

Acknowledgements and Verification

Purpose of Information being submitted.	I Agree
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The information I am submitting is true and correct.	I Agree
--	---------

Your electronic signature



[Link to signature](#)

Alternative electronic signature

Notification to applicants for City Board/Commissions

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



City of Topeka
Council Action Form
Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
December 6, 2022

DATE: December 6, 2022
CONTACT PERSON: Mayor Michael A. Padilla DOCUMENT #:
SECOND PARTY/SUBJECT: Downtown Business Improvement District Advisory Board PROJECT #:
CATEGORY/SUBCATEGORY 006 Communication / 005 Other
CIP PROJECT: No
ACTION OF COUNCIL: JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

BOARD APPOINTMENT recommending the appointment of John Hunter to the Downtown Business Improvement District Advisory Board to fill a term ending December 6, 2024.

VOTING REQUIREMENTS:

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

POLICY ISSUE:

The purpose of the Downtown Business Improvement District Advisory board (BID) is to monitor and oversee services provided pursuant to the business improvement district act. The board shall conduct its business in accordance with City Code.

STAFF RECOMMENDATION:

Mayor Padilla nominates and recommends the appointment of John Hunter to the Downtown Business Improvement District Advisory Board (BID) to fill a term ending on December 6, 2024.

BACKGROUND:

This is a statutory board wherein the Mayor nominates and the Council has final approval. The Downtown Business Improvement District Advisory Board shall consist of nine members representing businesses located in the district. Members serve two-year terms and there are no term limits.

BUDGETARY IMPACT:

There is no budgetary impact to the City.

SOURCE OF FUNDING:

Not Applicable.

ATTACHMENTS:

Description

J. Hunter - DBID Appointment Application & Resume 2022

City of Topeka Boards and Commissions Application

Submission date: **24 October 2022, 2:12PM**
Receipt number: **114**
Related form version: **5**

Profile

First Name	John
Last Name	Hunter
Email Address	profjohnhunter@gmail.com
Street Address	1801 SW Webster
Suite or Apt	
City	Topeka
State	Kansas
Zip	66604
Are you a resident of the City of Topeka?	Yes
What district do you live in?	District 6
Primary Phone	785-580-3533
Alternate Phone	785-235-9617
Employer	retired
Job Title	
Which Board would you like to apply for?	Downtown Business Improvement District Advisory Board
Are you a registered voter?	Yes

Are you currently a full or part-time employee of the City of Topeka? **No**

Which department do you work for?

Are you or any immediate family member related to any city governmental official or employee? **No**

Who are you related to and how are you related?

Are you or have you been a party to any civil litigation involving the City of Topeka? **No**

Please explain the litigation and your role in it:

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? **No**

Please explain your delinquent payment situation.

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

I have been involved in city-wide community development for many years throughout my career. Now in retirement, I find I have the time to continue both my interest and involvement in community service.

Interests & Experiences

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

see attached resume

List any professional licenses you hold in Kansas and advise if they are current. (We reserve the right to request a copy of your license prior to approval of your appointment.)

None

****Please upload a resume or any additional information you believe may be helpful in considering your application.** [Bio update 03-09-22.docx](#)

Voluntary Self Identification

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

Your electronic signature



[Link to signature](#)

Alternative electronic signature

Notification to applicants for City Board/Commissions

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

Professor John Hunter

Community Project Developer and Theatre Consultant

Professor Emeritus of Theater, Washburn University; MFA from Florida State University, Theatre Set and Lighting Design

He began his career at Washburn University in 1975 serving in various capacities:

Served 16 years as Chair of the Art and Theater department

Established and served as Chair of the Mass Media department.

He created over one-hundred designs for theatre, dance, and special events productions

1998, Prof. Hunter joined the Washburn Endowment Association and served as a Major Gift fundraiser for nine years. Traveled nationwide establishing relationships for the University and raising significant amounts of endowed support.

2014-17 Served as Executive Director of Heartland Visioning – a community-based volunteer project organization associated with the Greater Topeka Partnership

Professional credits:

Lighting Designs for Theatre and Dance productions in Russia, Australia, and New York City:

Served as the Technical Director, Designer for the State of Kansas International Economic and Cultural Exchange and involved a two-week tour of the Leningrad Obelisk region which included Saint Petersburg Russia.

Wrote, produced, and directed the PBS video, “Through the Eyes of a Poet” highlighting the poetry of the International Irish Poet, Desmond Egan.

Voluntary leadership in large-scale community projects in Topeka for over 40 years including:

Theatre Consultant on the renovation and establishment of the Topeka Performing Arts Center

Design Committee for the Great Overland Station Project

Co-Founder of NOTO – North Topeka Arts District

Leader in the founding of the Topeka Friends of Alvin Alley summer dance program

Currently serving as Theatre Consultant for the Historic Jayhawk Theatre project

President of John Hunter LLC – Community Develop with specialization in Arts related projects. In addition to his volunteerism, John served as consultant on numerous remodeling/renovation projects both here in Topeka and around the State.

Professor Hunter is the recipient of the following recognition's:

- o James McKenna Award, presented in Ireland at the Gerard Manley Hopkins International Poetry Festival
- o Vice Chair of the Kansas Arts Commission
- o Leader-Full Community Award presented by the Kansas Leadership Forum
- o Distinguished Kansas of the Year for Business -NOTO Arts District Development
- o Arts Leadership Award presented by the United Way of Topeka
- o Service to Mankind Award presented by the Sertoma Organization
- o Sales and Marketing Executive of the Year Award, Topeka KS.

Contact Info: John Hunter

1801 SW Webster, Topeka, KS 66604

785-580-3533

profjohnhunter@gmail.com



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DATE: December 6, 2022
CONTACT PERSON: Mayor Michael A. Padilla DOCUMENT #:
SECOND PARTY/SUBJECT: Board of Plumbing PROJECT #:
Appeals
CATEGORY/SUBCATEGORY 006 Communication / 005 Other
CIP PROJECT: No
ACTION OF COUNCIL: JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

BOARD APPOINTMENT recommending the reappointment of Paul Miller to the Board of Plumbing Examiners for an term ending December 31, 2024. (Council District No. 6)

VOTING REQUIREMENTS:

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

POLICY ISSUE:

The Board of Plumbing Examiners reviews applications and approves the issuance of licenses in accordance with City Code. The board is empowered to hear and determine interpretations of applicable codes and to permit exceptions, variances or waivers.

STAFF RECOMMENDATION:

Councilmember Naeger nominates and Mayor Padilla recommends the reappointment of Paul Miller to the Board of Plumbing to an expired term ending December 31, 2024. This position may be filled by a licensed master plumber and must live within the city. Mr. Miller meets these requirements.

BACKGROUND:

This is a City-created board where the City Council nominates and the Mayor appoints. The board shall be comprised of five members; two licensed master plumbers, one engineer or equivalent practicing in the particular trade, and two persons who shall be a licensed journeyman, licensed master, or an engineer practicing in the particular trade. Members shall be appointed by the mayor and serve two-year terms.

BUDGETARY IMPACT:

There is no budgetary impact to the City.

SOURCE OF FUNDING:

Not applicable.

ATTACHMENTS:

Description

P. Miller BPA - Reappointment Application 2022

City of Topeka Boards and Commissions Application

Submission date: **28 October 2022, 3:44PM**
Receipt number: **115**
Related form version: **5**

Profile

First Name	Paul
Last Name	Miller
Email Address	pmiller@ppatks.org
Street Address	1235 sw Macvicar Ave
Suite or Apt	
City	Topeka
State	Kansas
Zip	66604
Are you a resident of the City of Topeka?	Yes
What district do you live in?	District 6
Pimary Phone	7853837239
Alternate Phone	8163980145
Employer	Vazquez Commercial Contracting
Job Title	Project Foreman/Superintendent
Which Board would you like to apply for?	Board of Plumbing Appeals
Are you a registered voter?	Yes
Are you currently a full or part-time employee of the City of Topeka?	No

Which department do you work for?

Are you or any immediate family member related to any city governmental official or employee? **No**

Who are you related to and how are you related?

Are you or have you been a party to any civil litigation involving the City of Topeka? **No**

Please explain the litigation and your role in it:

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? **No**

Please explain your delinquent payment situation.

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

I have served on this board for the last few years and have enjoyed my contribution to the city. My years of trade experience, teaching, and various rolls related to the plumbing trade I feel allow me to contribute my knowledge for the good of city and the residents/business owners that need assistance. I hope to continue my roll, as it has been a pleasure and tremendous learning experience. It has been enjoyable working with the team we currently have, everyone there brings a valuable element to the table .

Interests & Experiences

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

**5 years union apprenticeship (2000-2005)
5 years Instructor Training program (Plumbing and Pipefitting)
Served on IAPMO National committees (Plumbing and Mechanical Answers and Analysis)
22 years of Trade experience (Plumbing and Pipefitting)
Resume attached**

List any professional licenses you hold in Kansas and advise if they are current. (We reserve the right to request a copy of your license prior to approval of your appointment.)

Master Mechanical (current)

Master Plumber (current)

Resume attached

**Please upload a resume or any additional information you believe may be helpful in considering your application.

[Work resume - Paul Miller - 2022 updated.pdf](#)

Voluntary Self Identification

Ethnicity

Hispanic

Gender

Male

Acknowledgements and Verification

Purpose of Information being submitted.

I Agree

The information I am submitting is true and correct.

I Agree

Your electronic signature

Alternative electronic signature

Paul S. Miller

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214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
December 6, 2022

DATE: December 6, 2022
CONTACT PERSON: Mayor Michael A. Padilla DOCUMENT #:
SECOND PARTY/SUBJECT: Board of Building and Fire Appeals PROJECT #:
CATEGORY/SUBCATEGORY 006 Communication / 005 Other
CIP PROJECT: No
ACTION OF COUNCIL: JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

BOARD APPOINTMENT recommending the reappointment of Steve Mohan to the Board of Building and Fire Appeals for a term ending December 31, 2024. (Council District No. 7)

VOTING REQUIREMENTS:

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

POLICY ISSUE:

The City of Topeka Board of Building and Fire Appeals (BBFA) is responsible for reviewing and deciding on appeals relative to the application and interpretation of the currently adopted commercial and residential building and fire codes utilized within the Topeka jurisdiction. The BBFA has authority to hear and decide upon proposed alternatives, equivalencies and performance measures that may not be specifically prescribed by these codes. To be approved, any proposal must comply with the intent of the provisions of these codes. The BBFA does not have the authority to waive the requirements of these codes.

STAFF RECOMMENDATION:

Councilmember Dobler nominates and Mayor Padilla recommends the reappointment of Steve Mohan to the Board of Building and Fire Appeals for a two-year term that will end December 31, 2024. The position requires the member be a licensed general contractor and live within the city. Mr. Mohan meets these requirements.

BACKGROUND:

This is a City-created board where the City Council nominates and the Mayor appoints. If no nominations are received, the Mayor may appoint.
The board shall be comprised of seven members who shall be currently licensed or engaged in or have

substantial past experience in the following fields or professions: licensed professional engineer, licensed architect, licensed commercial contractor, or other experienced professional working in a field related to building construction. The board shall always consist of at least two engineers, two architects, and one contractor. Board members must live within the limits of the city of Topeka and will serve a two-year term.

BUDGETARY IMPACT:

There is no budgetary impact to the City.

SOURCE OF FUNDING:

Not Applicable.

ATTACHMENTS:

Description

S. Mohan - BBFA - Reappointment Application 2022

City of Topeka Boards and Commissions Application

Submission date: **19 October 2022, 10:36AM**
Receipt number: **98**
Related form version: **5**

Profile

First Name	Steve
Last Name	Mohan
Email Address	smohan@mohanconstruction.com
Street Address	125 S Kansas Ave
Suite or Apt	
City	Topeka
State	Kansas
Zip	66603
Are you a resident of the City of Topeka?	Yes
What district do you live in?	District 7
Primary Phone	785-233-1615
Alternate Phone	785-925-1694
Employer	Mohan Construction
Job Title	President
Which Board would you like to apply for?	Board of Building and Fire Appeals
Are you a registered voter?	Yes

Are you currently a full or part-time employee of the City of Topeka? **No**

Which department do you work for?

Are you or any immediate family member related to any city governmental official or employee? **No**

Who are you related to and how are you related?

Are you or have you been a party to any civil litigation involving the City of Topeka? **No**

Please explain the litigation and your role in it:

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? **No**

Please explain your delinquent payment situation.

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

I am currently on this board and would like to continue as board member.

Interests & Experiences

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

Kansas State University, Construction Science, 1983
Master of Business Administration, Rockhurst College, 1987
Mohan Construction, President, 1991 to present
Associated General Contractors of Kansas, President, 2002

List any professional licenses you hold in Kansas and advise if they are current. (We reserve the right to request a copy of your license prior to approval of your appointment.)

Contractor's License, current

****Please upload a resume or any additional information you believe may be helpful in considering your application.**

Voluntary Self Identification

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

Your electronic signature



[Link to signature](#)

Alternative electronic signature

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.



City of Topeka
Council Action Form
Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
December 6, 2022

DATE: December 6, 2022
CONTACT PERSON: Braxton Copley DOCUMENT #:
SECOND PARTY/SUBJECT: Finney and Turnipseed, PROJECT #: 121005.00
Transportation and Civil
Engineering, LLC
CATEGORY/SUBCATEGORY 007 Contracts and Amendments / 005 Professional Services
CIP PROJECT: No
ACTION OF COUNCIL: JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

APPROVAL of a Public Works Engineering Contract between the City of Topeka and Finney and Turnipseed, in an amount not to exceed \$106,750 for engineering services.

(Approval will authorize the City Manager to sign and execute the contract for an amount not to exceed \$106,750 for design and construction documents for the replacement of the SE Street Bridge over Butcher Creek underneath the BNSF Railroad Bridge, East of Kansas Ave. project number T-121005.00.)

VOTING REQUIREMENTS:

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

POLICY ISSUE:

Whether to approve the contract for professional services. Pursuant to TMC 3.30.010, all contracts for professional services exceeding \$50,000 must be approved by the Governing Body.

STAFF RECOMMENDATION:

Staff recommends the Governing Body approve the contract as part of the consent agenda.

BACKGROUND:

Pursuant to TMC 3.30.010, all contracts for professional services exceeding \$50,000 must first be approved by the Governing Body. Professional Services include architects, engineers, appraisers, land surveyors, management and systems analysts, financial and accounting firms, attorneys, information technology consultants, land use planners, project management, and other similar services requiring specialized knowledge or certification in a particular field.

Whereas on August 24, 2022, the City of Topeka requested and received proposals for professional engineering services for the replacement of the bridge, and double box culvert, at SE 29th Street over Butcher Creek to include the services of providing engineering design and construction documents for the project.

BUDGETARY IMPACT:

\$106,750

SOURCE OF FUNDING:

2018 Capital Improvement Plan
Resolution No. 8673

ATTACHMENTS:

Description

Contract for Professional Engineering Finney and Turnipseed for 29th over Butcher Creek
Event 2646 RFP Scope of Work
CIP 2016 Page T-121005.00
CIP 2023 Page T-121005.00
TMC Section 3.30.010

Contract No. _____
Project No. 121005.00

**CITY OF TOPEKA
PUBLIC WORKS DEPARTMENT
ENGINEERING DIVISION**

**STANDARD AGREEMENT
FOR
ENGINEERING SERVICES**

THIS AGREEMENT, is between the City of Topeka, Kansas (Owner) and Finney & Turnipseed, Transportation & Civil Engineering, L.L.C. (Engineer);

WITNESSETH:

WHEREAS, the Owner wishes to employ the Engineer to perform professional engineering services on Project No. Project No. 121005.00 - Bridge Replacement - SE 29th Street over Butcher Creek. These services include providing engineering design and construction documents for the replacement of the SW 29th Street Bridge over Butcher Creek (the Project); and,

WHEREAS, the Owner requires certain engineering services in connection with the Project (the Services); and,

WHEREAS, the Engineer is prepared to provide the Services;

NOW THEREFORE, in consideration of the promises contained in this Agreement, the Owner and Engineer, agree to the following:

ARTICLE 1 - EFFECTIVE DATE

The effective date of this Agreement shall be _____

ARTICLE 2 - GOVERNING LAW

This Agreement shall be governed by the laws of the State of Kansas and the codes of the City of Topeka

Contract No. _____
Project No. 121005.00

ARTICLE 3 - SERVICES TO BE PERFORMED BY ENGINEER

Engineer shall perform the Services described in Attachment A, Scope of Services, in accordance with applicable sections of the City of Topeka Design Criteria and Drafting Standards of latest revision, the Kansas Department of Transportation Standard Specifications for State Road and Bridge Construction and the AASHTO LRFD Design Specifications, latest edition with interims.

ARTICLE 4 - COMPENSATION

Owner shall pay Engineer in accordance with the Attachment B, Compensation.

ARTICLE 5 – OWNER’S RESPONSIBILITIES

Owner shall be responsible for all matters described in Attachment C, Owner's Responsibilities.

ARTICLE 6 - SUPPLEMENTAL AGREEMENTS

The provisions set forth in Attachment D, Supplemental Agreements shall be incorporated into this Agreement.

ARTICLE 7 - PROJECT SCHEDULE

The provisions set forth in the Attachment E, Project Schedule shall be incorporated into this Agreement.

ARTICLE 8 - STANDARD OF CARE

Engineer shall exercise the same degree of care, skill, and diligence in the performance of Services as is ordinarily possessed and exercised by a professional engineer under similar circumstances.

ARTICLE 9 - INDEMNIFICATION AND INSURANCE

Engineer hereby agrees to fully indemnify and hold harmless Owner and any of its departments, divisions, agencies, officers, employees and elected officials from all loss, damage, cost, or expenses specifically including attorneys' fees and other expenses of litigation incurred by or on behalf of the Owner and any of its officers, employees or elected officials arising out of Engineer's negligent performance of Services under this Agreement. Engineer specifically agrees that this duty to indemnify and hold harmless will apply to the following:

Contract No. _____
Project No. 121005.00

- a. Claims, suits, or action of every kind and description when such suits or actions arise from the alleged negligent acts, errors, or omissions of the Engineer, its employees, agents, or subcontractors.
- b. Injury or damages received or sustained by any party because of the negligent acts, errors, or omissions of the Engineer, its employees, agents, or subcontractors.

Engineer shall purchase and maintain during the life of this Agreement, insurance coverage which will satisfactorily insure him against claims and liabilities which arise because of the execution of this Agreement.

The insurance coverages are as follows:

- (1) Commercial General Liability Insurance, with a limit of \$1,000,000 for each occurrence and \$2,000,000 in the general aggregate.
- (2) Automobile Liability Insurance, with a limit of \$1,000,000 for each accident, combined single limit for bodily injury and property damage.
- (3) Worker's Compensation Insurance and Employer's Liability Insurance, in accordance with statutory requirements, with a limit of \$500,000 for each accident.
- (4) Professional Liability Insurance, with a limit of \$1,000,000 for each claim and aggregate.

Prior to issuance of the Notice to Proceed by Owner, Engineer shall have on file with Owner certificates of insurance acceptable to Owner. Said certificates of insurance shall be filed with Owner in January of each year or may be submitted with each agreement.

Engineer shall also maintain valuable papers insurance to assure the restoration of any plans, drawings, field notes or other similar data relating to the work covered by this agreement, in the event of their loss or destruction, until such time as the work has been delivered to the Owner.

Upon completion of all Services, obligations, and duties provided for in this Agreement, or if this Agreement is terminated for any reason, the terms and conditions of this Article shall survive.

Contract No. _____
Project No. 121005.00

ARTICLE 10 - LIMITATIONS OF RESPONSIBILITY

Engineer shall not be responsible for: (1) construction means, methods, techniques, sequences, procedures, or safety precautions and programs in connection with the Project, (2) the failure of any contractor, subcontractor, vendor, or other Project participant, not under contract to Engineer, to fulfill contractual responsibilities to the Owner or to comply with federal, state or local laws, regulations, and codes; or (3) procuring permits, certificates, and licenses required for any construction unless such responsibilities are specifically assigned to Engineer in Attachment A, Scope of Services.

ARTICLE 11 - OPINIONS OF COST AND SCHEDULE

Since Engineer has no control over the cost of labor, materials, or equipment furnished by others, or over the resources provided by others to meet Project construction schedules, Engineer's opinion of probable construction costs and of construction schedules shall be made on the basis of experience and qualifications as a professional engineer. Engineer does not guarantee that proposals, bids, or actual Project construction costs will not vary from Engineer's cost estimates or that actual construction schedules will not vary from Engineer's projected schedules.

ARTICLE 12 - REUSE OF DOCUMENTS

All documents, including, but not limited to, drawings, specifications, and computer software prepared by Engineer pursuant to the Agreement are instruments of service in respect to the Project. They are not intended or represented to be suitable for reuse by Owner or others on extensions of the Project or on any other project. Any reuse without prior written verification or adaptation by Engineer for the specific purpose intended will be at Owner's sole risk and without liability or legal exposure to Engineer. Any verification or adaptation requested by Owner shall entitle Engineer to compensation at rates to be agreed upon by Owner and Engineer.

Contract No. _____
Project No. 121005.00

ARTICLE 13 - OWNERSHIP OF DOCUMENTS AND INTELLECTUAL PROPERTY

Except as otherwise provided herein, engineering documents, drawings, and specifications prepared by Engineer as part of the Services shall become the sole property of Owner, however, that both Owner and Engineer shall have the unrestricted right to their use. Engineer shall retain its rights in its standard drawing details, specifications, data bases, computer software, and other proprietary property protected under the copyright laws of the United States. Rights to intellectual property developed, utilized, or modified in the performance of services shall remain the property of Engineer. Owner shall have the unlimited right to the use of intellectual property developed, utilized, or modified in the performance of the Services at no additional cost to the Owner.

ARTICLE 14 - TERMINATION

This Agreement may be terminated by either party upon written notice in the event of substantial failure by the other party to perform in accordance with the terms of this Agreement. The nonperforming party shall have fifteen calendar days from the date of the termination notice to cure or to submit a plan for cure acceptable to the other party. Owner may terminate or suspend performance of this Agreement for Owner's convenience upon written notice to Engineer. Engineer shall terminate or suspend performance of the Services on a schedule acceptable to Owner. If termination or suspension is for Owner's convenience, Owner shall pay Engineer for all Services performed prior to the date of the termination notice. Upon restart, an adjustment acceptable to Owner and Engineer shall be made to Engineer's compensation.

ARTICLE 15 - DELAY IN PERFORMANCE

Neither Owner nor Engineer shall be considered in default of the Agreement for delays in performance caused by circumstances beyond the reasonable control of the nonconforming party. For purposes of this Agreement, such circumstances include abnormal weather conditions; floods; earthquakes; fire; epidemics; war, riots, or other civil disturbances; sabotage, judicial restraint, and inability to procure permits, licenses, or authorizations from any local, state, or federal agency for any of the supplies, materials, accesses, or services required to be provided by either Owner or Engineer under this Agreement.

