



# CITY OF TOPEKA

CITY COUNCIL COMMITTEE  
MEETING MINUTES

## PUBLIC HEALTH AND SAFETY COMMITTEE

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

Date: June 24, 2019

Time: 3:00 p.m.

Location: Holliday 1<sup>st</sup> Floor Conference Room, Holliday Bldg 620 SE Madison

**Committee members present:** Councilmembers Karen Hiller, Sylvia Ortiz (Chair), Aaron Mays.

**City staff present:** Lisa Robertson (City Attorney), Mary Feighny (Deputy City Attorney), Luther Ganieany (Police Legal Advisor), Sasha Haehn (DNR Director), Mike Haugen (Director, Code Services), Corrie Wright (DNR), SGT Joshua Klamm (TPD)

### Call to Order

Councilmember Ortiz called the meeting to order. Committee members and staff introduced themselves.

### Approve March 29, 2019 Meeting Minutes

Councilmember Hiller made a motion to approve the March 29<sup>th</sup> minutes. Councilmember Ortiz seconded. The motion was approved 3:0.

### Staff Presentations and Follow-Up: Public Camping Ordinance

- Corrie Wright, Department of Neighborhood Relations, discussed the Shelter Plus Care housing program. The program began in March of 2019. It is a rent-subsidy program that is designed to provide housing services to individuals without requiring those individuals to be in pre-conditioned services. Ms. Wright provided the following information regarding the program and participants:
  - Vouchers were provided to 46 individuals, children included. From that, 37 of those individuals were housed (87%).
  - Thirty-three (33) households received vouchers, of which 25 households were housed (76%).
  - Of the 25 households, 23 are still stably housed in the program (92%).

Valeo services and services with Dr. Russell Burton were made available to individuals in the pilot project. Many of those individuals have chosen to participate in a program with Valeo or Dr. Burton. There is currently a waiting list of 14 individuals for the Shelter Plus Care program. Ms. Wright is hopeful that those individuals will be able to get into the program within the next couple of months.

Councilmember Ortiz inquired about the reason for the waiting list and inquired if it was due to lack of funding. Ms. Wright noted that the program is funded for 184 units per month. Due to rent/cost savings, the program is able to house between 230 and 240 households per month, and are at full capacity. There is a funding cap, and in order to maintain funding through the entire year, housing is limited to a set number per month. As individuals leave the program, availability is opened for new applicants.

Councilmember Hiller asked for clarification on the numbers of individuals and households served. Ms. Wright reviewed the information.

Councilmember Hiller inquired about the large number of individuals in the program and noted it seemed high. Ms. Wright confirmed that the majority of the individuals were able to be housed within March and April. Ms. Wright noted that there have been two individuals who have not been able to stay with the program. There have not been complaints from others.

Councilmember Mays inquired about the individuals who received a voucher but were not able to find housing. Ms. Wright noted that those individuals have 90 days to find housing, after which time, the voucher goes to another individual.

Councilmember Ortiz tasked Ms. Wright with updating the committee with program totals at the next meeting.

- Dr. Russell Burton spoke to the committee and shared that having a 92% housing rate is much higher than he would have thought possible. Dr. Burton noted that the system was overwhelmed with the 43 individuals who were initially introduced into the program. Dr. Burton speculated that one individual per week could likely be introduced into the Shelter Plus Care program. Dr. Burton noted that there were only three unsheltered individuals living near the Kansas River in May. A recent report received noted 70 unsheltered individuals living near the river. Dr. Burton would like to see a decision made on the proposed camping ordinance.

Councilmember Ortiz responded to Dr. Burton and noted she did not want to rush the process of deciding on the camping ordinance.

Dr. Burton noted there is a fear in the unsheltered population regarding the ordinance possibly being passed. Dr. Burton suggested the community and committee find alternate programs and ultimately dismiss the camping ordinance.

Councilmember Hiller inquired with Dr. Burton about the long-term solutions that may be available, and asked for his thoughts on the possible potential for billable units. Dr. Burton stated he was not completely familiar with the process, however Missouri has unlocked the case management billing code to allow regular mental health providers to bill for case management. This issue is controlled by the State. Dr. Burton continued that currently in Kansas, only community mental health

centers are allowed to bill for case management. If Kansas was a Medicaid state, or if Kansas allowed regular mental health providers to back-bill for case management, more individuals would be able to receive better assistance to continue supporting individuals.

Councilmember Hiller inquired if other services were being made available to address the need for more case managers. Dr. Burton responded that to his knowledge, nothing has been done.

- Misty addressed the committee to note that she currently resides in a camp by the river. Misty was involved with the headcount process of individuals living near the river. Of the 70 individuals, ten individuals have Medicaid, Social Security or Medicare. The number of people with assistance is low due to individuals being afraid to seek assistance from community resources, due to a feeling of judgement. Misty then provided her testimony to the committee.