Contract No. _____
Project No. 121005.00

Should such circumstances occur, the nonconforming party shall, within a reasonable time of being prevented from performing, give written notice to the other party describing the circumstances preventing continued performance and the efforts being made to resume performance of the Agreement.

For delays in performance by Engineer, as set forth in Attachment E, Project Schedule, which are caused by circumstances which are within its control, such delays shall be documented on the Engineer's Project Performance Evaluation form. Said form shall be completed at the conclusion of Project and acknowledged by both Owner and Engineer. Completed form shall be retained by Owner for a period of five years and reviewed prior to consultant selection for City projects.

In the event Engineer is delayed in the performance of Services because of delays caused by Owner, Engineer shall have no claim against Owner for damages or contract adjustment other than an extension of time.

ARTICLE 16 - COMMUNICATIONS

Any communication required by this Agreement shall be made in writing to the address specified below:

Engineer: Finney & Turnipseed
Transportation & Civil Engineering, L.L.C.
610 SW 10th Street, Suite 200
Topeka, Kansas 66612
(785) 235-2394

Owner: City of Topeka Engineering Division
620 SE Madison, 2nd Floor
Topeka, KS 66607
(785) 368-3842

Nothing contained in the Article shall be construed to restrict the transmission of routine communications between representatives of Engineer and Owner.

Contract No. _____
Project No. 121005.00

ARTICLE 17 - WAIVER

A waiver by either Owner or Engineer of any breach of this Agreement shall be in writing. Such a waiver shall not affect the waiving party's rights with respect to any other or further breach.

ARTICLE 18 - SEVERABILITY

The invalidity, illegality, or unenforceability of any provision of this Agreement or the occurrence of any event rendering any portion or provision of this Agreement void shall in no way affect the validity or enforceability of any other portion or provision of this Agreement. Any void provision shall be deemed severed from this Agreement, and the balance of this Agreement shall be construed and enforced as if this Agreement did not contain the particular portion or provision held to be void. The parties further agree to amend this Agreement to replace any stricken provision with a valid provision that comes as close as possible to the intent of the stricken provision. The provisions of this Article shall not prevent this entire Agreement from being void should a provision which is of the essence of this Agreement be determined void.

ARTICLE 19 - INTEGRATION

This Agreement represents the entire and integrated agreement between Owner and Engineer. All prior and contemporaneous communications, representations, and agreements by Engineer, whether oral or written, relating to the subject matter of this Agreement, as set forth in Attachment D, Supplemental Agreements are hereby incorporated into and shall become a part of this Agreement

ARTICLE 20 - SUCCESSORS AND ASSIGNS

Owner and Engineer each binds itself and its directors, officers, partners, successors, executors, administrators, assigns, and legal representatives to the other party of this Agreement and to the directors, officers, partners, successors, executors, administrators, assigns, and legal representatives of such other party in respect to all provisions of this Agreement.

Contract No. _____
Project No. 121005.00

ARTICLE 21 - ASSIGNMENT

Neither Owner nor Engineer shall assign any rights or duties under this Agreement without the prior written consent of the other party. Unless otherwise stated in the written consent to an assignment, no assignment will release or discharge the assignor from any obligation under this Agreement. Nothing contained in this Article shall prevent Engineer from employing independent consultants, associates, and subcontractors to assist in the performance of the Services; however, other agreements to the contrary notwithstanding, in the event Engineer employs independent consultants, associates, and subcontractors to assist in performance of the Services, Engineer shall be solely responsible for the negligent performance of the independent consultants, associates, and subcontractors so employed.

ARTICLE 22 - THIRD PARTY RIGHTS

Nothing in this Agreement shall be construed to give any rights or benefits to anyone other than Owner and Engineer.

ARTICLE 23 – RELATIONSHIP OF PARTIES

Nothing contained herein shall be construed to hold or to make the Owner a partner, joint venturer, or associate of Engineer, nor shall either party be deemed the agent of the other, it being expressly understood and agreed that the relationship between the parties hereto is and shall at all times remain contractual as provided by the terms and conditions of this Agreement.

Contract No. _____
Project No. 121005.00

IN WITNESS WHEREOF, Owner and Engineer have executed this Agreement.

CITY OF TOPEKA

Owner

By: Stephen Wade

City Manager

Title

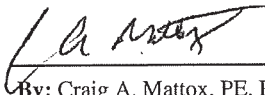
Date:

Attest:

City Clerk, Brenda Younger

Finney & Turnipseed
Transportation & Civil Engineering, L.L.C.

Engineer



By: Craig A. Mattox, PE, PLS

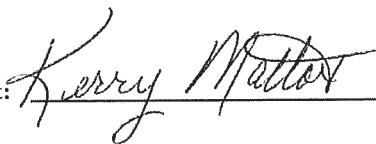
President

Title

11/15/2022

Date:

Attest:



Contract No. _____
Project No. 121005.00

**ATTACHMENT A
TO
AGREEMENT FOR ENGINEERING SERVICES**

Owner: City of Topeka, Kansas
Engineer: Finney & Turnipseed, Transportation & Civil Engineering, L.L.C.
Project Number & Name: 121005.00 - Bridge Replacement - SE 29th Street over Butcher Creek

SCOPE OF SERVICES

BASIC SERVICES

The project is specifically defined below:

Project No. 121005.00 - Replacement of the SE 29th Street Bridge over Butcher Creek, underneath the BNSF Railroad Bridge east of Kanas Avenue.

The Engineer agrees to provide the following services.

BASIC SERVICES – DESIGN PHASE

1. To review all data from existing plans connected to this Project if any.
2. To make necessary field surveys for the vertical and horizontal alignment of the Project.
3. To plot the field survey information and establish horizontal and vertical control for the proposed improvement in English.
4. To contact the BNSF Railway and obtain plan drawings for the existing railroad bridge.
5. To run a hydraulic analysis to determine bridge configuration and alternatives.
6. To prepare preliminary plans in English units. Roadway closed to traffic during construction.
7. To submit information from 1 through 6 above to the City for review and meet with representatives of the City to discuss the Project.
8. To prepare field check plans based on preliminary plans submitted to the City and to furnish the required set of plans and a construction cost estimate to the City. To coordinate preliminary designs with the BNSF Railway to establish their requirements.
9. To initiate discussions for obtaining an agreement with the BNSF Railway for the construction underneath the existing railroad bridge and adjacent fill.
10. To prepare the necessary applications to KDOT to obtain any funding that may be available through the Bureau of Local Projects Local Bridge Improvement Program.
11. To field check the Project with representatives of the City of Topeka.
12. To prepare office check plans for the Project in compliance with the field check recommendations.

Contract No. _____
 Project No. 121005.00

13. To prepare right of way descriptions for the purpose of assisting the City in the acquisition of right of way.
 To furnish plan sheets required to assist in the acquisition of right of way.
14. To furnish one set of plans to the utilities and coordinate the relocation of each of the utilities on the project.
15. To provide the necessary plans and information for obtaining reviews and permits from the BNSF Railway for the project. To pay BNSF permit fees associated with plan reviews for this project.
16. To submit applications for the required permits to Division of Water Resources, the United States Army Corps of Engineers and KDHE if required.
17. To hire a geotechnical firm to provide borings for the foundation geology for the structure.
18. To submit one set of prints of the office check plans prepared under 11 above to the City for office check approval along with a construction cost estimate.
19. To prepare final plans in accordance with the recommendations of the office check.
20. To prepare specifications and contract documents for the project suitable for advertising and letting the project.
21. To furnish one set of final plans and one set of final documents in electronic pdf file format of the final plans to the City for letting the project.
22. To furnish four (4) sets of final plans and four (4) contract document books to the City of Topeka Engineering department for the purpose of constructing the project.
23. To prepare the Engineer's Estimate for the Project.
24. To attend the opening of bids.
25. To attend a public meeting if desired by the City and provide exhibits for presentation.
26. To provide "As-Built" drawings upon completion of the project.
27. To provide an NBI inventory inspection with documentation for the bridge inspections files and update the bridge database.
28. To accept compensation for services described in 1 through 27 Basic Services – Design in the amounts and at such periods of time as hereinafter set forth in Attachment B.

SUPPLEMENTAL SERVICES

Any work requested by the Owner that is not included in the Basic Services will be classified as Supplemental Services. Supplemental Services shall include, but are not limited to the following.

1. Changes in the general scope, extent, or character of the project or its design, including but not limited to changes in size, complexity, Owner's schedule, character of construction or method of financing; and revising previously accepted studies, reports, or design documents when such revisions are required by changes in laws, regulations, ordinances, codes, or orders enacted subsequent to the preparation of such studies/reports/documents or designs or due to any other causes beyond the Engineer's control.
2. Public hearings and environmental impact statements are beyond the scope of this Project.

Contract No. _____

Project No. 121005.00

**ATTACHMENT B
TO
AGREEMENT FOR ENGINEERING SERVICES**

Owner: City of Topeka, Kansas
 Engineer: Finney & Turnipseed, Transportation & Civil Engineering, L.L.C.
 Project Number & Name: 121005.00 - Bridge Replacement - SE 29th Street over Butcher Creek

COMPENSATION

For the services covered by this Agreement, the Owner agrees to pay the Engineer as follows:

- A. Compensation includes Basic Services Items 1 through 28 described in Attachment A, a maximum fee in the amount not to exceed One Hundred Six Thousand Seven Hundred and Fifty dollars (\$106,750.00) at the following rates.

Salary Rates including overhead.

Classification	Hourly Rate
Principal	\$125.00
Engineer A	\$105.00
Engineer B	\$102.00
Engineer C	\$ 98.00
Engineer D	\$ 79.00
CADD Technician A	\$ 64.00
Technician A	\$ 58.00
Technician B	\$ 56.00

Mileage ----- \$ 0.58 per mile

Miscellaneous Items ----- Actual Cost

Geotechnical Services (\$6,400.00) ----Actual Cost

Permit Fees (DWR, COE, NOI and RR Flagging - \$6,400.00) ---- Actual Cost

Railroad Review and Permitting (2 reviews \$20,000.00) - Actual Cost

Payments shall be made monthly in amounts which are consistent with the amount of engineering services provided, as determined by the Engineer.

- B. Compensation for Supplemental Services shall be made as defined below, when authorized in writing by the Owner. The maximum limit for each item of additional service shall be established individually and specifically agreed to by the Owner as stated below, unless the service is included in a subsequent agreement.

Hourly rates for each classification as defined by the Engineer's rate schedule. Hourly charge rates are subject to adjustment annually on January 1. Overtime, when authorized by the Owner, will be billed at 1.5 times the rates listed (non-engineer time only).

Reimbursable charges will be considered the amount of actual costs of expenses or charges, including such items as staking materials, equipment rental, equipment hourly charges, mileage, toll telephone calls, reproduction and similar project related expenses.

Contract No. _____
Project No. 121005.00

- C. The entire amount of each statement shall be due and payable upon receipt by the Owner.
- D. It is understood and agreed:
 - 1. That the Engineer shall start the performance of Services within 10 days of receipt of a notice to proceed and shall complete the work in accordance with the contract times set forth in Attachment E, Project Schedule.
 - 2. That the Engineer shall keep records on the basis of generally accepted accounting practice of costs and expenses which records shall be available for inspection at all reasonable times.

Contract No. _____
Project No. 121005.00

**ATTACHMENT C
TO
AGREEMENT FOR ENGINEERING SERVICES**

Owner: City of Topeka, Kansas
Engineer: Finney & Turnipseed, Transportation & Civil Engineering, L.L.C.
Project Number & Name: 121005.00 - Bridge Replacement - SE 29th Street over Butcher Creek

OWNER'S RESPONSIBILITIES

The Owner will furnish, as required by the work and not at the expense of the Engineer, the following items:

1. Make available to the Engineer all records, reports, maps, and other data pertinent to provision of the services required under this contract.
2. Examine all plans, specifications and other documents submitted by the Engineer and render decisions promptly to prevent delay to the Engineer.
3. Designate one City of Topeka employee as the Owner representative with respect to all services to be rendered under this agreement. This individual shall have the authority to transmit instructions, receive information and to interpret and define the Owner's policies and decisions pertinent to the Engineer's services.
4. Issue notices to proceed to the Engineer for each phase of the design services.

Contract No. _____
Project No. 121005.00

**ATTACHMENT D
TO
AGREEMENT FOR ENGINEERING SERVICES**

Owner:	City of Topeka, Kansas
Engineer:	Finney & Turnipseed, Transportation & Civil Engineering, L.L.C.
Project Number & Name:	121005.00 - Bridge Replacement - SE 29 th Street over Butcher Creek

SUPPLEMENTAL AGREEMENTS

Owner and Engineer agree that the following communications, representations, and agreements by Engineer, whether oral or written, relating to the subject matter of the Agreement are hereby incorporated into and shall become a part of the Agreement as set forth in ARTICLE 19 - INTEGRATION.

Contract No. _____
 Project No. 121005.00

**ATTACHMENT E
 TO
 AGREEMENT FOR ENGINEERING SERVICES**

Owner: City of Topeka, Kansas
 Engineer: Finney & Turnipseed, Transportation & Civil Engineering, L.L.C.
 Project Number & Name: 121005.00 - Bridge Replacement - SE 29th Street over Butcher Creek

PROJECT SCHEDULE

Owner and Engineer recognize that time is of the essence of the Agreement and that Owner will suffer financial loss if the work is not completed within the times stipulated herein, plus any extensions thereof. Accordingly, Engineer has established time intervals, in calendar days, for submittals at various stages of the project as detailed below. As each actual submittal date occurs, Engineer shall meet with Owner to discuss the progress of the work and the actual submittal date shall be documented. If project is behind schedule, the reason shall be recorded. Engineer shall not be responsible for the time required by Owner's representative to review Engineer's submittal. When review is complete, Owner shall, in writing, authorize Engineer to proceed to the next submittal date. After final submittal date, Engineer and Owner shall meet to evaluate Engineer's performance with regard to design schedule. An Engineer's Project Performance Evaluation form shall be completed and acknowledged by both Owner and Engineer. Completed form shall be retained by Owner for a period of five years and reviewed prior to consultant selection for City projects. Past performance shall be accounted for on the evaluation sheet used to rank consultants during the interview process.

1. Schedule. Engineer will make plan submittals to Owner based on the following schedule:
 - a. Field Survey - Engineer will complete survey 45 calendar days after the Notice to Proceed is given by Owner.
 - b. Preliminary - Engineer will submit preliminary drawings 90 calendar days after the Notice to Proceed is given by Owner.
 - c. Field Check Plans - Engineer will submit Field Check plans 180 calendar days after the Notice to Proceed is given by Owner (assuming required 90 day BNSF Railroad review).
 - d. Right-of-Way Drawings and Documents- Engineer will submit right-of-way descriptions and drawings within 30 calendar days after the Notice to Resume Work is given by Owner following Field Check. Utility plans to each affected utility within 30 calendar days after Notice to Resume Work is given.
 - e. Office Check - Engineer will submit office check drawings and specifications within 90 calendar days after the Notice to Resume Work is given by Owner following Field Check.
 - f. Final Plans and Contract Documents - Engineer will submit Final Plans within 20 calendar days after the Notice to Resume Work is given by Owner following Office Check.
 - d. As-Built Plans – Engineer will submit as-built plans within 30 calendar days after marked-up plans are returned to the Engineer, from the Owner or within 30 calendar days after all punch list items have been completed if the Engineer's firm provided construction inspection services for the project.

Project No. 121005.00
SE 29th over Butcher Creek

11/9/2022

SUMMARY OF SALARY COSTS

Scope: Complete design and construction plans for the bridge replacement project

Field Survey

Employee Classification	Hourly Rate \$	Hours	Total Cost Salary
Surveyor	\$ 105.00	40.0	\$ 4,200.00
Engineer D	\$ 78.00	40.0	\$ 3,120.00
Technician B	\$ 59.00	40.0	\$ 2,360.00

Bridge and Grading Design & Plans

Employee Classification	Hourly Rate \$	Hours	Total Cost Salary
Principal	\$ 125.00	16.0	\$ 2,000.00
Engineer A	\$ 105.00	160.0	\$ 16,800.00
Engineer C	\$ 98.00	120.0	\$ 11,760.00
CADD Technician A	\$ 64.00	200.0	\$ 12,800.00

Hydraulic and Drainage Evaluation

Employee Classification	Hourly Rate \$	Hours	Total Cost Salary
Engineer A	\$ 105.00	16.0	\$ 1,680.00
Engineer C	\$ 98.00	40.0	\$ 3,920.00

Permits and Railroad Coordination

Employee Classification	Hourly Rate \$	Hours	Total Cost Salary
Principal	\$ 125.00	64.0	\$ 8,000.00
Engineer C	\$ 98.00	16.0	\$ 1,568.00

Right of Way and Easements

Employee Classification	Hourly Rate \$	Hours	Total Cost Salary
Principal	\$ 125.00	8.0	\$ 1,000.00

Meetings - Utility Coordination

Employee Classification	Hourly Rate \$	Hours	Total Cost Salary
Principal	\$ 125.00	4.0	\$ 500.00
Engineer A	\$ 105.00	16.0	\$ 1,680.00

Public Meetings and Bid Documents

Employee Classification	Hourly Rate \$	Hours	Total Cost Salary
Principal	\$ 125.00	16.0	\$ 2,000.00

Direct Expenses		Total Hours =	796.0	Total Salary Costs =	\$ 73,388.00
Printing & Supplies	\$ 500.00	Total Direct Expenses =			\$ 33,400.00
Permits (DWR, COE, NOI, Flagman for RR)	\$ 6,400.00	Total =			\$ 106,788.00
Railroad Plans & Review	\$ 20,000.00				
Geology (Roadway & Bridge)	\$ 6,500.00				
Total Direct Expenses =	\$ 33,400.00				



CITY OF TOPEKA

Contracts & Procurement Division
City Hall, 215 SE 7th St., Room 60
Topeka, KS 66603

procurement@topeka.org
Tel: 785-368-3749
Fax: 785-368-4499

RFP for Professional Engineering Services Bridge Replacement on K10A - SE 29th Street over Butcher Creek (42795089545K10A) Project No. 121005.00 Scope of Work

I. Purpose for Request

The City of Topeka (City) is requesting proposals for professional engineering services for the replacement of the bridge, double box culvert, (the project) at SE 29th Street over Butcher Creek. These services include providing engineering design and construction documents for the project. Proposals are to be submitted online at <https://www.topeka.org/procurement/> through the Topeka e-Procurement System and will be received by the Contracts & Procurement Division until September 20, 2022, at 2:00 pm local time.

II. Background Information

The existing 1960 bridge, a double box culvert (Reinforced Concrete Box—RCB/Reinforced Frame Box—RFB), is 120' (l) x 54' (w) and 277.2' in length along the centerline of the barrel. Design services will be in 2022 and construction in 2024 in preparation of future (2026 const.) roadwork along SE 29th Street between Kansas Avenue and SE Adams Street. Items to consider are the bridge's condition, alignment, and the limitations on the ability to increase hydraulic capacity for replacement. A brief summary of the drainage studies consisted of upstream and downstream analysis as per the following brief overview below. Complete studies are not attached:

SE 29th Street at Butcher Creek has a history of flooding during various storm events. A study was completed to identify the cause of the flooding on 29th Street and also determine solutions to replace a failing drainage system immediately upstream of 29th Street along Butcher Creek. The study identified two primary causes of flooding on this section of 29th Street.

1. The first is a berm on the downstream end of the Butcher Creek Box Bridge crossing of 29th Street that blocks what would be the natural overflow path when the Butcher Creek Box Bridge is surcharged.
2. The second includes a series of downstream flow restrictions which forces the Box Bridge to function as an outlet control structure thus impacting its flow effectiveness. These downstream restrictions include a narrow channel geometry immediately downstream of the Box Bridge, and

timber Trail Bridge, and old bridge abutments.

3. A follow up study was completed to investigate if there were opportunities upstream in the Butcher Creek Basin that could help alleviate flooding on SE 29th Street including detention, conveyance improvements to offset peaks, and channel modifications to identify measures that should be implemented to offset the impacts of removing the downstream restrictions.

K10A - SE 29th Street over Butcher Creek (42795089545K10A)





III. Scope of Services

This project will be for design and construction documents for a bridge structure to replace the existing double box culvert. Basic services provided may include, but are not limited to the following:

- Perform field and topographic surveys.
- Coordinate with other City utilities, private utility owners, and Burlington Northern Santa Fe (BNSF).
- Work with the City's right of way agent to obtain needed right of way and/or temporary easements prior to the letting.
- Prepare the necessary legal descriptions needed for acquisitions (if required).
- Develop a traffic control plan for the project.
- Develop and submit conceptual drawings (30% complete) with an estimate of probable construction costs (EPCC).
- Develop and submit field-check drawings (60% complete) and an updated EPCC.
- Develop and submit office-check drawings and project manual (90% complete) and an updated EPCC.
- Develop and submit final drawings, project manual, invitation to bid, bid form, and a final EPCC for the purpose of bidding the project.
- Respond to questions from prospective bidders as necessary.
- Prepare addenda as necessary.
- Prepare a tabulation of bids and make a recommendation of award for construction.
- Prepare two grant applications for this project, one for the planning project and the other for the bridge project category, following the Notice of Funding Opportunities for the 2022 Bridge Investment Program managed by the U.S. Department of Transportation, Federal Highway Administration.

IV. Deliverables and Schedule

Final project drawings, project manual with technical specifications, and cost estimates will be completed in 2022, right of way/utility relocation in 2023, bid letting in the fall of 2023, with construction spring 2024.

V. Submitting Proposal

Proposals shall be submitted only through the Topeka e-Procurement System (i.e. Supplier Portal). Before a proposal can be submitted, the respondent (proposer) must first register as a supplier. To register as a supplier and/or initiate the submittal process, go to <https://www.topeka.org/procurement/>. Proposals will be received by the Contracts & Procurement Division until September 20, 2022 at 2:00 pm local time. The City attempts to maintain continuous access to the Supplier Portal. However, from time to time, access may be interrupted or prevented due to maintenance, site problems, Internet problems, or problems experienced by the user due to proposer's computer system. The proposer acknowledges that City makes no warranties that the Supplier Portal will be uninterrupted or error-free. Regardless of the source of any problem, the proposer acknowledges that it is the proposer's sole responsibility to ensure that its proposal is timely received. Because of the discrepancies inherent in timing mechanisms (e.g. cell phone, computers, mobile devices), the proposer acknowledges that the

RFP closing date and time will be determined based upon the time indicated on the City server for the Strategic Sourcing application. If the proposer does not submit its proposal at or before the time indicated on the City server for the strategic source application, the proposal will be electronically rejected by the Strategic Sourcing application as untimely.