Councilmember Ortiz inquired with Misty as to what she saw as the main reason for individuals choosing to live near the river. Misty responded that many chose to live outdoor during this time of year due to the nice weather. Some of the individuals do not have IDs. Councilmember Ortiz inquired if those individuals knew about the City ID program. Misty confirmed that they were aware of the program, but due to long lines or past criminal history, some of those individuals still chose not to obtain a City ID.

Councilmember Ortiz inquired with Misty as to where the large number of individuals were from. Misty responded that some of the individuals were from out of town, however most are from the Topeka area and have nowhere else to go.

- SGT Klamm, Topeka Police Department, provided information about the ID program. There are about 260 printed City ID's, and roughly 70-80 applications waiting for the approval process. SGT Klamm noted that challenges have come up with individuals who are from outside of the City, whose identities cannot be confirmed. SGT Klamm noted the new Outreach Vehicle has been purchased, is in the shop receiving finishing details, and will be out to service individuals within a month. SGT Klamm noted that the campsites near the river are better kept than a few months ago, as far as trash accumulation is concerned.

Councilmember Ortiz inquired about the reason for the hold up on individuals receiving City ID's.

SGT Klamm noted that Volunteers In Police Service (VIPS) sit at a booth on Thursdays from 3:00 to 6:00pm at the Law Enforcement Center to fill out an application, receive a completed ID, or have a photo taken. The process takes time to complete.

Councilmember Hiller inquired about the crowding that takes place during the City

ID table and whether or not individuals were able to be serviced. SGT Klamm responded that individuals in line by 6:00pm were able to be assisted.

Councilmember Ortiz inquired about the unsheltered population throughout the city. SGT Klamm noted that there is some concern with the large number of individuals near the river, but that there has been an increase in unsheltered individuals throughout the city.

Councilmember Mays inquired if the number of individuals coming to Topeka from Lawrence was a chronic problem. SGT Klamm stated it is a chronic problem and is occurring because Topeka has more mental health, housing, and general services to assist the unsheltered population.

Councilmember Mays inquired if individuals are being bussed to Topeka from Lawrence. SGT Klamm responded that Councilmember Mays' suggestion could be correct.

Dr. Burton noted that he was planning to meet with the groups who have recently come to Topeka to find out the details of them arriving in Topeka.

- Luther Ganieany, Legal Advisor, provided presentations to committee members in 2018 regarding the camping and storage of personal property, and the Homeless Outreach Teams. Mr. Ganieany provided the information for the new committee members. Mr. Ganieany noted that the Camping Ordinance was intended to be a piece of the puzzle to assist with the other programs and services. Some of the individuals refuse to accept services and choose to camp on public property. The ordinance is not intended to prohibit individuals or families from camping on a short-term basis, such as a family camping outside for an evening. The ordinance is meant to address individuals who camp as a long-term housing solution. Mr. Ganieany noted that the "shelter" piece of the ordinance has become the most difficult piece to provide.

Councilmember Hiller inquired about the definition of available shelter and if the Topeka Rescue Mission constituted as an available option. Mr. Ganieany noted there are a few rules that are implemented by the Topeka Rescue Mission which would remove them from being an option.

- Ms. Wright spoke to the committee as a representative of the Homeless Taskforce. Ms. Wright stated the Homeless Taskforce has taken the pilot program on as a special project.

Councilmember Ortiz inquired about the housing portion of the program. Ms. Wright stated low-funding was the main issue with providing more services.

Councilmember Ortiz inquired about the allotted amount per month that was set up for the shelter plus care program. Ms. Wright stated the \$1.6 million was awarded

through a competitive process. Expenses are taken out, and the remaining amount is divided into twelve months to ensure funds are available throughout the entire year.

Councilmember Ortiz inquired if there were alternative options to allow for more individuals to be assisted. Ms. Wright noted one possibility might be to move individuals who have been successful in the Shelter Plus Care program to another housing option, such as with Section 8 housing or the Topeka Housing Authority, or employment for the individuals who are able to work and pay more rent.

Councilmember Ortiz inquired if funding could be made available to account for the large increase of unsheltered individuals. Ms. Wright stated individuals pay 30% of their income toward rent. If an individual is able to contribute a higher percentage of their income toward rent, additional funding would be available to assist other applicants. With that, the money can fluctuate.

Councilmember Ortiz inquired if organizations willing to employ individuals in the program had come forward. Ms. Wright stated no employment agencies had partnered with the program.

Councilmember Ortiz inquired if there were any organizations within the Homeless Taskforce that could offer work. Ms. Wright was not aware of any agencies but stated she would find out.