VI. City Resources to Be Provided

All information that the City has relating to the project will be made available to the selected firm.

VII. Proposed Format

All information submitted becomes the property of the City of Topeka. Proposals received after the time indicated in this request will not be considered. Proposals are to be limited to a total of 10 (ten) pages (not counting front and back cover, cover letter, table of contents, and section dividers) using margins not smaller than 0.75" and font size not smaller than 10. The proposal should include the following:

- Company cover letter and introduction
- Project understanding
- Project approach
- Company background
- Similar experience
- Project team
- Proposed design schedule
- Exhibit (limit 1 page; 8"x11.5" or 11"x17"; e.g. preliminary alignment for the project, plan-profile sheet from a previous project, public relations flier from previous project, etc.)



City of Topeka

Capital Improvement Project Summary

1. Project Title: Bridge on SE 29th Street over Butcher Creek 2. Project #: T-121005.00
 3. Dept/Div: Public Works -- Engineering 4. Project Year(s): 2017-2019
 5. Type: New Repair/Replace x 6. Project Location SE 29th Street over Butcher Creek
 7. Contact Name: Shawn Bruns 8. Contact Phone: 368-3033

9. Project Description: This project will replace the aging bridge structure on SE 29th Street over Butcher Creek. Design is expected to get underway in 2018 with utility relocation in 2019 and construction in 2020. The existing bridge was constructed in 1960.

10. Project Schedule and Estimate

	Year	Amount
a. Design/Administrative Fees	2018	\$ 80,000
b. Right-of Way	2019	\$ 70,000
c. Construction/Service Fees	2020	\$ 800,000
d. Contingency		\$ 50,000
e. Technology		\$ -
f. Financing Costs (Temp Notes)		\$ -
g. Cost of Issuance (Rev/GO Bonds)		\$ -
h. Debt Reserve Fund (Rev Bonds)		\$ -
i. Capitalized Interest		\$ -
Project Total		\$ 1,000,000

Estimated Life of Item (years): 30 years

Source of Estimate/Year: Eng. Div. -- 2015

11. Estimated Annual Operating Cost

Basis for Cost Estimate and Funding Source:

Replacement of the existing bridge structure will reduce the expenditure of annual Bridge Maintenance Funds.

12. Amount by source of financing

	1. Federal Fund Exchange	2.	3.	4.	5.	TOTAL
2017						\$0
2018	80,000					\$80,000
2019	70,000					\$70,000
2020	850,000					\$850,000
2021						\$0
TOTAL	\$1,000,000		\$0	\$0	\$0	\$1,000,000

Measures								Time/Location	Infrastructure	Council Priority	Impact on Budget	Equity	External Funding	Total Score (0-100)
Score								2	3	3	2.5	1.25	4	64

Project Estimates	2023	2024	2025	2026	2027	2028-2032	Total CIP
Design/Admin Fees	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Right of Way	\$ 50,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 50,000
Construction/Service Fees	\$ -	\$ 800,000	\$ -	\$ -	\$ -	\$ -	\$ 800,000
Contingency	\$ -	\$ 50,000	\$ -	\$ -	\$ -	\$ -	\$ 50,000
Technology	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Financing Costs (Temp Notes)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Cost of Issuance (Rev/GO Bonds)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Debt Reserve Fund (Rev Bond)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Capitalized Interest	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Totals	\$ 50,000	\$ 850,000	\$ -	\$ -	\$ -	\$ -	\$ 900,000

Financing Sources	2023	2024	2025	2026	2027	2028-2032	Total CIP
G.O. Bonds and or ARPA	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Revenue Bonds and or ARPA	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Fix Our Streets Sales Tax	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Countywide JEDO Sales Tax	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Operating Fund General	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Operating Fund Facilities	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Operating Fund Fleet	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Operating Fund IT	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Operating Fund Parking	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Operating Fund Stormwater	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Operating Fund Wastewater	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Operating Fund Water	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Federal Funds	\$ 50,000	\$ 850,000	\$ -	\$ -	\$ -	\$ -	\$ 900,000
G.O. Bonds - Special	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Totals	\$ 50,000	\$ 850,000	\$ -	\$ -	\$ -	\$ -	\$ 900,000

3.30.010 Authority of City Manager to sign certain contracts – Professional service contracts.

(a) Pursuant to Charter Ordinance No. 94, Section 22 (Appx. [A](#), Section [A2-55](#)), the City Manager is hereby authorized to sign all contracts binding the City, unless:

- (1) Governing Body approval of the contract or the subject matter of the contract is required by City ordinance or resolution;
- (2) Governing Body approval of the contract or the subject matter is required by State or Federal law; or
- (3) Other City officers or employees are specifically authorized by ordinance to approve and sign the contract.

(b) On and after October 1, 2021, any contract for professional services exceeding \$50,000 shall be approved by the Governing Body. "Professional services" includes architects, engineers, appraisers, land surveyors, management and systems analysts, financial and accounting firms, attorneys, information technology consultants, land use planners, project management and other similar services requiring specialized knowledge or certification in a particular field.

(c) The authority granted by this section is subject to all ordinances and laws which restrict and limit the ability of the City to enter into binding contracts. Further, this section does not authorize the avoidance of or exemption from any administrative reviews or approvals of contracts as required by City ordinances or regulations.

(d) The provisions of this section shall not preclude the City Manager from seeking and obtaining the approval of the Governing Body prior to signing certain contracts, notwithstanding the authority granted in this section. (Ord. 20311 § 1, 8-17-21.)

Cross References: City Council – Mayor, Chapter [2.15](#) TMC.

The Topeka Municipal Code is current through Ordinance 20311, passed August 17, 2021.

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

Note: This site does not support Internet Explorer. To view this site, Code Publishing Company recommends using one of the following browsers: Google Chrome, Firefox, or Safari.

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

[Code Publishing Company](#)



City of Topeka
Council Action Form
Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
December 6, 2022

DATE: December 6, 2022
CONTACT PERSON: Bill Fiander, Director of Planning and Development
DOCUMENT #:
SECOND PARTY/SUBJECT: Cacti Land, LLC PROJECT #:
(Request to Annex)
CATEGORY/SUBCATEGORY 020 Resolutions / 005 Miscellaneous
CIP PROJECT: No
ACTION OF COUNCIL: Approved Resolution JOURNAL #: 2022
9357. 09-06-22
PAGE #:

DOCUMENT DESCRIPTION:

ORDINANCE introduced by City Manager Stephen Wade annexing land to the City of Topeka, Kansas, in accordance with K.S.A 12-520c, generally located at on the east side of SE Croco Road and approximately 1,300 feet south of SE 37th Street within unincorporated Shawnee County, Kansas and assigning the annexed land to Council District No. 4.

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

(Approval will annex a 79-acre tract into the City near SE Croco and SE 39th for the purposes of a residential subdivision.)

VOTING REQUIREMENTS:

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

POLICY ISSUE:

The property is located within Tier 3 of the City's Urban Growth Area which is planned as future city limits. Tier 3 properties are deemed ready for annexation if all urban services can be provided cost-effectively when contiguous to the city limits.

STAFF RECOMMENDATION:

While state law does not require that annexations be reviewed by the Planning Commission, the City's adopted comprehensive land use and growth management plan requires that the Planning Commission make a

determination that annexations of 10 acres or more are consistent with the plan. On July 18, 2022, the Planning Commission determined that the annexation is consistent with the plan.

Staff recommends the Governing Body move to adopt the ordinance

BACKGROUND:

Cacti Land, LLC is requesting annexation of land that does not adjoin the City proper but is contiguous to the Rockfire development within the city limits. The land is 79 acres located on the east side of SE Croco Rd, approximately 1300 feet south of SE 37th St. The owner is desirous of constructing 188 single family homes and 78 duplex units.

Before the City can consider annexing this property, K.S.A. 12-520c requires that the City, by resolution, request that the Shawnee County Commission review the proposed annexation and determine that the annexation will not hinder or prevent the proper growth and development of the area or that of any incorporated city within Shawnee County. This finding was made on October 6, 2022.

The City's Land Use and Growth Management Plan identifies this property within Tier 3 of the Urban Growth Area which is planned as future city limits. Tier 3 properties are deemed ready for annexation if all urban services can be provided cost-effectively and are contiguous to the city limits. Operational and life-cycle maintenance costs can be accommodated within existing budgets and expected revenues from the development.

BUDGETARY IMPACT:

There are no additional costs to serve for Fire, Police, and Forestry.

Streets, Water, Sanitary Sewer, and Stormwater will incur additional operational and replacement costs which can be accommodated with existing budgets or future revenues from the development.

Providing City water service will require a one-time cost of at least \$54,000 to Rural Water District No. 8 for lost future revenue. This cost may be negotiated within 60 days of publishing the annexation ordinance.

SOURCE OF FUNDING:

Utilities, Public Works

ATTACHMENTS:

Description

Ordinance

Memo to Planning Commission

Annexation Fact Sheet

Shawnee County Annexation Order (Oct 6, 2022)

Resolution No. 9357 (September 6, 2022)

Topeka Planning Commission Minutes (July 18, 2022)

Consent to Annex - Cacti Land, LLC (June 2, 2022)

Stumbo Hanson Letter (Dec 2, 2022)

1 (Published in the Topeka Metro News _____)

2
3 ORDINANCE NO. _____

4
5 AN ORDINANCE introduced by City Manager Stephen Wade annexing land to the City of
6 Topeka, Kansas, in accordance with K.S.A 12-520c, generally located at
7 on the east side of SE Croco Road and approximately 1,300' south of
8 SE 37th Street within unincorporated Shawnee County, Kansas and
9 assigning the annexed land to Council District No. 4 .

10
11 WHEREAS, the land identified in Section 1 below and shown on attached Map 1 is
12 located in Shawnee County, Kansas; and

13 WHEREAS, the land does not adjoin the City; and

14 WHEREAS, the owner of the land has consented, in writing, to the annexation of
15 such land; and

16 WHEREAS, on October 6, 2022, the Board of County Commissioners for Shawnee
17 County determined that the annexation of such land will not hinder or prevent the proper
18 growth and development of the area or that of any other incorporated city located within
19 Shawnee County; and

20 WHEREAS, the Governing Body of the City of Topeka, Kansas, finds it advisable to
21 annex such land.

22 NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY
23 OF TOPEKA, KANSAS:

24 Section 1. That the following described land is hereby annexed and made a part
25 of the City of Topeka, Kansas:

26 The South Half of the Northwest Quarter of Section 23, Township 12 South, Range
27 16 East of the 6th P.M., Shawnee County, Kansas, more particularly described as
28 follows: Beginning at the Southwest corner of said Northwest Quarter; thence North
29 01° 31' 24" West a distance of 1319,87 feet to the Northwest corner of the South
30 Half of said Northwest Quarter; thence North 88° 49' 34" East a distance of 2658.83
31 feet to the Northeast corner of said South Half; thence South 01° 37' 51" East a

distance of 1324.46 feet to the Southeast corner of said Northwest Quarter; thence South 88° 55' 28" West a distance of 2661.35 feet to the point of beginning.

Section 2. That all land described in Section 1 and shown on attached Map 1 is taken into and made a part of the City for all City purposes and is assigned to City Council District No. 4.

Section 3. This Ordinance shall take effect and be in force from and after its passage, approval and publication in the official city newspaper.

Section 4. Upon passage and publication of this annexation ordinance, the City Clerk shall file a certified copy of the ordinance with the County Clerk, the Register of Deeds, and the County Election Commissioner

PASSED and APPROVED by the Governing Body on _____.

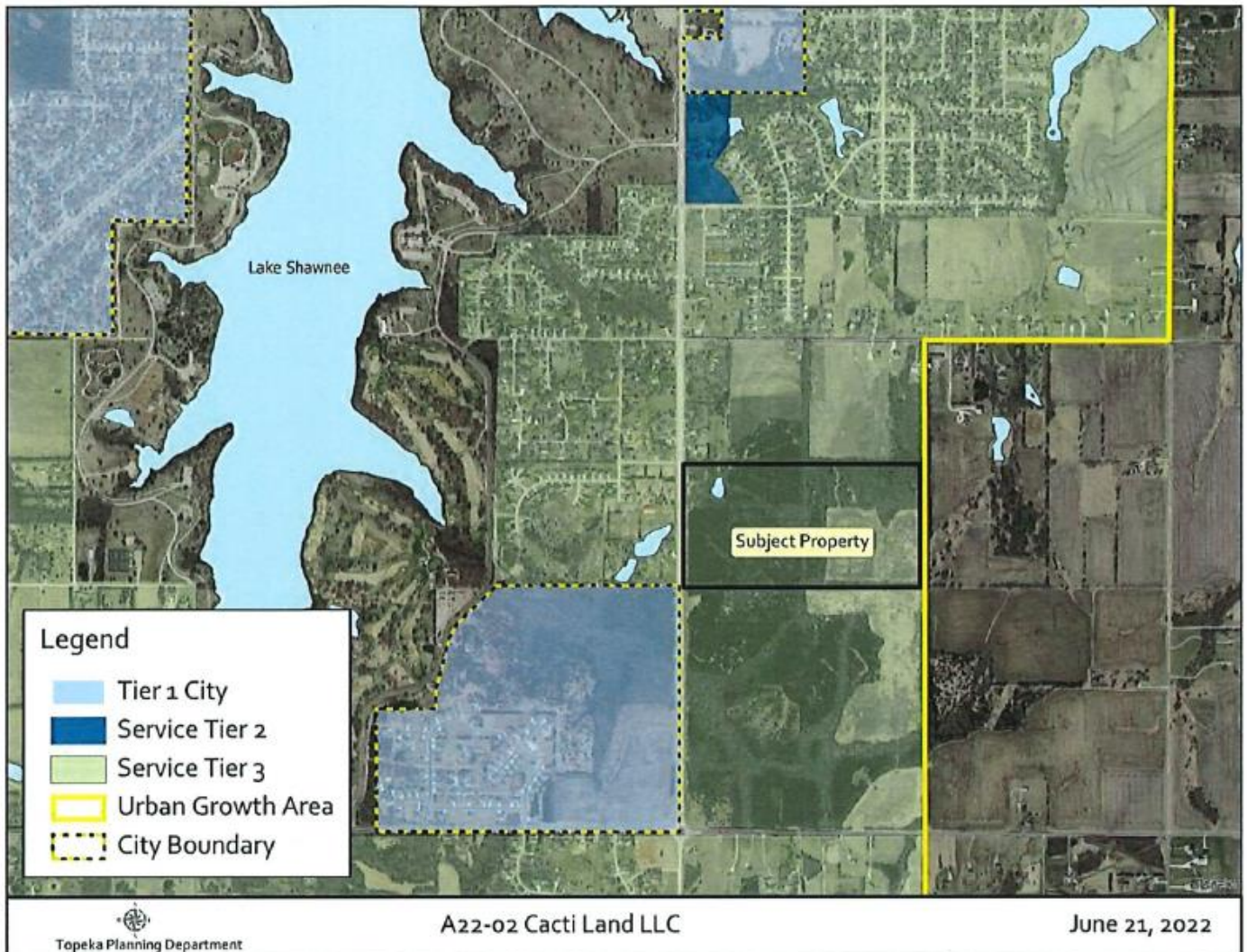
CITY OF TOPEKA, KANSAS

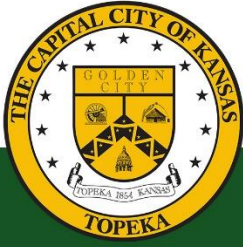
Michael A. Padilla, Mayor

ATTEST:

Brenda Younger, City Clerk

MAP 1





CITY OF TOPEKA

Planning Division
620 SE Madison, Unit 11
Topeka, KS 66607

Bill Fiander, AICP, Planning Director
Tel: 785-368-3728
www.topeka.org

MEMORANDUM

To: Topeka Planning Commission

From: Bryson Risley; Neighborhood Planner & Planning Analyst

Date: July 18, 2022

RE: A22/2 – Annexation request by Cacti Land, LLC for property located on the east side of SE Croco Road, approximately 1,300' south of SE 37th Street

Proposal

Cacti Land, LLC is requesting annexation of an approximately 79-acre property located on the east side of SE Croco Road, approximately 1,300-feet south of SE 37th Street (see Map 1). The owner will construct 188 single-family homes and 78 duplex units on approximately 79 acres (see Map 2).

The project will be connecting to City of Topeka sewer and water. Development that connects to sewer outside the city is required by City of Topeka utility rules to annex and plat. The property will be receive water service by the City of Topeka which was previously served by Rural Water District No. 8.

Background

An island annexation of this type, one in which the property owner has consented to the annexation and the property is not contiguous to the City, requires City of Topeka Governing Body to initiate the request to Shawnee County by resolution. If the County approves, the City of Topeka Governing Body passes an ordinance. Planning Commission review of annexations is not required by State Statute.

However, the Land Use and Growth Management Plan 2040 (LUGMP) established a policy that the Planning Commission should review annexations greater than 10 acres for consistency with growth management principles of the LUGMP.

LUGMP Review

The property lies within Tier 3 of the Urban Growth Area (see Map 1). Tier 3 areas make up the bulk of the UGA outside of Tier 1. Developing these areas requires graduating services to Tier 2 meaning, it is cost effective for the City to make investments for all of the urban services in the area.

The subject property is not contiguous to the City and does not have existing infrastructure and services available, but City staff have determined installation of services to the site to fit the constraints of existing budgets, or the revenue generated will offset future maintenance, repair, and replacement costs.

The subject property is designated as Urban Growth Area (Residential) by the Topeka Future Land Use Map (Map 1). The proposed development is consistent with a future residential area.

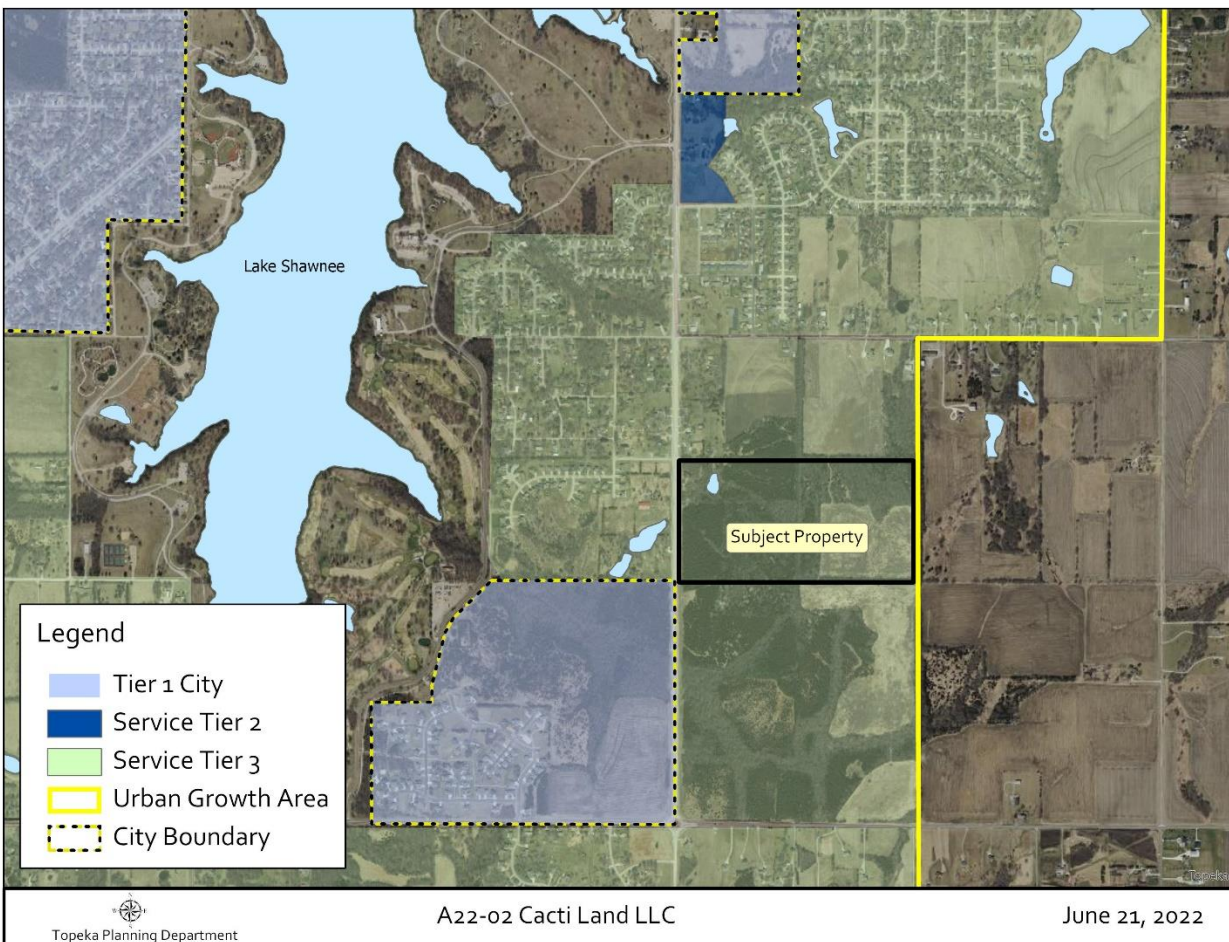
Street Network

Future access to the new home will come from two points on SE Croco Road, which is an improved urban 5-lane road. Two additional access points are proposed to the undeveloped and un-platted land to the north and east. One proposed access point is provided to the 70-acre single lot Just In Time Subdivision to the south. New public local roads will serve this subdivision when it develops in the future.

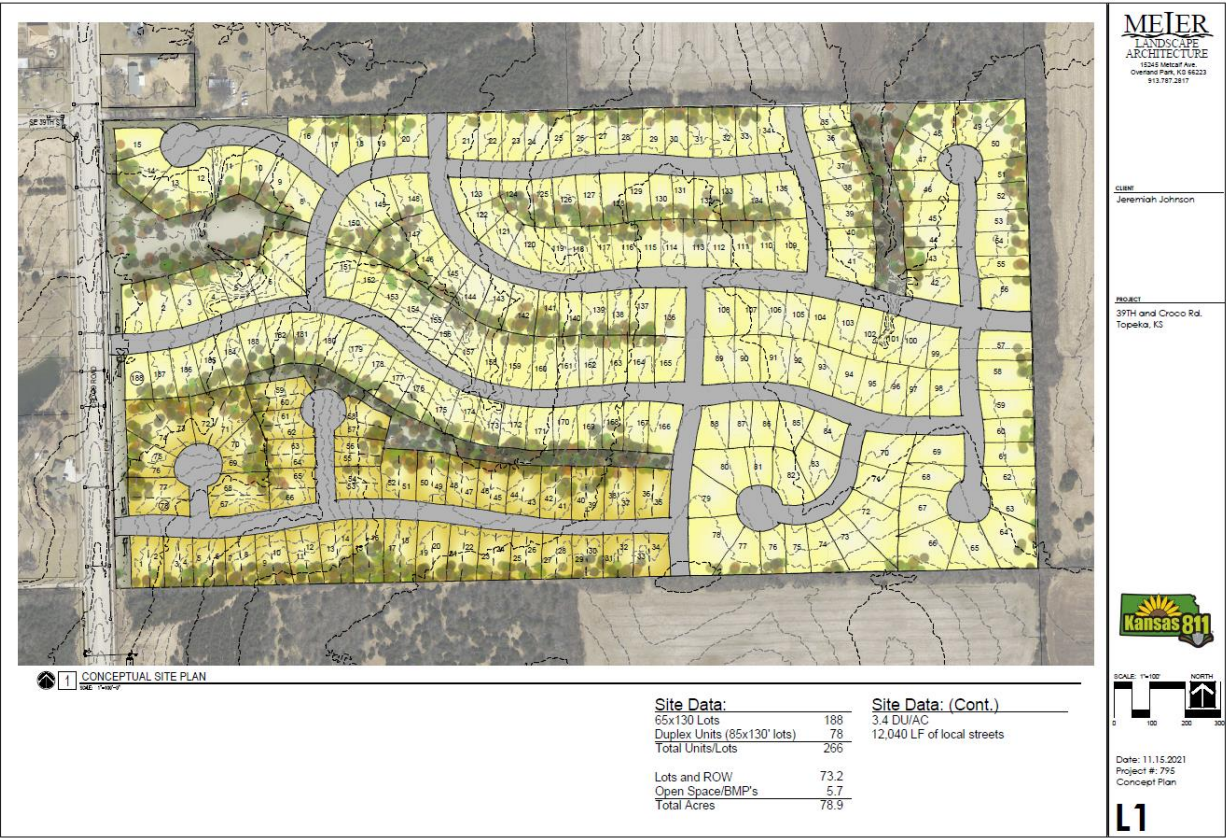
Recommendation

Annexing the subject property is consistent with the Comprehensive Plan.

Map 1



Map 2 – Preliminary plat concept



Annexation Proposal

Property located on the east side of SE Croco Road, approximately 1,300-feet south of SE 37th Street
Fact Sheet & Department Comments

Site

Address/Location: property located on the east side of SE Croco Road, approximately 1,300-feet south of SE 37th Street

Owner: Cacti Land LLC (Alcove Development)

Size: Approximately 79 acres

Existing Land Use: Vacant

Proposed Land Use: Single-family and two-family residential – 266 total units. 188 lots designated for single-family residential and 78 for duplex units.

Subdivision: To be platted following annexation

Planning

Existing Zoning: RR-1 (Rural Residential District)

Proposed Zoning: R-1 (Single Family Dwelling District) at time of development.

Current Population: 0 residents

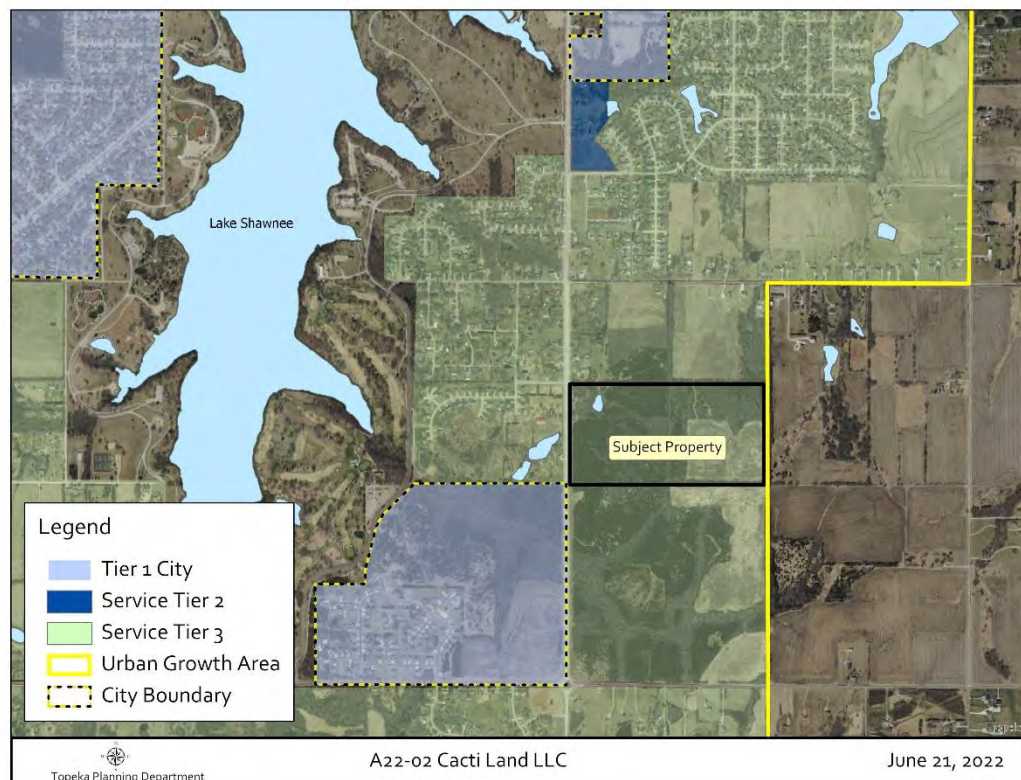
Projected Population: 596 residents – following future urbanization.

Density: 3.4 du/ac.

Comprehensive Plan: Urban Growth Area – Tier 3 (ready for annexation if municipal water is in place)

Primary Service Area (Sewer Required): Yes

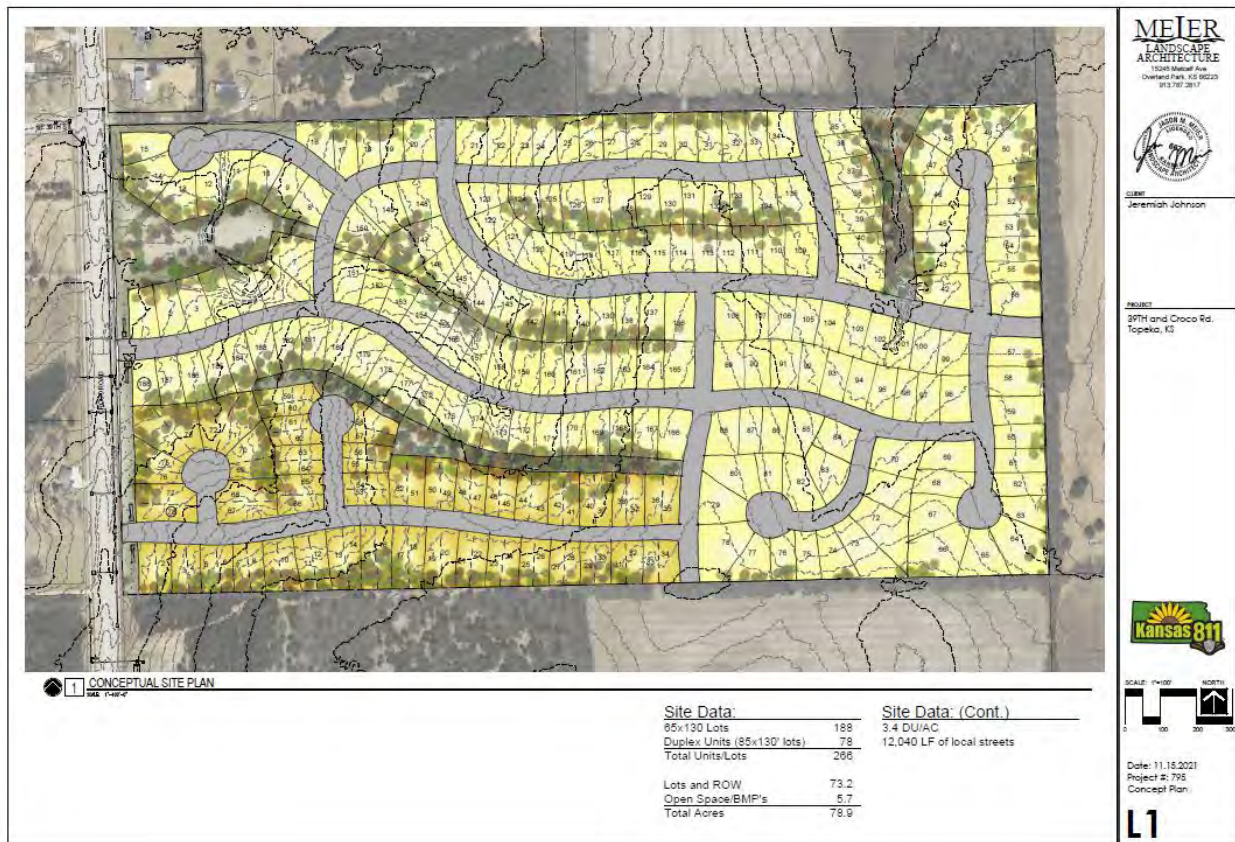
Urban Growth Area Map



Preliminary concept for future development

Annexation Proposal

Property located on the east side of SE Croco Road, approximately 1,300-feet south of SE 37th Street
Fact Sheet & Department Comments



Annexation Procedure

Contiguous? No.

Consent? Yes. Owner provided a written consent.

Requirements: Eligible for annexation under KSA 12-520(c).

- The property is located within the same county as the city
- The property owners consent to annexation
- The board of county commissions, after considering the anticipated use of the property, makes a determination that the annexation "will not hinder or prevent the proper growth and development of the area or that any other incorporated city located within the county." A 2/3 vote is required.

Approval Method: Governing Body initiates the request to Shawnee County by resolution. If the County approves, COT Governing Body passes ordinance.

Revenue/Expenses Estimates

Property tax revenue to the City of Topeka in 2022 would be approximately **\$62** before any development takes place. **Future annual property tax revenue** to the City of Topeka upon build-out of

Annexation Proposal

Property located on the east side of SE Croco Road, approximately 1,300-feet south of SE 37th Street
Fact Sheet & Department Comments

development is estimated to be approximately **\$337,508** (estimate based on values provided by the developer). Current property tax revenue to Tecumseh Township is approximately **\$62** in 2022.

There is no existing **utility revenue**. **Future annual utility revenue** (Wastewater, Stormwater, and Water) to the City of Topeka upon development of the property is estimated to be approximately **\$295,771**.

Utilities consisting of Sewer, Stormwater, and Water, will incur additional annualized infrastructure operational and replacement costs of approximately **\$65,798**. All costs can be accommodated within existing Sewer, Stormwater, and Water budgets or with future revenues. Providing City Water service will also incur a one-time cost of at least **\$54,000** to compensate Rural Water District No. 8 (RWD#8) for lost future revenue as a result of this annexation. The final valuation cost must be agreed to by both parties or through mediation as prescribed by State law.

There are no additional costs to serve the proposed annexation for Fire, Police, and Forestry.

Streets will incur an additional annualized infrastructure operational and replacement cost of **\$65,860**. All costs can be accommodated within the existing streets budget.

Utility and Service Providers

	Current	Proposed
Water	RWD #8	COT
Wastewater	N/A	COT
Fire	Tecumseh Township	COT
Police	Shawnee County	COT
Streets – SE Croco Rd	Shawnee County	Shawnee County
Streets – Local	N/A	COT
Parks	Shawnee County	Shawnee County (none planned)
Governing Body	Shawnee County (#3)	COT (#4)

Utilities

COT sewer mains will serve this development. The parcel is currently served by RWD#8 and must be compensated by the City of Topeka to take over the service area. This will consist of a one-time payment to RWD#8 of at least \$54,000 or other agreed upon amount as prescribed by State law.

Streets

Two proposed access points from SE Croco Road will provide access to the properties. Two additional access points are proposed to the undeveloped and un-platted land to the north and east. One proposed access point is provided to the 70-acre single lot Just In Time Subdivision to the south. New public local roads will serve this subdivision when it develops in the future.

Metro Bus Service

Fixed-route service is not currently offered to this area. Potential for Topeka Metro to provide flex service to 37th and Croco, but not would not include this area.

Ability to Provide Adequate Public Services

FIRE

- 1) What is the estimated cost (operational and capital) to your Department/Division to provide adequate service to the proposed annexation?**

No additional.

- 2) Can the estimated cost of service be carried out under your current or anticipated future budget? If not, what would it take to do so?**

Yes.

- 3) Describe any other issues that would affect your ability to provide adequate service to the annexation area, or impact service levels to existing residents/businesses of the city.**

No additional impacts were foreseen.

Ability to Provide Adequate Public Services

FORESTRY

- 1) What is the estimated cost (operational and capital) to your Department/Division to provide adequate service to the proposed annexation?**

No cost estimates at this time since we don't know if any trees are going to be located on the city right of way.

- 2) Can the estimated cost of service be carried out under your current or anticipated future budget? If not, what would it take to do so?**

Yes.

- 3) Describe any other issues that would affect your ability to provide adequate service to the annexation area, or impact service levels to existing residents/businesses of the city.**

Single small annexations can be taken care of by forestry without major budget impacts. However. The cumulative effects of multiple small annexations will ultimately not be sustainable at current budget levels.

Ability to Provide Adequate Public Services

POLICE

- 1) What is the estimated cost (operational and capital) to your Department/Division to provide adequate service to the proposed annexation?**

At the present time, the Shawnee County Sherriff's Office provides law enforcement services to the proposed annexed area. The proposed annexed area may require the City of Topeka to

Annexation Proposal

Property located on the east side of SE Croco Road, approximately 1,300-feet south of SE 37th Street
Fact Sheet & Department Comments

increase police officer numbers, in the future, as additional residential properties are developed. That development may expand police calls for service workload in that area, over time. But for the foreseeable future, existing and adjacent Topeka Police Department patrol units would be able to absorb any new police call for service(s) in the proposed annexed area.

2) Can the estimated cost of service be carried out under your current or anticipated future budget? If not, what would it take to do so?

Topeka Police Officers assigned to current zones adjacent to the proposed annexed neighborhood are capable of providing adequate police service coverage to the proposed development, based on anticipated future budgetary forecasting. In addition, the Topeka Police Department, with its investigative resources, crime prevention endeavors, community engagement efforts, and other auxiliary services, will provide many additional benefits to the future residents within the proposed annexation area.

3) Describe any other issues that would affect your ability to provide adequate service to the annexation area, or impact service levels to existing residents/businesses of the city.

In 2019, there were 22 calls for law enforcement services in the area contiguous to the proposed annexed area, by TPD. With an allocated time expenditure of 9 hours. The majority of the calls were residential/commercial alarm responses. Of the 22 calls, nine were on 1st shift, five were on 2nd shift, and eight were on 3rd shift.

In 2020, there were 26 calls for law enforcement services in the area contiguous to the proposed annexed area, by TPD. With an allocated time expenditure of 10 hours. The majority of the calls were residential/commercial alarm responses. Of the 26 calls, ten calls were on 1st shift, six calls on 2nd shift and ten calls on 3rd shift.

In 2021, there were 27 calls for law enforcement services in the area contiguous to the proposed annexed area, by TPD. With an allocated time expenditure of 10 hours. The majority of the calls were residential/commercial alarm responses. Of the 27 calls, ten calls were on 1st shift, eleven calls on 2nd shift and six calls on 3rd shift.

**Ability to Provide Adequate Public Services
STREETS**

1) What is the estimated cost/benefit of providing adequate service to the proposed annexation (in current year \$'s):

- a. Estimate annualized operations/maintenance cost over the lifecycle of the assets:
\$43,180 per year.
- b. Estimate annualized replacement cost of the asset:
\$22,680 per year.

2) Can the estimated cost of service be carried out under your current or anticipated future budget? If not, what would it take to do so?

Yes

Annexation Proposal

Property located on the east side of SE Croco Road, approximately 1,300-feet south of SE 37th Street
Fact Sheet & Department Comments

- 3) Describe any other issues that would affect your ability to provide adequate service to the annexation area, or impact service levels to existing residents/businesses of the city.**
None.

**Ability to Provide Adequate Public Services
STORMWATER**

- 1) What is the estimated cost/benefit of providing adequate service to the proposed annexation (in 2023 \$'s):**
- a. Estimate annualized operations/maintenance cost over the lifecycle of the assets (\$1,988/year). This is based on 5,960' of new stormwater facilities in the ground.
 - b. Estimate annualized replacement cost of the asset (\$8,003/year). This is based on 100 year replacement cycle.
 - c. Estimate annualized revenue over the lifecycle of the assets (\$19,822/year).

- 2) Can the estimated cost of service be carried out under your current or anticipated future budget? If not, what would it take to do so?**

Yes, current budget will allow for maintenance of the proposed infrastructure.

- 3) Describe any other issues that would affect your ability to provide adequate service to the annexation area, or impact service levels to existing residents/businesses of the city.**

No known issues at this time.

**Ability to Provide Adequate Public Services
WASTEWATER**

- 1) What is the estimated cost/benefit of providing adequate service to the proposed annexation (in 2023 \$'s):**
- a. Estimate annualized operations/maintenance cost over the lifecycle of the assets (\$3,631/year). This is based on 12,270' of new sewer line.
 - b. Estimate annualized replacement cost of the asset (\$31,932/year). This is based on a 100 year replacement cycle.
 - c. Estimate annualized revenue over the lifecycle of the assets (\$129,021/year).

- 2) Can the estimated cost of service be carried out under your current or anticipated future budget? If not, what would it take to do so?**

Yes, current budget will allow for maintenance of the proposed infrastructure.

- 3) Describe any other issues that would affect your ability to provide adequate service to the annexation area, or impact service levels to existing residents/businesses of the city.**

No known issues at this time.

Ability to Provide Adequate Public Services
WATER

- 1) What is the estimated cost/benefit of providing adequate service to the proposed annexation (in 2023 \$'s):**
- a. Estimate annualized operations/maintenance cost over the lifecycle of the assets (\$608/year). This is based on 12,850' of new water line.
 - b. Estimate annualized replacement cost of the asset (\$19,636/year). This is based on a 100 year replacement cycle.
 - c. Estimate annualized revenue over the lifecycle of the assets (\$146,928/year).

- 2) Can the estimated cost of service be carried out under your current or anticipated future budget? If not, what would it take to do so?**

Yes, current budget will allow for maintenance of the proposed infrastructure.

- 3) Describe any other issues that would affect your ability to provide adequate service to the annexation area, or impact service levels to existing residents/businesses of the city.**

No known issues at this time.

Ability to Provide Adequate Public Services
Topeka Metro Bus Service

- 1) Do you currently provide service to this subdivision/immediate area?**

We do not currently provide service here. We provide service up to 37th and California.

- 2) If not, can you provide service?**

We are unlikely to extend service so far. There is the potential we may be creating a Micro-transit zone (flexible service) to 37th and Croco, but it still likely won't reach 39th and Croco.

- 3) What is the estimated cost of providing service to this subdivision?**

Extension of service would most likely cost \$300,000 to \$500,000.

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF SHAWNEE COUNTY, KANSAS**

**IN THE MATTER OF ANNEXATION OF A CERTAIN PARCELS OF LAND
BY THE CITY OF TOPEKA, KANSAS
PURSUANT TO K.S.A. 12-520c**

**ORDER OF THE BOARD OF COUNTY COMMISSIONERS
OF SHAWNEE COUNTY, KANSAS
APPROVING THE ANNEXATION REQUEST**

The City of Topeka has submitted a request to the Board of County Commissioners seeking the annexation of property noncontiguous to the City boundary known as the east side of SE Croco Road, approximately 1,300' south of SE 37th Street. The Board of County Commissioners having heard the evidence presented by the City of Topeka and other evidence presented, makes the following findings of fact and conclusions of law:

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. On September 6, 2022 the City of Topeka approved Resolution No. 9357 requesting the Board to make a finding as required under K.S.A. 12-520c(a)(3) that the annexation of the Property will not hinder or prevent the proper growth and development of the area or that of any other incorporated city.
2. The City of Topeka's annexation request was presented to the Board of County Commissioners of Shawnee County, Kansas by letter dated September 8, 2022.
3. The Property is a proposed subdivision that will consist of 188 single-family homes and 78 duplex units on approximately 79 acres located approximately 1,300 feet south

of SE 37th Street and SE Croco Road. The Property is legally described in City of Topeka Resolution No. 9357

4. The Property is noncontiguous to the City of Topeka's boundary. It lies within the City of Topeka's Urban Growth Area.

5. The owners of the Property signed a consent to annexation by the City of Topeka on June 2, 2022.

6. The Board of County Commissioners held a public hearing on the City's request on October 6, 2022.

7. The standard that the Board must utilize is found in subsection (a)(3) of K.S.A. 12-520c. This subsection provides that a city may annex such land if:

The board of county commissioners of the county find and determine that the annexation of such land will not hinder or prevent the proper growth and development of the area or that of any other incorporated city located within such county. K.S.A. 12-520c(a)(3).

8. Based upon all of the evidence submitted and duly considered, the Board of County Commissioners finds and determines that the requirements of K.S.A. 12-520c have been satisfied. This written Order shall serve to memorialize the unanimous vote of the Board on October 6, 2022.

IT IS THEREFORE ORDERED AND DECLARED by the Board of County Commissioners of Shawnee County that the petition by the City of Topeka for annexation of property noncontiguous to the City boundary known as the east side of SE Croco Road, approximately 1,300' south of SE 37th Street, is approved.

IT IS FURTHER ORDERED that the Shawnee County Clerk enter this Order upon the records of this Board of County Commissioners and transmit a copy of the same to the Governing Body of the City of Topeka.

BOARD OF COUNTY COMMISSIONERS
SHAWNEE COUNTY, KANSAS




Aaron D. Mays, Chair


William D. Riphahn, Vice-Chair


Kevin J. Cook, Member

ATTEST:


Cynthia A. Beck, Shawnee County Clerk

APPROVED AS TO FORM AND LEGALITY
BY THE SHAWNEE COUNTY COUNSELOR'S OFFICE
DATE 10-6-22 BY 

RESOLUTION NO. 9357

A RESOLUTION introduced by Interim City Manager William E. Cochran requesting the Board of Commissioners, Shawnee County, Kansas, to make the finding required by KSA 12-520c to annex land not adjoining the City located on the east side of SE Croco Road, south of SE 37th Street

WHEREAS, the City of Topeka has received a written consent for annexation (Exhibit A) for land identified on the map (Map 1) located within Shawnee County which has a legal description as follows:

The South Half of the Northwest Quarter of Section 23, Township 12 South, Range 16 East of the 6th P.M., Shawnee County, Kansas, more particularly described as follows: Beginning at the Southwest corner of said Northwest Quarter; thence North 01° 31' 24" West a distance of 1319.87 feet to the Northwest corner of the South Half of said Northwest Quarter; thence North 88° 49' 34" East a distance of 2658.83 feet to the Northeast corner of said South Half; thence South 01° 37' 51" East a distance of 1324.46 feet to the Southeast corner of said Northwest Quarter; thence South 88° 55' 28" West a distance of 2661.35 feet to the point of beginning.