Councilmember Ortiz noted she would speak to Trey George with the Topeka Housing Authority to inquire about potential partnership with housing individuals. Councilmember Hiller stated a project she was involved with as part of a Momentum 2022 work group was to get an inventory of training and workforce assistance options and list them on a database. The project has been stalled, but is something that will continue to be worked on. Ms. Wright stated transportation was another issue facing individuals who may be able to work.

Councilmember Hiller inquired if the Shelter Plus Care vouchers were portable. Ms. Wright confirmed the vouchers were not portable. Councilmember Hiller inquired if there was an allowance to prioritize individuals who had documentation showing a prior residency in Topeka. Ms. Wright stated there was not. Councilmember Hiller stated perhaps having some priority system in place to allow unsheltered individuals from Topeka to receive a voucher before individuals who have migrated to the city seeking out the benefits of the program.

- SGT Klamm noted that another option would be to have a designated camping area as something that would assist with the ordinance requirement to have a bed available. Councilmember Ortiz stated the committee had reviewed that option, however the feedback received was overwhelmingly against the idea. Individuals at the time had stated reasons of feeling targeted and unsafe. SGT Klamm stated that if there was a designated space, security measures and other resources to provide oversight could be established.

- Ms. Wright addressed the committee to recap on her visit to Ventura, California. There is a small community of sheds that are unheated. The city did not see a decrease in the unsheltered population as they had hoped.
- Dr. Burton spoke to the committee about a report he read regarding effective and non-effective ways for communities to address the unsheltered population. Dr. Burton noted one city from the article set up a dedicated campsite which offered a common area where individuals are able to receive services such as laundry, showers, and water with areas for tents or temporary shelters to be set up around the “warming area”. Dr. Burton expressed this model of a designated site would be one he would offer services to.
- Misty addressed the committee with information she received from many of the unsheltered individuals who are not willing to go to the Rescue Mission. Misty noted that many of the individuals have a willingness to get assistance, but for a number of reasons, they are unable to comply.

Councilmember Hiller inquired if there was currently an expectation by peers for individuals to uphold some form of decorum within the campsites. Misty confirmed there are some ground rules that were generally established and the family-like atmosphere helped with the effort.

- Councilmember Ortiz noted that the current reason for not being able to pass the ordinance is due to lack of funding. Lisa Robertson, City Attorney, confirmed the lack of funding was the primary issue. Ms. Robertson stated if the City could secure partnerships to assist with funding and resources, it could be possible to establish a designated campsite.

Councilmember Ortiz instructed Liz Toyne, Council Assistant, to provide committee members with the presentation information from the Homeless Taskforce.

### **Discussion: Division of Code Compliance**

Councilmember Ortiz introduced the topic of reviewing the Division of Code Compliance and inquired about the areas within Code Compliance that had undergone the Rapid Process Improvement (RPI).

Sasha Haehn, Director of Neighborhood Relations Department, stated the Code recently went through the RPI event for the Sanitation Abatement process. Councilmember Ortiz inquired if the other committee members would be open to use the Abatement process as a starting point. Councilmember Mays voiced agreement.

Ms. Haehn stated staff could bring a presentation as well as two additional items that have been suggested to be sent through the RPI.

Councilmember Hiller suggested having the committee come up with a list of goals based on concerns and suggestions brought up by the community, and bringing those items to staff. Councilmember Ortiz suggested reviewing areas after DNR has set up and RPI for it. Committee members discussed having a priority list brought to the next committee meeting to present to staff. Councilmember Ortiz recommended bringing the Abatement RPI.

Ms. Haehn inquired about the definition of “run-down”. Councilmember Ortiz clarified: abatement, housing, nuisance, demolition, property. Councilmember Hiller added additional inquiries such as warrants and access, opening and closing cases on individual properties, and the issue of historic preservation.

Councilmember Ortiz tasked Mike Haugen, Director of Property Code Services, to provide the number of various types of case calls.

Councilmember Mays noted that as with many of the other departments, a lack of funding is the problem with moving forward. Councilmember Mays inquired if there was a way to charge code violators fees to help pay for enforcement rather than the money come from the City’s General Fund. Ms. Haehn noted that administration fees and direct charges for cleaning up a property, however many of the people being cited in the community are unable, for a number of reasons, to pay large violation fees.

Ms. Haehn reviewed her understanding of tasks assigned to include:

- A high-level overview of what each case looks like
- Staff’s highlighted list of improvements of internal changes to the process with the adoption of the IPMC
- The relationship between the Property Code Services Division and the Prosecution Office.

#### **Other Items Before the Committee**

None.

#### **Schedule Next Meeting(s)**

Councilmember Ortiz voiced a preference to set a meeting for July from 3:00-5:00pm.

#### **Adjourn**

Councilmember Ortiz adjourned the meeting.

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