WHEREAS, the Governing Body desires to annex this land into the corporate limits of the City of Topeka; and

WHEREAS, as the land does not adjoin the City, the land constitutes an "island" annexation requiring review by the Board of Commissioners of Shawnee County pursuant to K.S.A. 12-520c.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY of the City of Topeka, Kansas, that it requests the Board of Commissioners of Shawnee County to make a finding as required under K.S.A. 12-520c(a)(3) that the annexation of the above-described land will not hinder or prevent the proper growth and development of the area or that of any other incorporated city within Shawnee County; and

FURTHERMORE, that the City Clerk is directed to file a certified copy of this Resolution with the Board of Commissioners, Shawnee County, Kansas.

32 PASSED and APPROVED by the Governing Body September 6, 2022.

33 CITY OF TOPEKA, KANSAS

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38 Michael A. Padilla, Mayor

39 ATTEST:

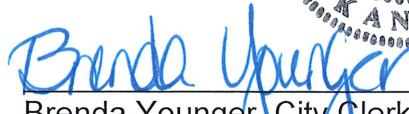
40
41 
42 Brenda Younger, City Clerk



EXHIBIT A

Consent to Annexation

Now on this 2nd day of June, 2022, Cacti Land LLC as owner(s) of record of the following described real estate, by and through its duly authorized officers, does hereby evidence its complete and irrevocable consent to annexation by the City of Topeka, in accordance with the laws of the State of Kansas of the following described property to wit:

The South Half of the Northwest Quarter of Section 23, Township 12 South, Range 16 East of the 6th P.M., Shawnee County, Kansas, more particularly described as follows: Beginning at the Southwest corner of said Northwest Quarter; thence North 01° 31' 24" West a distance of 1319.87 feet to the Northwest corner of the South Half of said Northwest Quarter; thence North 88° 49' 34" East a distance of 2658.83 feet to the Northeast corner of said South Half; thence South 01° 37' 51" East a distance of 1324.46 feet to the Southeast corner of said Northwest Quarter; thence South 88° 55' 28" West a distance of 2661.35 feet to the point of beginning.

This consent shall run with the land described above and shall be binding upon the heirs, successors and assigns of the undersigned and shall be filed of record with the Shawnee County Register of Deeds Office upon execution.

Owner's signature(s) _____

Roger Johnson, member of Cacti Land LLC
TYPED OR PRINTED NAME

TYPED OR PRINTED NAME

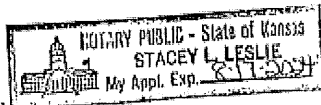
STATE OF KANSAS)

) ss:

COUNTY OF SHAWNEE)

Be it remembered that on this 2nd day of June, 2022, before me a Notary Public in and for said County and State, came Roger Johnson, member of Cacti Land LLC to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of the same.

In testimony whereof I have hereunto set my hand and affixed my notary seal the day and year above written.

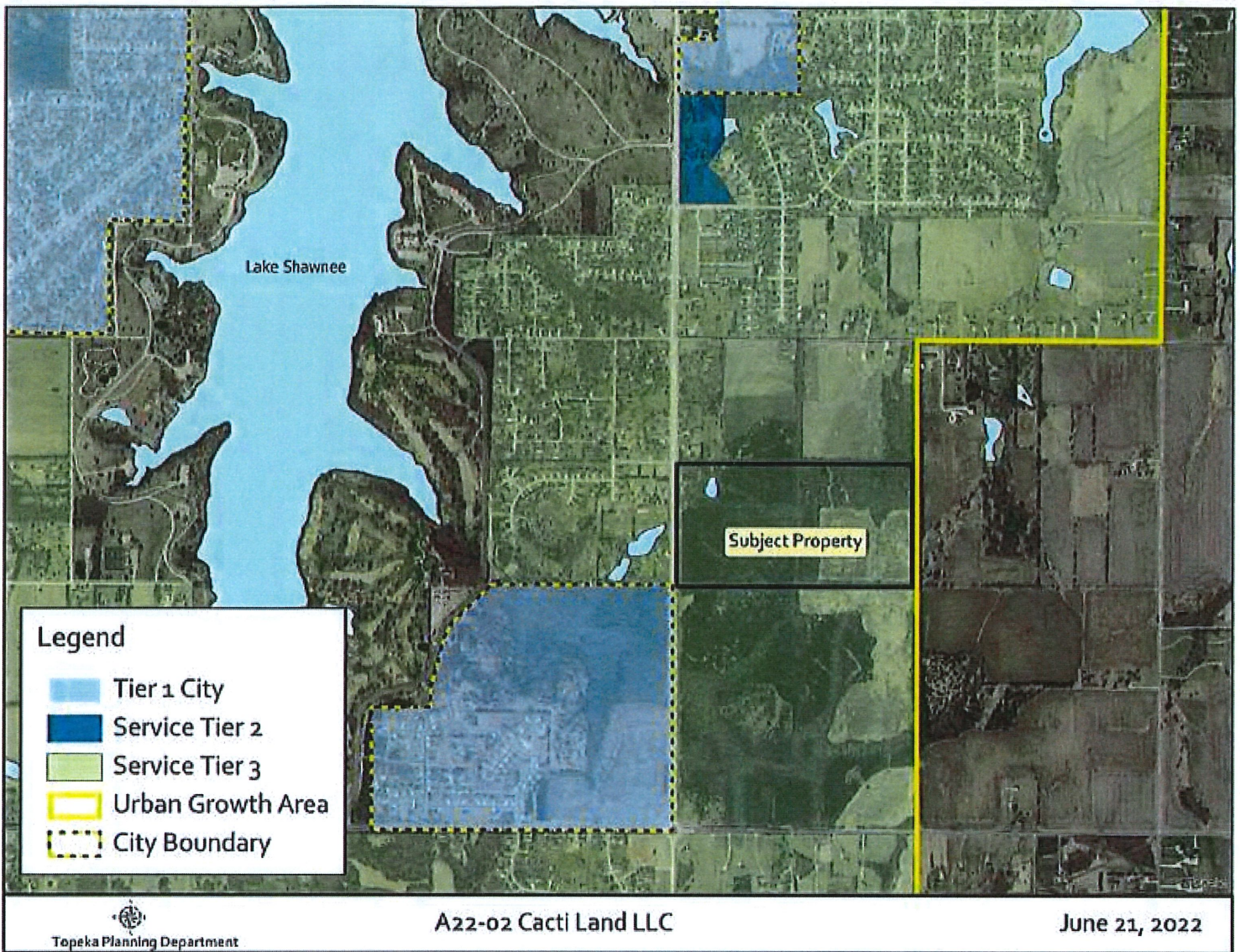


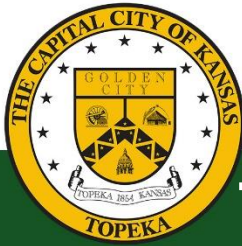
(Stamp Seal Affixed Here)

Stacey L. Leslie
Notary Public Stacey L. Leslie

DOCUMENT UPDATED 2/2020

MAP 1





CITY OF
TOPEKA

MINUTES

TOPEKA PLANNING COMMISSION

Monday, July 18, 2022

CASE MINUTES

Members present: Marc Fried (Chair), Corey Dehn, Del-Metrius Herron, Jim Kaup, Ariane Messina, Donna Rae Pearson, (6)

Members Absent: Wiley Kannarr, Jim Tobaben, Matt Werner (3)

Staff Present: Bill Fiander, Planning & Development Director; Dan Warner, Planning Director; Bryson Risley, Planner; Kris Wagers, Administrative Officer; Mary Feighny, Legal

A22/02 Cacti Land, LLC requesting annexation of an approximately 79-acre property located on the east side of SE Croco Road approximately 1300' south of SE 37th Street.

Mr. Warner reviewed the staff memo provided in the agenda packet. He explained that the Planning Commission is not being asked to approve the annexation but rather to review the information for consistency with the Land Use and Growth Management Plan (LUGMP).

Mr. Fried noted that nobody from Cacti Land LLC was in the audience to speak and, with nobody else coming forward to speak he called for discussion and/or a motion.

Motion by Mr. Kaup that the Planning Commission find annexing the subject property is consistent with the Comprehensive Plan; **Second** by Mr. Dehn. **APPROVED** (6-0-0)

Consent to Annexation

Now on this 2nd day of June, 2022, Cacti Land LLC as owner(s) of record of the following described real estate, by and through its duly authorized officers, does hereby evidence its complete and irrevocable consent to annexation by the City of Topeka, in accordance with the laws of the State of Kansas of the following described property to wit:

The South Half of the Northwest Quarter of Section 23, Township 12 South, Range 16 East of the 6th P.M., Shawnee County, Kansas, more particularly described as follows: Beginning at the Southwest corner of said Northwest Quarter; thence North 01° 31' 24" West a distance of 1319.87 feet to the Northwest corner of the South Half of said Northwest Quarter; thence North 88° 49' 34" East a distance of 2658.83 feet to the Northeast corner of said South Half; thence South 01° 37' 51" East a distance of 1324.46 feet to the Southeast corner of said Northwest Quarter; thence South 88° 55' 28" West a distance of 2661.35 feet to the point of beginning.

This consent shall run with the land described above and shall be binding upon the heirs, successors and assigns of the undersigned and shall be filed of record with the Shawnee County Register of Deeds Office upon execution.

Owner's signature(s) _____

Roger Johnson member of Cacti Land LLC

TYPED OR PRINTED NAME

TYPED OR PRINTED NAME

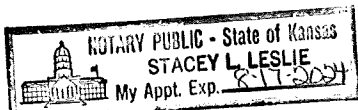
STATE OF KANSAS)

) ss:

COUNTY OF SHAWNEE)

Be it remembered that on this 2nd day of June, 2022, before me a Notary Public in and for said County and State, came Roger Johnson, member of Cacti Land LLC to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of the same.

In testimony whereof I have hereunto set my hand and affixed my notary seal the day and year above written.



(Stamp Seal Affixed Here)

Stacey L. Leslie
Notary Public Stacey L. Leslie



2887 SW MacVicar Avenue, Topeka, Kansas 66611
Telephone (785) 267-3410 Facsimile (785) 267-9516
www.stumbolaw.com

December 2, 2022

Mary Feighny, Deputy City Attorney
City of Topeka
215 SE 7th St., Room 353
Topeka, KS 66603
mfeighny@topeka.org

Brenda Younger, City Clerk
City of Topeka
215 SE 7th St., Room 166
Topeka, KS 66603
cclerk@topeka.org

Topeka City Commission
215 SE 7th St., Room 255
Topeka, KS 66603
council@topeka.org

**RE: Notice of Annexation (Cacti Land, LLC);
Rural Water District No. 8, Shawnee County**

Dear Ms. Feighny and Representatives of the City of Topeka:

This letter is in response to the City's letter of October 10, 2022 sent to the District. This Firm represents Rural Water District No. 8, Shawnee County, Kansas and has been asked by its Board of Directors to respond to the City.

The District has no authority to address, in any manner, the propriety of the proposed annexation of the lands at issue. As I think all are aware, this property is within the territory of the District, and governed by State law procedures when an annexation occurs, but these statutes do not allow the District to stop or dispute the annexation. However, the District has the responsibility to advise the City of its position regarding service within its territory.

The primary issue for the District is that the intended method of service by the City is through use of District transmission lines and other facilities to supply water to the area. As I understand it, the only change in the current status of the parties would be that a meter would be installed at a location where the subdivision improvements would connect up with No. 8's current system. At the same time, the City would merely credit an amount to the District on its wholesale purchase at a different location. I believe the only method for any water to reach the Cacti Land property will require it to be passed through the Rural Water District No. 8 supply system. As you are aware, like the City, the District is a permitted entity by the State under Kansas Law as a Public Water Supply System (K.S.A. § 65-162, *et seq.*). As a Public Water Supply System, the District is fully responsible for

regulatory compliance in its system and does not subordinate any of its responsibilities to the City. The City has no statutory or other authority allowing it to use the District's system without its consent in this manner. Absent other agreements between the City and the District, be aware that proposed use is engaged without the consent of the District.

This is wholly separate from the question of whether the statutory procedure under K.S.A. § 12-541 is performed. From this communication and others, it is presumed that the City is willing to engage that process to determine an amount of compensation to the District for this territory. Please note that the District considers that any such calculation would include a "going concern" value which would be calculated based upon the number of homes to be built in the area annexed. I believe it was noted at some point in the process, but without the District's input, that the amount of \$50,000.00 would be the proposed compensation. Our initial assessment believes that this is well below the amount owed for this area under the statute, especially with a "going concern" element of value being part of that calculation.

While the ultimate process of K.S.A. § 12-541 may continue, the District would suggest that this situation presents another opportunity. Since it is apparent that the property could be served by current facilities of the District, along with supply from the City, the City could designate the District as the provider for this area under K.S.A. § 12-540. The proposed use of the District's system seems to concede the fact that the District is capable of serving the area. The City would still benefit from the provision of the sale of additional water to the District for service of this area. The District would benefit from the stronger customer base and would be encouraged to build out in this area based upon future expansion possibilities, enabling robust growth in an important area adjoining the City.

Please advise if the City is willing to further discuss this matter, or if it wishes to proceed with the procedures under K.S.A. § 12-541. I would request that this communication be entered of record as a response to the request of October 10, 2022 at the meeting on December 6, 2022 inasmuch as it may be relevant to supplying information to the public under K.S.A. § 12-520(b) and the extension of water service to the area.

Thank you for your time and consideration in this matter.

Cordially,



TODD A. LUCKMAN

TAL/rsi

cc: RWD No. 8, Shawnee County, KS



City of Topeka
Council Action Form
Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
December 6, 2022

DATE: December 6, 2022
CONTACT PERSON: Councilmember Karen Hiller, Committee Chair DOCUMENT #:
SECOND PARTY/SUBJECT: 2024 Social Service Grants Committee PROJECT #:
Process and Funding Recommendations
CATEGORY/SUBCATEGORY 006 Communication / 003 Requests
CIP PROJECT: No
ACTION OF COUNCIL: JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

DISCUSSION and possible ACTION of the 2024 Social Service Grants Committee Process and Funding in the amount of \$434,904. *(The Committee recommended approval by a vote of 2-0-0 on October 21, 2022)*

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

(Approval of the SSG Grant Process Cycle would include the Calendar, Priorities, Scoring Sheet and Funding Amount for 2024.)

VOTING REQUIREMENTS:

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

POLICY ISSUE:

Whether to adopt the recommendations of the Social Service Grants (SSG) Committee for the year 2024.

STAFF RECOMMENDATION:

Staff recommends the Governing Body vote to approve the 2024 Social Service Grants Process and Funding Amount of \$434,909.

BACKGROUND:

The Social Service Grants Committee met October 21, 2022 to discuss and finalize the 2024 SSG Cycle to include the following:

- 2024 Process Calendar - sets deadlines and dates that will occur in 2023 that affect the 2024 grant process
- 2024 Priorities Sheet
- 2024 Scoring Sheet

In short, these documents and recommendations reflect those of 2022, with the exception of date changes. All items were reviewed and opened for discussion. There were no recommendations for changes from our managing partner United Way, from City staff, from the Committee membership, from the grantees or from others. Recommended funding amounts remain the same as well.

BUDGETARY IMPACT:

Total Allocation: \$434,904

SOURCE OF FUNDING:

General Fund: \$367,047

CDBG: \$67,857

ATTACHMENTS:

Description

Social Service Grants Committee Report (Oct 21, 2022)

2024 Priorities Sheet

2024 Calendar

2024 Scoring Sheet

October 21, 2022 SSG Committee Minutes

COMMITTEE REFERRAL SHEET

COMMITTEE REPORT

Name of Committee: Social Service Grants

Title: 2024 Social Service Grants Cycle Recommendations

Date referred from Council meeting: na

Date referred from Committee: October 21, 2022

Committee Action: MOTION: To make a recommendation for approval to the Governing Body of the 2024 SSG Process and budget recommendation, pending concurrence by the third Committee member. Committee member Naeger made the motion to approve. Chairwoman Hiller seconded. Approved 2-0-0. Committee member Kell was absent.

Comments: Committee member Kell reviewed materials from the meeting, post-meeting, and added his concurrence via email to the Council's Executive Assistant on 11/17/2022.

Members of Committee: Karen Hiller (Chair), Brett Kell, Hannah Naeger

Agenda Date Requested: December 6, 2022

City of Topeka - Social Services Funding Priorities - Year 2024

Mission Statement: Outcome based, quality, cost effective social services to handle our vulnerable citizens with care, minimize victimization and crime, minimize turnover in neighborhoods, and optimize success.

- Senior citizen neighborhood-based programming to include – meals, activities, transportation
- Medical assistance for low-income individuals
- Programs for at-risk youth
- Emergency housing and utility assistance
- Neighborhood and independent living based services for persons with severe and persistent mental illness
- Support services for residents whom are non-English-speaking

Social Services Grant Detail

Minimum Grant Amount \$ 10,000 Maximum Grant Amount \$ \$25,000

- * Two agencies with maximum grant amounts Shawnee Medical Society maximum amount at \$50,000 and Positive Connections maximum amount at \$35,000

New untested programs Yes _____ No x Set-aside Amount No

Agency program must be in operation for 2 years prior to date of application.

Recommended Social Services Funding for Year 2024

Social Services Grant Total:	\$ <u>434,904</u>
• General Fund	\$ <u>367,047</u>
• CDBG	\$ <u>67,857</u>

The City will accept applications for new programs with the knowledge if funding is exhausted on established programs, new programs will not be funded. Applications will be scored and the percentage of their score multiplied by the amount requested will be the total funding allocation. For example: Request for \$25,000 and they got a 95% the agency would receive \$23,750. Once the threshold is met the funding will be cut off based on ranking.

* The City of Topeka is committed to following all guidelines as set forth in this Request for Proposal. If issues arise, the Social Service Grants committee reserves the right to choose not to recommend any agency or program(s), any new program(s) or may fund programs with provisos.

2024 - Grant Process Timeline

Social Services Grants

(These dates are tentative and are subject to change)

Communication	Social Service Grant (SSG) Committee reviews outcomes develops testimony, develops priorities and a budget recommendation for next funding cycle – October 21, 2022
	City Council adopts Priorities, Process and Budget Recommendation for next Funding cycle prior to December 31 st , 2022
	Training for SSG Committee on grant process immediately following appointments in March 2023
	2024 Request for Proposal released by April 17, 2023
	Application Workshop held by the vendor on April 24, 2023
Intake of Applications	Applications are due May 26, 2023 by 5:00 p.m. to the vendor office through e-CImpact
	Proposals that do not meet minimum standards for submission will not be eligible for funding. Applicants will be notified by June 7, 2023
Review	Three to five reviewers are secured by the vendor by May 12th, 2023
	By June 23, 2023, application scoring, as well as year-end performance report for prior year grants, will be provided to the SSG Committee members by the vendor.
	Week of June 26th, 2023, SSG Committee will meet for approval of review committee scoring and recommendations
	Week of July 10th, 2023, appeal process closes
Recommendation	By August 1st, 2023, recommendation ready for City Council (per Finance.) Allocation recommendation contingent upon budget approval. If approved budget contains less than recommended grant awards, awards will be reduced proportionately.
Approval	September 2023, City Council adopts City Budget.
	After City budget adoption, the SSG Committee adjusts recommendations, if needed, based on adopted budget.
Post Approval Learning Session	Study Session September/October on (targeted issue, optional).

Scoring Sheet

You may save your work at any time by clicking on the "Save My Work" link/icon at the bottom or top of the page.

When you have completed all questions on the form, select the "Save My Work and Mark as Completed" link/icon at the bottom or top of this page.

Hover over green question mark icons to view detailed scoring guidelines.

Need

Program Narratives Question #1

Describe the community need that this proposal addresses and how it is relative to what you are trying to accomplish

15 Total Points

Hover over green question mark icons to view detailed scoring guidelines.

☐ Project has demonstrated need

☐ 15

Comments

Preview Mode

15 - Need is clearly stated and ties directly to the outputs/outcomes of the program

10 - Need is clearly stated and program somewhat ties to the outputs/outcomes

5 - Need is not clear and/or does not ties to the outputs/outcomes

0 - Need was not defined, and does not ties to the outputs/outcomes

Limit up to 1000 characters.

Issues and Outcomes

50 Total Points

Hover over green question mark icons to view detailed scoring guidelines.

Services & Outcomes Section Logic Form Outputs

☐ Outputs are clear and related to identified needs

☐ 10

Comments

Preview Mode

10 - Outputs are described in detail and are achievable

8 - Outputs are general or vague

5 - Outputs are not described in detail

0 - Outputs are unclear

Limit up to 1000 characters.

Services & Outcomes Section Logic Form Outcomes

☐ Outcomes are clear and related to identified needs

☐ 10

Comments

Preview Mode

10 - Outcomes are described in detail and are achievable

8 - Outcomes are general or vague

5 - Outcomes are not described in detail

0 - Outcomes are unclear

Limit up to 1000 characters.

☐ Plan has been identified to measure outputs and outcome

☐ 5

Comments

Service & Outcome Section Logic form Data Source Question

Preview Mode

5 - Measurements are clear and appropriate

3 - Only some measurements are clear and appropriate

0 - No meaningful measurement has been established

Limit up to 1000 characters.

☐ Unduplicated services OR any duplication with other services is explained and adequately defended

☐ 5

Program Narrative Question #2

Please discuss whether this service is duplicated by another agency, and if so, address why this duplication is justified based on community need.

Comments

Preview Mode

5 - Services are not duplicated or duplication is justified

3 - Duplication is explained but not satisfactorily justified

0 - Duplication is not explained

Limit up to 1000 characters.

☐ Applicant has achieved outputs and outcomes on prior grants - per meaningful measures

☐ 20

Column #1 Logic Model

Comments

Preview Mode

20 - 90% of outcomes and goals are met

15 - 75% of outcomes and goals are met

10 - 50% of outcomes and goals are met

5 - 25% of outcomes and goals are met

0 - No goals achieved

Limit up to 1000 characters.

Total

Capacity

30 Total Points

Hover over green question mark icons to view detailed scoring guidelines.

☐ Organization has the resources to produce outcomes efficiently and effectively.

☐ 10

Comments

Budget, program narratives, program overview and history and capacity

Preview Mode

10 - There is a agency history of effective program management, cost effective and quality service delivery and evaluation/ planning

5 - Limited evidence of agency effective program management, cost effective, and quality service delivery and/or evaluation/planning

0 - Program management, service delivery and/or evaluation/planning are weak or not apparent

Limit up to 1000 characters.

☐ Agency has formal process and is using client input

☐ 5

History and Capacity Question #3

Comments

Preview Mode

- 5 - Client input is formalized and input used
- 3 - Client input is not formalized, described in general terms
- 0 - Client input is not addressed in the proposal

Limit up to 1000 characters.

☐ Organization Leadership is strong and maintains community-based representation.

☐ 5

Board Composition form

Comments

Preview Mode

- 5 - At least 20% is made of racial or ethnic minorities, is less than 70% of one gender, meets regularly with over 80% attendance and has a healthy mix of needed skills and resources
- 3 - Three of four criteria have been met
- 0 - Less than three criteria have been met

Limit up to 1000 characters.

☐ Past grant administration is effective

Reviewers CANNOT answer this question. This score will be prepopulated for the volunteers.

☐ 10

Comments

Preview Mode

- 10 - Reporting and invoicing is on time and paperwork is accurate
- 5 - Reporting on time but paperwork is not accurate
- 0 - Grant administration is not effective

Limit up to 1000 characters.

Total

Collaboration & Partnership

5 Total Points

Hover over green question mark icons to view detailed scoring guidelines.

☐ Partnerships

☐ 5

Collaborations and Partnership section

Comments

Preview Mode

- 5 - Meaningful collaboration with 6 or more entities
- 3 - Meaningful collaboration with less than 6 entities
- 0 - No Partnerships

Limit up to 1000 characters.

Grand Total

Total out of 100

Total Score

* The ECD committee may choose not to recommend any agency or program(s), any new program(s) or may fund programs with provisos.



CITY OF TOPEKA

CITY COUNCIL COMMITTEE MEETING MINUTES

SOCIAL SERVICE GRANTS COMMITTEE

CITY COUNCIL
City Hall, 215 SE 7th Street, Suite 255
Topeka, KS 66603-3914
Tel: 785-368-3710
Fax: 785-368-3958
www.topeka.org

Date: October 21, 2022

Time: 10:00 a.m.

Location: ECR; 3rd Floor City Hall 215 SE 7th Street (*virtual attendance option also offered*)

Committee members present: Councilmembers Karen Hiller (Chair), Hannah Naeger. Committee member Brett Kell was absent.

City staff present: Kalea Pauole (City Grants Administrator), City Manager Stephen Wade, Chief of Staff Bill Cochran, Housing Services Division Director Corrie Wright, Carrie Higgins; United Way vendor staff: Brett Martin, Jessica Lehnherr, Joyce Katzer, Juliet McDiffet

1) Call to Order

Chairwoman Hiller called the meeting to order at 10:00am. Committee members, City Staff, and United Way staff introduced themselves.

2) Approval of September 15, 2022 Minutes

Committee member Naeger made a motion to approve meeting minutes. Chairwoman Hiller seconded the motion. Motion approved 2-0-0. Committee member Brett Kell was absent at the time of this vote.

3) 2024 Process Planning

Chairwoman Hiller stated that the purpose of the meeting was to plan the 2024 SSG Process cycle. This may be able to be completed in one meeting or may require additional meetings. Items to be discussed at the current meeting will be to review the 2023 process, and to suggest any changes for the 2024 process scoring sheet, priorities and process timeline, and to set next steps.

Chairwoman Hiller set out some assumptions that would be open for input, and then the Committee would work through the specifics from there. One of her assumptions is that the Committee would continue the general process as it has been, with the requirement that an agency have a three-year history, or at least be in its third year, for a program to be considered; and that there would be consideration to look at the demonstrated outcomes and performance to make decisions. Committee member Naeger sought comments from United Way as to

their thoughts on the assumption. She felt that, from a Council perspective, this went smoothly and everything was very clear, and overall a successful process. Brett Martin, United Way, agreed that the three-year history requirement was a good addition that was made, and felt that with the types of dollars that are being used, this requirement works well for the process.

Mr. Martin stated that, in terms of process, United Way went through and did a process review with their team and felt significant progress had been made over their tenure as a third-party vendor. There had been a few tweaks made, which have received positive feedback from agency partners and City staff. At this time, United Way was not proposing any changes for the 2024 process. He noted that the Community Health Improvement Plan (CHIP) and Community Health Needs Assessment (CHNA) had been reviewed at the last meeting, and noted that those areas are outlined in the SSG priorities, in addition to the two agencies with the higher maximum threshold grant amounts, and are very much in line with the CHIP and CHNA. With that in mind, United Way was not seeking any changes to the priorities or requirements and did not have any suggestions for the Committee.

Chairwoman Hiller sought input from City staff and the agencies in attendance as well, no additional suggestions or comments were recommended.

Chairwoman Hiller inquired with Mr. Martin as to if a Gap Analysis had been completed, in terms of identifying something that is missing or is not being covered within the community? Mr. Martin responded that there were some system-level changes that needed to be looked at which identified barriers related to language barriers. However, those changes extend above the local-level and program-level capabilities. There are potentially some program and agency training pieces that the local-level could look at for investing in, but otherwise the dollars that are available here fall in line with what the community said in the round table sessions and the feedback provided from the stakeholder meetings.

Chairwoman Hiller noted that there was some language in the Priorities that inquired about the use or availability of alternate language supports.

Chairwoman Hiller stated that one thing that was new for 2023 was to score based on budget. She asked if there was any particular feedback from anyone on that. Mr. Martin noted that, if there was any extensive discussion in the grant review

process it was related to the budget. He stated that when the language on the application was changed, it allowed for more discussion and he felt that was a positive thing, not something to see as negative. The reviewers, in particular, had done this process in the past so they were getting used to that language, so they needed to parse some of that out and needed to define some of the terms; but Mr. Martin felt that it only improved the grant review process.

2024 Priorities

Chairwoman Hiller read through the Priorities sheet. The Mission Statement says “Outcome based, quality, cost-effective social services to handle vulnerable citizens with care, minimize victimization and crime, minimize turnover in neighborhoods, and optimize success”. The particular target sectors are:

- Senior Citizen neighborhood-based programming
- Medical assistance for LMI
- Programs for at-risk youth
- Emergency housing and utility assistance
- Neighborhood and Independent living based services for persons with severe and persistent mental illness
- Support services for residents who are non-English speaking

There is a minimum grant amount of \$10,000 and a maximum grant amount of \$25,000; with two agencies that have a higher maximum threshold. Chairwoman Hiller noted that there had been some past conversation about possibly moving those two agencies back into the general pool and sought further conversation. She noted that any answer was fine, but asked whether the Committee would recommend adding dollars to this program in the future. Committee member Naeger stated she would be in favor of having that conversation in the future to see how that infrastructure could be built. She inquired if that would be a Committee-level discussion with a recommended proposal then being sent to the Governing Body, or if it would be discussed at the Governing Body level first and deferred to the Committee to work on? Chairwoman Hiller responded that the Committee would propose it when they sent it forward to the Governing Body, which would put it on deck for consideration when the 2024 Budget is considered. Committee member Naeger voiced support for that.

Chairwoman Hiller inquired with staff if there was any anticipation that the dollar available for Community Development Block Grant (CDBG) of \$67,857 would change? Carrie Higgins, Housing Services, responded they are expecting those to

remain about the same. Chairwoman Hiller noted that the other amount of \$367,047 from the General Fund was not changed, and asked if this would change or remain the same for the 2024 process year. City Manager Wade responded it would be expected to remain the same.

Chairwoman Hiller continued reading about the SSG process not accept new untested programs. There were no additional comments regarding this section, or the Priorities Sheet.

2024 Scoring Sheet

Chairwoman Hiller sought any questions or comments from others on the proposed scoring sheet. There were no additional comments.

2024 Process Timeline/Calendar

Mr. Martin reviewed the process timeline and noted United Way had reviewed conversations from the past related to the City and City Budget, prior process and recommendations made by the Committee in prior years. They maintained the current timeline structure.

In the “Communication” box, it lays out the Committee will review the outcomes and develop testimony, develop priorities and a budget recommendation for the next funding cycle. The date listed is today. The next step is for the Governing Body to adopt the Priorities, Process, and Budget Recommendation prior to December 31st, 2022. Training for the SSG Committee on the grant process will occur upon appointments in March 2023. The 2024 Request for Proposal will be released by April 17, 2023 and an Application Workshop will be held by United Way on April 24, 2023.

Mr. Martin explained that looking on the timeline, and moving back from August 1st recommendation to the Governing Body, with that date in mind, applications will be due through the E-ClImpact grant management system by 5:00pm on May 26, 2023. United Way will then look over the proposals to ensure they have met the minimum requirements for submission. They will then notify applicants by June 7th. This will give staff time to look over those.

In terms of the review, United Way will secure three to five Reviewers, based on the qualifications that have been provided by the Committee. Those will be secured by May 12, 2023. The applications will be scored by June 23, 2023. A

year-end report for prior year grants will be presented to the Social Service Grants Committee by United Way at that time as well. At that time, United Way will have all year-end performance, except for CDBG which is the same that we had this year. That will change in the future, however right now, United Way will have everyone who receives all City dollars, but CDBG.

The Committee will meet to review the scoring recommendations. Any agency wishing to appeal will have the opportunity to submit their letter to appeal to United Way by July 10th and present their appeals to the Committee shortly after that date and then the appeal process will close. By August 1st, the Committee will have their final recommendation ready. The Governing Body will adopt the City Budget by October 1st. Mr. Martin referenced some language that had been highlighted and sought confirmation from the Committee as to if they felt it was correct. It references that after the City Budget has been adopted in late August, the Committee will affirm or adjust recommendations based on the adopted budget. Chairwoman Hiller confirmed this was okay and suggested “if needed” could be added; because if there is no change, then the recommendations could go through. Chairwoman Hiller inquired with City Manager Wade as to what he anticipated for the budget process. City Manager Wade responded he was confident that the Budget would be adopted earlier than the October 1st date that Mr. Martin had proposed, noting that the Budget is likely to be adopted on September 12, 2023. Mr. Martin noted the language could be changed to reflect that change.

Chairwoman Hiller noted that, for the past two years, the Committee has held a “post-approval prep work” or study session to allow the Committee to complete a focused review on a topic. The topic of this year’s meeting was Gap Analysis, and the year prior was Senior Services. She felt space should be provided in the timeline for another such meeting, even if the topic was not specified. She inquired with Committee member Naeger and the others in attendance if there were any topics they felt would be timely for the Committee to review next year? There were not topics identified, but Chairwoman Hiller requested a space be allowed in the timeline for next year. She noted that having that meeting space available would also allow time within the process for a review or conversation if a specific topic was identified that the Committee or others wanted to spend a longer amount of time working through.

MOTION: To make a recommendation for approval to the Governing Body of the 2024 SSG Process and budget recommendation, pending concurrence by the third Committee member. Committee member Naeger made the motion to approve. Chairwoman Hiller seconded. Approved 2-0-0. Committee member Kell was absent.

****Post meeting edit:** Council member Kell was sent all items of the meeting to include the draft minutes to review. He approved the items on 11/17/2022, with a recommendation to move forward to the Governing Body.**

4) Other Items

There were no additional items.

5) Adjourn

Chairwoman Hiller adjourned the meeting at 10:27am.

Meeting video can be viewed at: <https://youtu.be/i8Z5eZasS1I>



City of Topeka
Council Action Form
Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
December 6, 2022

DATE:	December 6, 2022	
CONTACT PERSON:	Stephen Wade, City Manager	DOCUMENT #:
SECOND PARTY/SUBJECT:	Alcoholic Beverage Control 45th Street Request	PROJECT #:
CATEGORY/SUBCATEGORY	020 Resolutions / 005 Miscellaneous	
CIP PROJECT:	No	
ACTION OF COUNCIL:		JOURNAL #:
		PAGE #:

DOCUMENT DESCRIPTION:

RESOLUTION introduced by City Manager Stephen Wade, requesting the Director of Alcoholic Beverage Control to convene a hearing regarding the drinking establishment license of 45th Street to determine whether to revoke the license and to notify the City of Topeka if a license renewal application is received

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

(Approval would request the Director of Alcoholic Beverage Control ("ABC") to convene a hearing to revoke the drinking establishment license of 45th Street and notify the City Manager if the owner attempts to renew the license).

VOTING REQUIREMENTS:

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

POLICY ISSUE:

Whether to request ABC to convene a hearing to consider revoking 45th Street's drinking establishment license and to notify the City Manager if the owner attempts to renew the license.

STAFF RECOMMENDATION:

Staff recommends the Governing Body move to approve the resolution.

BACKGROUND:

K.S.A. 41-2651 allows a city to request that ABC notify the city if an application for renewal of a drinking establishment license is submitted. ABC may also, upon request of a city, convene a hearing whether to revoke a license if crimes of violence have occurred, inordinate number of police calls have been made, and the premises constitute a threat to public safety.

45th Street, opened in 2019, has been the site of numerous police calls for shootings, assaults, fights and numerous disturbances. The last shooting on November 4 was a homicide.

In light of the danger to the safety and welfare of the public, ABC should be contacted and requested to consider revoking the license or refusing to renew the license which expires on March 31, 2023. The first step is to make this request to ABC.

BUDGETARY IMPACT:

There is no budgetary impact to the City.

SOURCE OF FUNDING:

Not applicable.

ATTACHMENTS:

Description

Resolution

1 RESOLUTION NO. _____
2

3 A RESOLUTION introduced by Stephen Wade, City Manager, requesting the Director
4 of Alcoholic Beverage Control to convene a hearing regarding the
5 drinking establishment license of 45th Street to determine whether to
6 revoke the license and to notify the City of Topeka if a license
7 renewal application is received
8

9 WHEREAS, K.S.A. 41-2651 requires that the Director of Alcoholic Beverage
10 Control ("Director") notify the Governing Body of an application for renewal of licensure as
11 a drinking establishment; and

12 WHEREAS, K.S.A. 41-2651 allows a City governing body to request that the
13 Director hold a hearing on whether a drinking establishment license should be revoked or
14 whether to grant or renew a license application; and

15 WHEREAS, 45th Street - located at 4601 SW Topeka Blvd. - is licensed as a
16 drinking establishment (License No. 9267) which license expires on March 31, 2023; and

17 WHEREAS, crimes of violence, as defined at K.A.R. 14-21-22, have occurred at
18 45th Street, specifically four shootings in 2021 and 2022, the most recent on November 4,
19 2022 which resulted in a homicide; and

20 WHEREAS, between the establishment's opening for business in 2019 and
21 November 4, 2022, law enforcement has been dispatched numerous times for assaults,
22 fights and general disturbances resulting in a drain on public resources; and

23 WHEREAS, 45th Street is a threat to public health, safety and welfare.

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

26 1. The Governing Body requests of the Director that the City Manager be notified
27 of any application to renew the drinking establishment license of 45th Street – License No.

9267 – which license expires on March 31, 2023 and that no renewal be granted until a hearing is held pursuant to K.S.A. 41-2651.

2. The Governing Body requests that the Director hold a hearing to revoke the license based upon evidence that crimes of violence have occurred, the licensed premises constitute an unreasonable drain on public resources to protect the safety of patrons, and the licensed premises are a threat to the public's health, safety and welfare.

ADOPTED and APPROVED by the Governing Body _____.

CITY OF TOPEKA, KANSAS

Michael A. Padilla, Mayor

ATTEST:

Brenda Younger, City Clerk



City of Topeka
Council Action Form
Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
December 6, 2022

DATE: December 6, 2022
CONTACT PERSON: Michael Padilla, Mayor DOCUMENT #:
SECOND PARTY/SUBJECT: Council District No. 9 PROJECT #:
Vacancy
CATEGORY/SUBCATEGORY 006 Communication / 005 Other
CIP PROJECT: No
ACTION OF COUNCIL: JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

SELECTION of Council Member to fill the unexpired term of Council District No. 9.

Election Requirement: A minimum of five (5) votes must be secured for one or more candidates. The successful candidate will be the candidate who has secured the most votes.

(Interviews with applicants will be conducted in the order the applications were received. The appointee shall serve the remainder of the district seat term through the end of 2025. Following the election in November 2025, voters will elect a permanent representative to serve a four-year term beginning in January 2026.)

Oath of Office will be conducted at the next regular Governing Body meeting following the selection of a representative for Council District 9.

VOTING REQUIREMENTS:

A minimum of five (5) votes must be secured for one or more candidates. The successful candidate will be the candidate who has secured the most votes.

POLICY ISSUE:

After all interviews have been conducted, each Governing Body member will vote for one candidate by writing the name of his or her preferred candidate on a ballot provided by the City Clerk and signing the ballot. The City Clerk will then read the results. This balloting process will continue until such time as a minimum of five (5) votes is secured for one or more candidates. The successful candidate will be the candidate who has secured the most votes.

The Governing Body may confer after any ballot in any manner consistent with the Kansas Open Meetings Act. If

no candidate receives five (5) or more votes, the matter may be deferred to the next regular Governing Body meeting (December 13, 2022).

STAFF RECOMMENDATION:

Staff is making no recommendation.

BACKGROUND:

Councilmember Michael Lesser resigned from the position as City Councilmember District No. 9 effective November 1, 2022. Topeka Municipal Code Section 2.15.080(e) requires that candidate interviews occur at the Governing Body meeting following the application deadline, November 21, 2022, or at a date established by the Governing Body.

Interview Process:

- Each candidate will provide an opening statement, not to exceed four (4) minutes. There will be no extension of time.
- Each candidate will then be asked the interview questions and provided up to two (2) minutes to answer each question.
- After all interviews have been conducted, each Governing Body member will vote for one candidate by writing the name of his or her preferred candidate on a ballot provided by the City Clerk and signing the ballot. The City Clerk will then read the results.
- This balloting process will continue until such time as a minimum of five (5) votes is secured for one or more candidates. The successful candidate will be the candidate who has secured the most votes.
- The Governing Body may confer after any ballot in any manner consistent with the Kansas Open Meetings Act.
- If no candidate receives five (5) or more votes, the matter may be deferred to the next regular Governing Body meeting (December 13, 2022)

Oath of Office:

The Oath of Office will be conducted at the next regular Governing Body meeting following the selection of a representative for Council District 9.

- Administrative Court Judge, Karan Thadani, will administer the Oath of Office.
- The new Councilmember will take his or her seat and the Governing Body Meeting will proceed with the next agenda item.
- A hard copy of the complete Governing Body Agenda Packet will be provided to the successful candidate.

BUDGETARY IMPACT:

There is no budgetary impact to the City.

SOURCE OF FUNDING:

Not Applicable

ATTACHMENTS:

Description

Cover Letter and Interview Questions (November 28, 2022)

Michaela R. Saunders Application and Resume

Joe Cheray Application

Nicholas Trammell Application and Attachments A-B

Michelle Hoferer Application and Resume

Janel L. Johnson Application and Resume

District 9 Vacancy - Legal Notice



CITY OF TOPEKA

City Clerk
City Hall, 215 SE 7th St, Room 166
785-368-3941

Brenda Younger, M.M.C.
www.topeka.org
Email: cclerk@topeka.org

November 28, 2022

City Council Candidates,

Attached is the list of interview questions that will be asked of each applicant. Interviews will take place during the December 6, 2022, Governing Body Meeting, which will begin promptly at 6:00 p.m. The December 6th Governing Body Agenda Packet is available online at:

<http://topekapublic.novusagenda.com>.

Elizabeth Toyne, Assistant to the Council, will greet each candidate in the Council Chambers located at 214 SE 8th Street, 2nd Floor.

Interview Process:

Interviews will be the last action item on the December 6th Agenda. Each applicant will be given an opportunity to provide an opening statement not to exceed four (4) minutes and up to two (2) minutes to answer each question. The interview process will proceed as follows:

- Mayor Padilla will provide opening remarks, followed by a brief explanation of the interview process by City Attorney Amanda Stanley.
- Each candidate will then be called to the podium for his or her interview, which will be conducted in the order applications were received in the City Clerk's Office as follows:
 1. Michaela R. Saunders
 2. Joe Cheray
 3. Nicholas Trammell
 4. Michelle Hoferer
 5. Janel L. Johnson
- Each candidate will provide an opening statement, not to exceed four (4) minutes. There will be no extension of time.
- Each candidate will then be asked the interview questions (attached to this letter) and provided up to two (2) minutes to answer each question.
- After all interviews have been conducted, each Governing Body member will vote for one candidate by writing the name of his or her preferred candidate on a ballot provided by the City Clerk and signing the ballot. The City Clerk will then read the results.

- This balloting process will continue until such time as a minimum of five (5) votes is secured for one or more candidates. The successful candidate will be the candidate who has secured the most votes.
- The Governing Body may confer after any ballot in any manner consistent with the Kansas Open Meetings Act.
- If no candidate receives five (5) or more votes, the matter may be deferred to the next regular Governing Body meeting (December 13, 2022).

Oath of Office:

The Oath of Office will be conducted at the next regular Governing Body meeting following the selection of a representative for Council District 9. (*If a representative is selected on December 6th the Oath of Office will be conducted on December 13th*)

- Administrative Court Judge, Karan Thadani, will administer the Oath of Office.
- The new Councilmember will take his or her seat and the Governing Body Meeting will proceed with the next agenda item.
- A hard copy of the complete Governing Body Agenda Packet will be provided to the successful candidate.

If you have any questions, please email the City Clerk's office at cclerk@topeka.org or call 785-368-3941 we would be happy to assist.

Sincerely,
Brenda Younger, M.M.C.
City Clerk

cc: Governing Body Members
Stephen Wade, City Manager
Amanda Stanley, City Attorney
Karan Thadani, Administrative Court Judge



CITY OF TOPEKA

City Clerk
City Hall, 215 SE 7th St, Room 166
785-368-3941

Brenda Younger, M.M.C.
www.topeka.org
Email: cclerk@topeka.org

INTERVIEW QUESTIONS

COUNCIL DISTRICT 9 CANDIDATES

Mayor Michael Padilla:

Why have you chosen to apply for this seat on the council?

Council District No. 1: Councilmember Karen Hiller

We each bring years of skills and expertise in many areas, but not all areas. When an issue that is new to you comes up...which it will...how will you approach being prepared to address it?

Council District No. 2: Councilmember Christina Valdivia-Alcala

What's an initiative (not already happening within City Government) you envision yourself bringing forward during your term?

Council District No. 3: Councilmember Sylvia Ortiz

Since District 9 does not have Neighborhood Improvement Association meetings, how do you plan to involve residents in the decision-making process in our city?

Council District No 4: Councilmember Tony Emerson

Like many capital cities, a large amount of Topeka's prime commercial property is tax exempt (state-owned properties, city & county facilities, not-for-profit foundations/hospitals, etc.). This puts a larger burden on property owners that are not exempt. Please give one idea you have to reduce this burden.

Council District No. 5: Councilmember Brett Kell

If you could fix one problem in Topeka, what would that problem be and how would you go about fixing it?

Council District No. 6: Councilmember Hannah Naeger

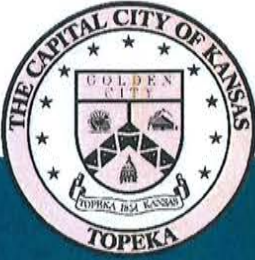
What is one primary goal or agenda you hope to accomplish if selected to the City Council?

Council District No. 7: Councilmember Neil Dobler

What are the two top functions of the City Council?

Council District No. 8: Councilmember Spencer Duncan

Explain how you handle conflict and how you envision working with District 9 constituents.



CITY OF TOPEKA

REC'D TOPEKA CITY CLERK
'22 NOV 18 AM 11:54

Council District No. 9 Vacancy

Vacancy Application for Councilmember

Name: Michaela R. Saunders Date: Nov. 18, 2022

Address: 1538 SW Chelsea Dr. #6, Topeka, KS 66604

Council District No.: 9 Phone Number: 785-471-1751

Email Address: michaelarsaunders@gamil.com

- 1) Qualifications and Personal Background (Please attach additional pages if necessary):

Please see attached.

- 2) State the reason(s) you wish to serve in the office of Councilmember:

Please see attached.

- 3) What do you see as the number one problem facing Topeka city government and how you would seek to address the problem if chosen to serve:

Please see attached.

Michaela R. Saunders

Connectedness • Input • Learner • Responsibility • Achiever

🏠 1538 SW Chelsea Dr. #6
Topeka, Kansas 66604

📞 785-471-1751

✉️ michaelarsaunders@gmail.com

🌐 /in/michaelarsaunders

🐦 @SaundersM

1. **Qualifications and Personal Background**

As you will see from my enclosed resume, I have a broad base of education and professional experience that will inform my service on the Topeka City Council. My interest in community service is long-standing, going back to 1996, when I was a founding member of the Youth Commission in my hometown, Grand Forks, North Dakota.

As resident of Topeka since 2011, I have served as a community volunteer and board member for several organizations. I am currently serving my third term on the Topeka Sustainability Advisory Board. I'm an alumna of Leadership Greater Topeka (Class of 2015), and a 2018 member of Topeka 20 Under 40.

2. **State the reason(s) you wish to serve in the office of Councilmember**

My interest in fulfilling the District 9 term on the Topeka City Council is rooted in the understanding that this is a pivotal time for the City of Topeka and the greater Topeka community. It is my hope that my skills, commitment, and energy can add to the work underway to engage directly with community residents in policy change, culture change, and positive momentum.

3. **What do you see as the number one problem facing Topeka city government and how you would seek to address the problem if chosen to serve:**

From my perspective, the number one challenge facing Topeka city government is recognizing and addressing real and perceived inequity in order to improve and enhance livability for all residents. I'll share four examples here, though there are many:

1. Property maintenance – the extensive report and tireless work underway prioritizes equity and recognizes the need to ensure policy and enforcement work not just for property owners, but for tenants, too.
2. Housing access and affordability – yes, Topeka making the news for its hot housing market is good for increasing awareness of the community outside of the region, but what it means for Topekans who are being priced out of their neighborhoods must be attended to. Efforts such as the housing trust fund are important steps, but much work remains.
3. Police training/use of force – It is undeniable that use of force outcomes in our community are inequitable.
4. Walkability and sustainability as a measure of livability – in many cases, historical factors have led to neighborhoods having inequitable infrastructure for everything from walkability to drainage. An error made in the past that is left unattended remains an error. While programs like 50/50 sidewalk funding have worked for some neighborhoods, the burden on residents is too much for others. This is an example of policy equality, but not of policy equity.

While increasing equity is often complex, I do not shy away from adaptive challenges. A lens of equity and future-focus can expand the conversation. As a member of the Topeka City Council, I would seek to understand how the actions and policies of the city are enhancing or detracting from residents' quality of life. I would collaborate with residents, fellow council members, and city staff to find meaningful steps toward improvement.

I believe Topeka city government's long-held commitment to data-sharing can also grow to include even more participation and community engagement in decision-making, and deeper commitment to process transparency as the basis of trust-building with community members. I look forward to the work in collaboration with the community.

Michaela R. Saunders

Connectedness • Input • Learner • Responsibility • Achiever

🏠 1538 SW Chelsea Dr. #6
Topeka, Kansas 66604

📞 785-471-1751

✉️ michaelarsaunders@gmail.com

🌐 /in/michaelarsaunders

🐦 @SaundersM

Education

Kansas State University

Doctoral student in Leadership Communication.

- 2021 Association for Leadership Education Founding Mothers Student Scholar Award

Aug. 2020 - present

Anticipated graduation 2024

Washburn University

Master of Liberal Studies with honors. Focus: Gender, Technology and Social Change

- Thesis: *Separated at Birth: A Journey Through Diastasis Symphysis Pubis*

(Available online: <https://wuir.washburn.edu/handle/10425/421>)

- Jay Liebowitz Outstanding Student Research Award, International Association of Computer Information Systems for *What Makes Them Click: Gender, Social Media and the College Audience*
- Phi Kappa Phi inductee.

Jan. 2013 - Dec. 11, 2015

Metropolitan Community College (Omaha)

Courses in website design (XHTML, CSS, Fireworks & Flash); non-degree seeking

Sept. 2008 - May 2009

Iowa State University of Science & Technology

Bachelor of Arts, Journalism & Mass Communication with honors & distinction. Minors in American Indian Studies and Sociology.

- Honors thesis *The Formation and Purpose of Indigenous Media: A Comparison between Australia and North America*
- Student Alumni Leadership Council Student Leadership Award, 2003.

Aug. 1999 - May 10, 2003

University of Newcastle

Study abroad, Newcastle, NSW, Australia.

In addition to classes in international media and Aboriginal studies, researched Aboriginal-owned media created for primarily Aboriginal audiences for undergraduate honors thesis.

February-June 2001

Professional Experience & Fellowships

Washburn University, Communications Coordinator & Assistant to the Vice President for Academic Affairs

Sept. 2022 to present

Responsible for faculty and staff in academic support programs and events, assisting students, faculty, prospective students and their families with information through phone communication, website support, and informational materials. Assisting the Vice President in project management relating to hiring, faculty promotion and tenure, innovation, and strategic goals for all Washburn academic units. Using data to drive decision-making related to website enhancement for academic departments and programs.

Washburn University College of Arts & Sciences, Communications Coordinator & Assistant to the Dean

Nov. 2018 to Sept. 2022

Responsible for engaging current and prospective students, alumni, faculty and staff and creating direct connections for them with the College. Assisting the Dean in project management relating to hiring, faculty promotion and tenure, innovation, and strategic goals for 19 academic departments and the Mulvane Art Museum. Using data to drive decision-making related to website enhancement for academic departments and programs.

Greater Topeka Partnership, Vice President of Brand Strategy

May 2017 to Oct. 2018

Led team of seven in day-to-day execution of multi-agency, multi-platform brand strategy for entities within

the new collaborative destination promotion and economic development organization. Developed cohesive marketing strategy and tactics for all involved entities, including implementation of Net Promoter Score survey use in 2017. Topeka saw a 21 point increase in its NPS between 2017 and 2019.

Visit Topeka, Director of Brand Strategy

Feb. 2016 to May 2017

Led team of three in development and implementation of day-to-day multimedia leisure tourism and brand awareness strategies. Developed marketing personas through research leading to increases in both overnight stays and day trips to the community among families and couples. Significantly increased Visit Topeka's social media engagement and website visits through content strategy and the strategic use of #TopCity beginning in 2016. Today, #TopCity has been used thousands of times on Twitter, Instagram and Facebook and is a physical presence at events and festivals in the form of two large movable signs.

Washburn University of Topeka, Web editor

Sept. 2011 – Feb. 2016

Coordinated & implemented digital communications strategy through washburn.edu, the campus intranet, a student-centered email newsletter & several social media platforms. Supervised social media intern. Co-chaired Digital Media Task Force. Developed and provided ongoing training & support regarding washburn.edu & social media account management, including digital branding and Section 508 accessibility.

Omaha (NE) World-Herald, Reporter

Nov. 2003 - Aug. 2011

Retail Business Reporter

Oct. 2010 – Aug. 2011

Coverage of retail in the Omaha metro area including development, trends and the spending decisions of consumers.

Education Reporter

Nov. 2003 – Oct. 2010

Coverage of both urban and suburban school districts, education policies, and students and parents as consumers of education. Worked as part of a two to three person team on coverage of everything from school safety to test scores, and education funding.

Lexington (KY) Herald-Leader

July - Oct. 2003

Reporting Intern. Stints on the features, breaking news, and enterprise teams.

Published Research and Conference Presentations

ACCEPTED: Priest, K.L and **Saunders, M.R.** *Stories in Action: Developing a Leadership Educator Change Narrative to Navigate Your Uncertain & Complex World*. Workshop presentation at the NASPA Leadership Educators Institute, forthcoming December 2022.

Priest, K.L and **Saunders, M.R.** *Stories in Action: Using Change Narratives for Leadership and Professional Development*. Poster presentation at the Association for Leadership Education 2022 Conference.

Priest, K.L and **Saunders, M.R.** 2021. *Let's get to work(spaces): Developing Leadership Scholar Identities through Graduate Education*. Roundtable presentation at the Association For Leadership Education 2021 Conference.

Saunders, M.R., Shah, K., Smith, Z; Sun, W. 2015. *What Makes Them Click: Gender, Social Media and the College Audience* IIS 2015, 16:1 pp. 170-179.

- Paper presented at the International Association of Computer Information Systems 2015 Conference, where the paper received the Jay Liebowitz Outstanding Student Research Award

Saunders, M.R. 2003. *The Formation and Purpose of Indigenous Media: A Comparison between Australia and North America*. University of Montana Confluence of Cultures Symposium, pp. 135-142.

Invited Talks

"Stories in Action: Developing a change narrative to navigate your uncertain and complex world" with Dr. Kerry L. Priest for the Graduate Student Council Seminar Series, Kansas State University, Nov. 5, 2021; and Leadership Communication Program Seminar Series, Kansas State University, Jan. 19, 2022.

"Let's Go Live: An Open Discussion on Streaming Live Programming, Ideas and Challenges" with Sarah Towel, for the MIAA Advancement Conference, June 2017.

"What Standing Rock means for you" Washburn University Diversity and Inclusion Initiative Diversi-Tea presentation with K. Settle on personal experience at Standing Rock, ND during pipeline protest; April 2017

"Civic Engagement in the Hashtag Age" for Washburn University's WUmester collective learning experience around the theme Citizenship and Suffrage, Mondays at Mabee presentation. April 2019.

"Twitter 101 for Young Professionals" for FastForward Topeka. Nov. 2011

Leadership Coaching

- Lead Comm Associate: Girls on the Run of the Flint Hills board development consultation with J. Kerr; workshop development and facilitation on behalf of the Staley School for Leadership Studies, Kansas State University, Fall 2021

Certifications and Trainings

- Certificate in Teaching and Learning, 2022, Washburn University Center for Teaching Excellence and Learning
- Leadership as Practice Reading Group, Spring 2022, organized by Kansas State University for an international group of scholars
- Developing Materials for Public Deliberation, workshop series, Winter 2021-2022, Kettering Foundation
- Community Engagement Fellow, Fall 2021, Western Washington University
- Kansas State University Graduate Student Professional Development Certificate, 2020-2021
- Kansas Leadership Center, Your Leadership Edge (2019)
- Visit Topeka, Topeka Destination Specialist (2018)
- YWCA of Northeast Kansas Emerging Leaders Program (2018)
- Tourism Industry Association of Kansas, Kansas Destination Specialist (2017-2020)
- Professional of Destination Management coursework in Fundamentals of Destination Management and Marketing, Marketing and Research, Membership and Communications, Technology and Human Resources facilitated by George Washington University and Destinations International (2017 and 2018).
- Public Relations Society of America boot camp for journalists (2015).
- FEMA ICS 100-trained crisis responder (2014).
- Google Analytics, basic level (2014)
- Education Writers of America Computer Assisted Reporting Intensive (Houston, Texas 2007)
- Journalism Center on Children and Families workshop (University of Maryland 2005)
- Kaiser Family Foundation Internship training, Harvard School of Public Health (2002)

Honors & Awards

- Association for Leadership Education
- Greater Topeka Partnership Award of Excellence 2019; for work toward adoption of the new City of Topeka Flag.
- Topeka 20 Under 40, Class of 2018 (nominee in 2017, 2016)
- CEOs for Cities ChangeMaker 2017
- Topeka Capital-Journal Rising Leader of Downtown (2017) for role in creation of the Downtown Public Plaza operations plan and commitment to local businesses
- Tourism Industry Association of Kansas awards for visitor guide and website, 2016-2018
- Leadership Greater Topeka Class of 2015
- United States Marine Corps Reserve Commander's Award for Outstanding Support of the Toys for Tots Program, 2015 (Washburn University Toys for Tots committee chair 2012-2015)
- Who's Who Among American College Students, 2015
- Associated Press 2007 first place for continuing coverage, Omaha World-Herald, other awards from Nebraska and Iowa Press Associations.

Service & Civic Engagement

- Topeka Bike-share Task Force, 2019-2020. Organized awareness effort, including two public rallies, in response to Topeka Metro decision to end the state's first bike-share program. Program extended and task force created in part as a result of that effort.
- Topeka Civic Theatre and Academy board member, August 2018 to present, Bravo (fundraising) committee member (2019-present), Board Liaison chair (2020-present)
- City of Topeka Sustainability Advisory Board, appointed by Topeka City Council, June 2018-present, secretary 2019, co-chair 2020-present
- Topeka Collegiate School board member, Aug. 2019 to present, Marketing Committee 2016 to present; chair 2018-2021; Equity and Justice Committee member August 2019 to present; Social Studies Curriculum Committee member 2019
- Washburn NoNoSo inductee, 2014; Active Chapter co-advisor 2015 & 2020; Secretary 2018-present
- Forge Young Talent Leadership Team May 2016 to Nov. 2018. Re-brand committee chair 2017; Flag redesign task force 2018 (Flag adopted by Topeka City Council Nov. 12, 2019), member 2012-2020.
- Unity: Journalists of Color Board of Directors, 2009-2012.
- Native American Journalists Association's Project Phoenix (high school students) mentor, 2007-2010
- Founding member of Grand Forks, ND Youth Commission 1996; Presidents' Summit for America's Future Youth Delegate (1997)

Vacancy Application for Councilmember

Name: Joe Cheray Date: 11-18-2022
Address: 1133 D SW Glendale Dr Topeka Ks 66604
Council District No.: 9
Phone Number: 785-836-0129
Email Address: j3cheray@gmail.com

Professional Experience:

Student Rep on Washburn Campus Ministry Board

Volunteer at 712 Innovations

Tech Assistant - Association of Women Entrepreneurs

Advertising and Promotions Chair Tinkham Veale Gallery

Director of Public Relations - Aaron Douglas Art Fair

Part Time at 39 West Gallery

Vice President - Capital Area Democratic Women

Communications Chair - Capital Area Democratic Women

Communications Secretary - Kansas Federation of Democratic Women

Chair of the Kansas Democratic Disability Caucus

Member of the ADA Council with the City of Topeka

Neighborhood Task Force

First Class in the Presbyterian Manor CNA Class

Helped In the Bring Google to Topeka Movement

3 time speaker in the #140Conf Twitter Conference

By
11-18-22

I want to serve as council member for city council district 9 because I see needs for the city that still aren't being solved. We have a homeless issue that isn't being addressed successfully. Despite best efforts there are still tent cities in tree lines all over the city. One prominently visible tent city is in the tree line behind Denny's. You can see it as soon as you turn on the ramp to go to I75 from Wanamaker. Panhandling has increased on the west side as well as all over the city. We need a non-secular option in helping homeless people in the city get back on their feet.

There isn't a sense of community in district 9 like there is in other districts. In that I mean District 9 is primarily thought of as a retail and food district. It has been my desire to have a community center in District 9. I would like to work with Washburn University and Washburn Tech to build a community center in the huge area behind Washburn Tech and Foxridge. In addition I would like to also have a community garden that everyone in district 9 can benefit from. With food insecurity still being an issue and getting worse I feel it is critical that we have an alternate food source. It would also solve some of the issues around homelessness.

There is still a blight issue in Topeka as well. Through my work with the neighborhood task force I was on the code compliance committee. We worked to identify abandoned structures in the city and examined how other cities dealt with their abandoned structures issues. I am familiar with the IPMC - International Property Maintenance Code. I would like to re-vitalize the Neighborhood Task Force to help the city with the property blight in the city.

With my experience in communications I would like to be able to make sure every resident in district 9 knows what is going on in the city on a regular basis.

What I feel is still the top issue in city government is crime. Despite the insistence that crime is coming down in the city through what I see on Facebook scanner groups this is not the case. There are domestic violence calls, theft, break ins being called in frequently. The remove it, lock it or lose it idea isn't a successful deterrent. I see reports where people get their cars rifled through even though they work to make sure there is nothing of value in their vehicles. One of my neighbors was recently a victim of said situation.



CITY OF TOPEKA

Council District No. 9 Vacancy

Vacancy Application for Councilmember

Name: Nicholas Trammell Date: 18 November 2022

Address: 1708 SW Chelsea Dr, Topeka KS 66604

Council District No.: 9 Phone Number: 310-400-6189

Email Address: HelpTopeka@gmail.com

- 1) Qualifications and Personal Background (Please attach additional pages if necessary): SEE RESUME AT ATTACHMENT A

City of Topeka ADA Advisory Committee, Precinct Committeeman for Shawnee County 1101,
Kansas Bar Association Board of Publishers, Kansas Bar Association Board of Editors, Substitute Teach USD 501,
Past American Legion Executive Committee, Coast Guard Auxiliary Flotilla Vice Commander, Screen Actors
Guild Board of Directors, Screen Actors Guild National Performers with Disabilities Committee, Skid Row tutor, etc

- 2) State the reason(s) you wish to serve in the office of Councilmember:

I am a civically engaged team player who has always volunteered in and around whatever
communities that I have found myself in. I offer this council a new perspective from the outside.
I moved here during the pandemic as a Covid 19 refugee from Los Angeles. Los Angeles is a city that doesn't work.
Topeka is a city that works very well, and I am very excited and enthusiastic to contribute to our city.

- 3) What do you see as the number one problem facing Topeka city government and how you would seek to address the problem if chosen to serve:

SEE RESEARCH AND REPORT AT ATTACHMENT B

Bej
11-18-22

ATTACHMENT A

NICHOLAS TRAMMELL

CONTACT

 TOPEKA, Kansas 66604

 310.400.6189

 helptopeka@gmail.com

SKILLS

- Cross-cultural communication
- Strong critical thinking ability

HONORS AND AWARDS

- Association of the Knights of St. Sylvester - The Vatican
- Nic Nassuet (Nicholas Trammell) Day - Mayor of Denver
- Proclamation of Heroism - Denver City Council
- Phi Theta Kappa Honor Society
- Delta Epsilon Tau Honor Society
- Phi Delta Phi Law Honor Society
- Emmy Award for best Composition - TV Academy

AFFILIATIONS

- American Bar Association
- Kansas Bar Association
- AFIO
- Actors Equity Association
- Screen Actors Guild
- Infragard

CERTIFICATIONS

- Infrastructure Liaison Officer - Infragard
- Private Detective License - Kansas Attorney General
- Substitute Teacher License - Department Of Education
- Insurance Producer License - Division of Insurance

Enthusiastic team player eager to contribute through hard work, attention to detail and excellent organizational skills. Motivated to learn and excel in public service.

WORK HISTORY

Bail Bond Agent *Owens Bonding*, Topeka, KS

- Attended court to confirm attendance of each defendant.
- Paid bonds to court, providing prompt jail release for defendants.

Emmy Winning Singer/Songwriter *Entertainment Industry*, Hollywood, CA

- Worked on tours, recordings and film orchestrations.

Stage/Film/TV Actor *Entertainment Industry*, Hollywood, CA

- Collaborated with directors, producers, and writing staff.
- Rehearsed roles from scripts to interpret and memorize lines and cues.

Counterintelligence Special Agent *US Army*

- Produced reports based upon reviews of evidence and interviews.
- Screened and interpreted all-source intelligence information.

Volunteer and Leadership Positions *Unpaid*

- CASA - Court Appointed Special Advocate in dependency court
- School On Wheels - Tutored children in DV shelters and on Skid Row
- ADA Advisory Commission - Appointed to serve by the mayor of Topeka
- Guardian Angels - Ran volunteer patrols, made arrests, and taught self defense and rape prevention as a Patrol Leader, then Chapter Leader
- American Bar Association - Motion Pictures TV and Radio, Music and Appearances, Theater & Performing Arts, and Disability Rights committees
- Screen Actors Guild - National Performers with Disabilities and communications committees, local board of directors
- Kansas Bar Association - Board of Publishers, Board of Editors, and paralegal committee

EDUCATION

Bachelor Of Science (In Process) Legal Studies

American Military University, School Of Security And Global Studies

Associate Of Science (In Process) Paralegal Studies

Ashworth College

Legal Assistant Certificate

Beverly Hills Bar Association Legal Asst. School

Korean Language And Culture

Defense Language Institute, Monterey, CA

ATTACHMENT B

To:

Michael A. Padilla, Mayor, City of Topeka

Karen Hiller, Topeka City Council District 1

Christina Valdivia-Alcalá, Topeka City Council District 2

Sylvia Ortiz, Topeka City Council District 3

Tony Emerson, Topeka City Council District 4

Brett Kell Topeka City Council District 5

Hannah Naeger, Topeka City Council District 6

Neil Dobler, Topeka City Council District 7

Spencer Duncan, Topeka City Council District 8

From: Nicholas Trammell

Date: 18 November 2022

Re: Code Enforcement

The city of Topeka has taken great strides to overcome the safety, quality of life, and aesthetic obstacles that accompany our known code enforcement issues, namely; squatter fires in residential structures, potholes, trash and waste on private property, abandoned properties used for illicit activities, and residential property maintenance and upkeep, yet some problems persist. A coordinated effort on the “hard” issues as previously listed, and the “soft” issues like code enforcement training, revising the municipal code judicial attention to these matters, and taking the lead in uniting our efforts as a team will see greater and more sustained improvement.

Relevant Background

Code enforcement issues are nothing new, but the frequency and sweeping nature of code enforcement issues appears to be a recent concern. For example there have been a litany of fires at abandoned properties such as;

- The 1228 SW Jackson Street fire (Central Topeka House Fire Under Investigation. KSNT Topeka. (2022). Retrieved 3 August 2022, from <https://www.ksnt.com/news/local-news/central-topeka-house-fire-under-investigation/>.)
- The Southwest Central Park Avenue Fire (Ellis, M. (2022). House in Topeka suffers \$22,000 damage due to intentional fire. MDMH Topeka. Retrieved 3 August 2022, from <https://mdmh-topeka.com/house-in-topeka-suffers-22000-damage-due-to-intentional-fire/>.)
- The Topeka Boulevard fires during which the same structure caught fire twice during the same month (Firefighters Extinguish Blaze at Squatters' House. WIBW Topeka. (2022). Retrieved 3 August 2022, from <https://www.wibw.com/2022/01/04/firefighters-extinguish-blaze-early-tuesday-south-topeka-house/>.)

- The White Lakes Mall fire (White Lakes Mall Fire Appears Intentionally Set. KSNT Topeka. (2022). Retrieved 3 August 2022, from <https://www.wibw.com/2020/12/31/topeka-fire-now-says-white-lakes-mall-fire-was-purposely-set/>.)
- And many others.

Over 40% of the city rents. Among the people I have spoken with about quality of life issues there is a feeling that landlords with a sizable investment in the city may experience some leniency. For example, a certain developer with a large investment in local real estate caused chaos city-wide when he declared bankruptcy over the 180+ properties in his portfolio with \$45 million in debt. Of this situation, specific to code enforcement, Ferd Niemann, director of development and acquisitions at Christie Development in Overland Park stated "when a property sits in that condition and gets that kind of mismanagement for so long, it's bad for the property. One, because obviously it has much deferred maintenance, which means if the community ever wants to come back, it's going to take somebody with significant resources to revitalize it, which is going to diminish the pool of people who would buy it. A stabilized asset is going to have more buyers than a diminished asset, in general. You diminish your pool." (Chilson, L. (2018). Stories.usatodaynetwork.com. Retrieved 3 August 2022, from <https://stories.usatodaynetwork.com/lindemuth/>.)

While these issues at this magnitude are new for Topeka, they are not new to urban areas in the United States and there are a variety of policies and cultural shifts that have aided other municipalities in the recent past.

The city's proactive stance appears to be beneficial towards a long term solution, and the city has recently announced that

"Topeka's city government is preparing to significantly change its approach for dealing with overgrown grass and weeds in local neighborhoods [...] For decades, the city has had property maintenance employees respond to complaints and find out if grass, weeds or other uncultivated vegetation is more than 12 inches tall. If it is, the city asks the property owner to cut the grass. If the owner doesn't, the city has Shawnee County Jail inmate crews cut the grass, then bills the property owner. But the city is preparing to set up two separate programs aimed at improving on that, said city Councilwoman Karen Hiller. One will involve the city's hiring a local company to mow lawns on a fixed-price basis for property owners who can't do that personally but can afford to pay, she said. The other will involve volunteers signing up to mow lawns to aid property owners who are unable to mow those lawns and can't afford to pay to have them mowed (Cjonline.com. (2022). Retrieved 3 August 2022, from <https://www.cjonline.com/story/news/2022/06/27/topeka-looks-cut-down-overgrown-grass-other-property-maintenance-code-violations/7614641001/>.)

Holding Rental Property Owners Accountable

There seems to be some difficulty in holding rental property owners accountable. The judiciary appears to accept numerous continuances on quality of life citations which leaves blighted properties to worsen instead of improve.

The “bad housing is good business” model was prevalent in Baltimore in the mid 20th century. An attempt to please everyone was a disaster, and a soft-handed approach to code enforcement in order to appease moneyed interests led to a direct decline in quality of life matters and an increase in crime and safety violations. Let us not go down this path.

“Baltimore’s campaign for better housing was always at cross-purposes with itself. On the one hand, some believed that the conditions reformers called ‘slums’ and ‘blight’ were a public problem that demanded a public solution. Real-estate investors saw the same neighborhoods as robust sites of investment and profit. Consequently, the Baltimore Plan was a compromise between intervening and not intervening in a housing market that looked fatally flawed to some and robustly healthy to others. It was a halfway solution that pleased reformers and real-estate interests just enough. But what began as a middle ground gradually turned into a policy tool that consistently reinforced the interests of the real-estate industry at the expense of poor people and, especially, African-Americans. It kept bad housing in place, with the promise that code enforcement would eventually improve it – a promise that turned out to be an empty one” (“Baltimore does not condone profiteering in squalor”: the Baltimore Plan and the problem of housing-code enforcement in an American city”, 2018),

One effective method of holding landlords accountable is to pursue a policy of corporate veil piercing by utilizing the common control clause of the Employee Retirement Income Security Act of 1974.

“Landlords are placing each of their properties in separate LLCs. Their aim in doing so is to avoid the full brunt of housing code enforcement by limiting their exposure to potential fines. The increasing prevalence of single-property LLCs has significant, negative consequences for low-income tenants. First, their buildings are less likely to be well maintained. Additionally, in certain circumstances, a single-property LLC strategy enables landlords to use superior bargaining power to extract enormous profits from tenants in dilapidated properties. Then, when the property accumulates too many fines, landlords can simply walk away from the buildings. This, in turn, increases blight and reduces the affordable housing stock in a city. Current legal schemes--such as typical housing codes, criminal penalties, and consumer protections--do not adequately address this problem. Instead, this Note recommends that local governments pursue a policy of limited corporate veil piercing for landlords based on ERISA's common control liability provisions. This scheme would prevent landlords from evading full liability for housing code violations.(By James Horner * (Spring,

2019). NOTE: Code Dodgers: Landlord Use of LLCs and Housing Code Enforcement. Yale Law & Policy Review, 37, 647.
<https://advance-lexis-com.ezproxy1.apus.edu/api/document?collection=analytical-materials&id=urn:contentItem:5W2J-MBG0-00CT-X1RV-00000-00&context=1516831>.)

The ERISA common control clause dictates that all LLCs owned by the same person are the same business for legal purposes (29 CFR § 4001.3 - Trades or businesses under common control; controlled groups.. LII / Legal Information Institute. (2022). Retrieved 3 August 2022, from <https://www.law.cornell.edu/cfr/text/29/4001.3>.)

Judiciary and Community

Municipal judges are hired by the city, and are accountable to the city government. Frank discussions between the city's needs and the attitude of judges in municipal court must be had. City attorneys can, and should, be paired with code enforcement officers in order to focus attention on areas of high importance. This method was highly effective in Dallas:

"We evaluated a community prosecution program in Dallas, Texas. City attorneys, who in Dallas are the chief prosecutors for specified misdemeanors, were paired with code enforcement officers to improve property conditions in a number of proactive focus areas, or PFAs, throughout the city. We conducted a panel data analysis, focusing on the effects of PFA activity on crime in 19 PFAs over a six-year period (monthly observations from 2010 to 2015). Control areas with similar levels of pre-intervention crime were also included. Statistical analyses controlled for pre-existing crime trends, seasonality effects, and other law enforcement activities. With and without dosage data, the total crime rate decreased in PFA areas relative to control areas. City attorney/code enforcement teams, by seeking the voluntary or court-ordered abatement of code violations and criminal activity at residential and commercial properties, apparently improved public safety in targeted areas." (Worrall, J., & Wheeler, A. (2019). Evaluating Community Prosecution Code Enforcement in Dallas, Texas. Justice Quarterly, 36(5), 870-899. Retrieved 4 August 2022, from.)

Utilizing Existing Codes and Laws

Presently, I can find no record of Kansas Statute 58-2553 having been applied to any of the properties that I looked at for habitual code enforcement violations. 58-2553 dictates that landlords must comply with housing codes, care for common areas in rental dwellings, maintain the electrical, plumbing, sanitary, heating, ventilation, air conditioning, and elevators on all properties, maintain the grounds, remove waste and rubbish, supply running water, supply hot water, supply heat, and may not put these duties back onto the renter (2021 Kansas Statutes :: Chapter 58 - Personal And Real Property :: Article 25 - Landlords And Tenants :: 58-2553 Duties of landlord; agreement

that tenant perform landlord's duties; limitations.. Justia Law. (2022). Retrieved 3 August 2022, from [https://law.justia.com/codes/kansas/2021/chapter-58/article-25/section-58-2553/.](https://law.justia.com/codes/kansas/2021/chapter-58/article-25/section-58-2553/)

We must determine why no state charges have been brought to the owners of blighted properties and be proactive in ensuring that existing laws are utilized.

Amend Municipal Code

Presently, municipal code does not allow code enforcers to observe and issue citations directly. A report must be made, investigated, followed up on, then a summons issued, and hearing held. A police officer, however, can issue a ticket and citation upon observing an infraction of the law. The council should look into revising municipal code so that code enforcers can cite upon observation much like a "meter maid" writes a parking ticket.

Teamwork Makes the Dream Work

Greater integration of social services with code enforcement and municipal court will allow for root cause mitigation of code enforcement issues. This was first studied in Chelsea, MA., and holds a lot of promise for our city.

"The most common services provided to residents referred by inspectors were for fuel, food, and rent assistance; healthcare; hoarding; and homelessness prevention. Half of referred residents were not receiving other social services. Inspectors reported increased work efficiency and reduced psychological burden because of the program. Interviewees described how quality of life improved not only for referred residents but also for the surrounding neighborhood. A simple referral process that made inspectors' jobs easier and a trusted, well-connected service provider funded to carry out the work facilitated the program's uptake and impact. Housing inspectors' encounters with residents present a unique opportunity to expand the public health impact of housing code enforcement." (Robb, K., Marcoux, A., & de Jong, J. (2021). Further inspection: Integrating housing code enforcement and social services to improve community health. *International Journal of Environmental Research and Public Health*, 18(22), 12014. doi:<https://doi.org/10.3390/ijerph182212014>)

Code enforcement, city attorneys, municipal judges should be trained to identify the need for, and be able to instantly put residents in touch with city, county, and state health officials, social services, non-profit entities, and public entitlement programs.

Closing Summary

In closing, our problems are new to us, but they are not new. Other cities have dealt with these issues for decades. Other cities have succeeded in resolving the problems we face, and some have failed as a result of bad policy. By replicating the successes in Chelsea, Massachusetts, Dallas, Texas, and avoiding the mistakes of Baltimore, Maryland, while amending municipal code and ensuring that state laws are enforced, we should be able to unite our efforts and make a long lasting positive impact on one of the core quality of life issues that faces our community.



CITY OF TOPEKA

REC'D TOPEKA CITY CLERK
'22 NOV 21 AM 11:43

Council District No. 9 Vacancy

Vacancy Application for Councilmember

Name: Michelle Hoferer Date: 11/21/2022

Address: 216 SW Fairlawn Rd Topeka KS 66606

Council District No.: 9 Phone Number: 785-925-0357

Email Address: mahoferer@gmail.com

- 1) Qualifications and Personal Background (Please attach additional pages if necessary):

See Attached pages

- 2) State the reason(s) you wish to serve in the office of Councilmember:

My first up close look at City Government was on the Topeka Planning Commission. I got a look at part of what the City does for its Citizens. Zoning and Platting have a long term effects on Topeka's growth but it is just a part. City Council is the position where I can do more. I want to positively impact more people's lives. I care about the future of my hometown.

- 3) What do you see as the number one problem facing Topeka city government and how you would seek to address the problem if chosen to serve:

I believe crime and infrastructure are the biggest problems facing Topeka. Of the two, I personally experience the good and bad of our city streets, water, sewer, etc. on a daily basis. The increase in funding (sales tax) has enabled the City to do more. Still, communication with stakeholders needs to improve. Newer ways to fix the streets like rubberized asphalt needs to be researched. Lining the sewer lines is a good application of newer technology.

By
11-21-22

MICHELLE HOFERER

216 SW Fairlawn Rd · 785-925-0357

mahoferer@gmail.com

Qualifications

CITY OF TOPEKA REDISTRICTING COMMISSION

CHAIR 2022

The commission was charged with adjusting the boundaries the 9 Council districts based upon the 2020 Census numbers. As chair, I worked with City staff, the commissioners and citizens to recreate a map that equalized the population for the 9 districts. I presented our recommendation of Map A to the City Council. Map A has been adopted.

MOMENTUM 2022

MEMBER 2019-2022

RIVER ADVISORY COMMITTEE

MEMBER 2019-2022

The RAC is tasked with researching, funding and implementing an updated and inviting Kansas River front. This is also an economic development project to enhance downtown Topeka both North and South of the river and to enhance Topeka as a whole. I am a member of the finance committee.

UNOFFICIAL NEIGHBORHOOD LIAISON FOR THE RIVER SOUTH DISTRICT

I stepped up as a liaison between my business neighborhood and the City / KDOT. There are several past, ongoing and future projects affecting our area. I have listed the projects below. I have hosted meetings at my business. I have walked the neighborhood to talk to the business people. I have emailed updates. I have talked to City staff, KDOT, City Council Members, Consultants and contractors. This work has affected us directly. Some projects closed or limited access so it was important to stay updated. I did not want to see a repeat of the impacts when the Topeka Boulevard Bridge was built.

NEW POLK QUINCY VIADUCT – Ongoing

UTILITY RELOCATION FOR POLK QUINCY VIADUCT – SANITARY SEWER IMPROVEMENTS - 2022-2024

REZONING IN RIVER SOUTH DISTRICT (D3) – 2020-2021

RIVER SOUTH AS PART OF THE DOWNTOWN MASTER PLAN – 2021-2022

CIPP SANITARY SEWER SYSTEM REHABILITATION – 2020

WATER LINE REPLACEMENT ON NW VAN BUREN, SW JACKSON ST, ETC – 2018

TOPEKA PLANNING COMMISSION

CHAIR 2009, 2010

MEMBER 2006-2011

As chair, I ran the business meetings and the policy meetings. I gained experience working with City staff, the commissioners, developers and citizens. One of our duties was to look at the CIP annually. The commission recommends its top 5 projects. One particular project I spoke to the City Council on,

was moving up the 10th Steet improvements ahead of the 6th street project. The Discovery Center was ready for construction and McFarland Farms was in it first years of development. The Council agreed to move it up the schedule.

METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION (MTPO)

MEMBER 2009, 2010

I was part of early discussions and plans for the Polk Quincy Viaduct. They were still in early stages of planning an elevated highway, at grade highway or a below grade highway. MTPO brings together state, federal, city and county officials which I had not previously had the chance to meet. I also learned about the MTAA, their services, plans and issues.

PERSONAL BACKGROUND

EMPLOYMENT HISTORY

J.T. Lardner Cut Stone, Inc. – 1992 To Present, Currently Co-Owner

Finney & Turnipseed P.A. – 1983-1982, Structural Engineer

Licensed Professional Engineer

EDUCATION

KANSAS STATE UNIVERSITY

M.S. Industrial Engineering

B.S. Architectural Engineering

COMMUNITY VOLUNTEER

Race Against Breast Cancer – Fundraiser Volunteer for 1994-2018, Board Member 1994

Leadership Kansas – Class of 2012

Child Care Aware – Fundraiser Docent 3 years

Junior League Of Kansas – Active Member 1991-2000, Sustainer 2001 to Present

Women's Fund at The Topeka Community Foundation – 2019 to Present



CITY OF TOPEKA

REC'D TOPEKA CITY CLERK
'22 NOV 21 PM 12:28

Council District No. 9 Vacancy

Vacancy Application for Councilmember

Name: Janel L. Johnson Date: 11/21/2022

Address: 5811 SW 12th St, Topeka, KS 66604

Council District No.: 9 Phone Number: (785) 289-7261

Email Address: JanelJ2009@gmail.com

- 1) Qualifications and Personal Background (Please attach additional pages if necessary):

(Please see attached)

- 2) State the reason(s) you wish to serve in the office of Councilmember:

(Please see attached)

- 3) What do you see as the number one problem facing Topeka city government and how you would seek to address the problem if chosen to serve:

(Please see attached)

By
11-21-22

Vacancy Application for Councilmember (District 9)

1) Qualifications and Personal Background.

I am a lifelong Topekan, and I have learned the value of being an active participant of the Topeka community. From 2007 to 2020, I had the honor of serving the students, staff, and families of Topeka Public Schools as a member of the Board of Education. During my board presidency, with the help and direction of my distinguished colleagues, guidance of TPS administration and the support of constituency, USD #501 to pass a \$143 million bond which secured funding for capital improvements that resulted in a more sustainable infrastructure throughout the district.

As for my professional career, I am a Mainframe Systems Programmer. For 31 years, I worked for the Office of Information Services installing, customizing, and supporting mainframe software. From 2017 to present, I have been employed by Ensono where I continue to provide mainframe support for clients across North America and around the world.

I am the President of the Topeka Public Schools Foundation, where I collaborate with other enthusiastic leaders to support staff and students with grants and scholarships to further educational opportunities.

For several decades, I have been a member Faith Temple Church, and currently chair the Trustee Board. In addition, I serve as a choir director and assist with the Youth Department.

2) State the reasons you wish to serve the office of Councilmember.

In considering the idea of whether I should seek to apply for the open City Council seat, I asked myself one question: What would be the driving force behind this decision? Time and again, I arrived at a single response and that is I want to add a new perspective and work collaboratively with the mayor and other Council Members to create a Topeka of which we ALL can be proud.

3) What do see as the number one problem facing Topeka City government and how you would seek to address the problem if chosen to serve.

Having been a member of the Topeka Public Schools Board of Education, I understand that addressing issues as part of any governing body requires a cooperative effort. The problems we face in this community are not unique to Topeka. However, I would say that the mistrust that patrons have towards city government can be an obstacle to effective interventions when it comes to infrastructure, mental health, crime and other issues we see throughout Topeka. If the people do not have confidence in those making the decisions—if they feel their concerns are not taken to account—then people tend not to trust the decision-making process.

As a member of the council, I am committed to building relationships with our patrons across the city; I will be accessible, involved and committed to integrous leadership. And I will be at the table to give voice to those concerns. Authenticity, credibility, and consistency are the vehicles through which we can be the most effective in meeting the needs of Topekans.

JANEL L. JOHNSON

ABOUT ME

Dedicated and committed professional, servant leader and community advocate. Rather than complain about what is, I prefer to make contribution towards what could be.

CONTACT

PHONE:
785.289.7261

EMAIL:
JanelJ2009@gmail.com

PROFESSIONAL EXPERIENCE

Ensono—Senior Mainframe Systems Programmer

Provide support for on-going projects that require the installation, testing, and implementation of new operating systems and other 'system' software; Facilitate Maintenance and debugging of systems software and coordination work for new MF hardware.

State of KS—Mainframe Systems Programmer

Plan, install, configure, customize and monitor DBMS products and related third-party software; Develop and execute test plans for changes; Work with Business groups, Project Management, and Quality Control to ensure successful implementations

EDUCATION

TOPEKA HIGH SCHOOL GRADUATE

WASHBURN UNIVERSITY—BS Degree

Computer Information Systems

BOARDS

Topeka Public School Board of Education

2007-2020

Attend bi-monthly budgets; review and approve policy/regulations, budgets; serve on committee; represent the school district at various functions; serve as a liaison to the community.

Topeka Public Schools Foundation

2021-Present

Preside over quarterly meetings; Assist with fundraisers; Review scholarship applications and work with committee to determine which grants are approved

Faith Temple Church, Inc.—Chair of the Board of Trustees

1986-Present

Collect Revenues; Ensure that monthly obligations are met; new employee orientation; responsible for upkeep of the property; work with Pastor and Trustee Board to create and oversee the annual budget; schedule and preside over all business meetings.



CITY OF
TOPEKA

Council District No. 9 Vacancy

Public Notice City of Topeka Council District No. 9

Applications are being sought to fill the vacancy in Council District No. 9 created by the resignation of Councilmember Michael Lesser. The governing body will appoint a qualified elector who resides in District 9 to fill the position for the remainder of a four-year term ending December 2025.

Qualifications. Applicants must be at least 18 years of age, a citizen of the United States, a qualified elector of the City of Topeka and reside within the boundaries of Council District No. 9 at the time of applying and thereafter for the duration of the term.

Application. The application form can be accessed at:
<https://www.topeka.org/cityclerk/vacancy/>

Application Fee/Petition. Submit with the application an application fee in the amount of \$50.00 payable to the City of Topeka or a petition signed by 50 qualified electors of District No. 9.

Application Deadline. The deadline for applications is 5:00 p.m., Monday, November 21, 2022. Applications must be submitted to the City Clerk, 215 S.E. 7th Street, Room 166, Topeka, Kansas, 66603.

Additional Information. Additional information regarding the process is available in the City Clerk's office 785-368-3941 or online at www.topeka.org. Applicable Topeka Municipal Code provisions can be accessed at Code Sections 2.15.080 and A2-21(b) and (c) at <http://www.codepublishing.com/KS/Topeka/>



/Brenda Younger/
Brenda Younger, City Clerk



City of Topeka
Council Action Form
Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
December 6, 2022

DATE: December 6, 2022
CONTACT PERSON: DOCUMENT #:
SECOND PARTY/SUBJECT: Public Comment PROJECT #:
Protocol
CATEGORY/SUBCATEGORY
CIP PROJECT: No
ACTION OF COUNCIL: JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

PUBLIC COMMENT PROTOCOL

VOTING REQUIREMENTS:

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

Procedures for Addressing the Governing Body

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

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

The following behavior will not be tolerated from any speaker:

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

Any speaker who engages in this type of behavior will be warned once by the presiding office (Mayor). If the

behavior continues, the speaker will be ordered to cease his or her behavior. If the speaker persists in interfering with the ability of the Governing Body to carry out its function, he or she will be removed from the City Council Chambers or Zoom meeting room.

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

Zoom Meeting Protocol

- Make sure your Zoom name, email and/or phone number matches what was submitted to the City Clerk when you signed up for public comment. Any misnamed or unauthorized users will not be admitted to Zoom.
- Please keep your mic muted and your camera off until you are called by the Mayor to give your comment.
- If you are cut off during your comment time due to an internet connection or technical issue, you will need to submit your comments in writing to the City Clerk at ccclerk@topeka.org or 215 SE 7th Street, Room 166, Topeka, KS 66603 for attachment to the minutes.
- If you break any of the public comment rules, you will receive one warning from the Mayor. If you continue any prohibited behavior, you will be removed from the Zoom meeting room and will not be allowed to rejoin.
- Public comment is limited to four minutes. You may receive an extension at the discretion of the Governing Body. The timer will be visible to you in the 'City of Topeka Admin' window on the Zoom app. Call-in users will hear one beep when a minute is remaining and then another beep when time has expired.
- Please do not share the Zoom login information with anyone. Any unauthorized users will not be admitted to the Zoom meeting room.

BUDGETARY IMPACT:

SOURCE OF FUNDING: