



CITY OF TOPEKA

CITY COUNCIL COMMITTEE
MEETING MINUTES

PUBLIC HEALTH & SAFETY COMMITTEE

CITY COUNCIL
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Date: October 19, 2020

Time: 3:00pm

Location: 1st Floor Conference Room; Holliday Building 620 SE Madison

Committee members present: Councilmembers Karen Hiller (Chair), Sylvia Ortiz, Neil Dobler

City staff present: City Manager Brent Trout, Mike Haugen (Property Maintenance)

1) Call to Order

Chairwoman Hiller called the meeting to order at 3:05pm. Committee members and staff introduced themselves.

2) Approval of September 14, 2020 minutes

Committee member Dobler made a motion to approve the minutes. Chairwoman Hiller seconded the motion. Minutes approved 2:0. Committee member Ortiz was absent during this motion.

Committee member Ortiz arrived 3:07pm.

3) Discussion: Internet Reliability for Topeka Residents

Chairwoman Hiller stated there had been some updates from Cox, USD 501, and from the City Manager that carried over from the last meeting.

a. Updates - Cox Communication

Megan Bottenberg, Cox Communication, noted Topeka is well served for providers, however areas within the county have more access issues. Since the last meeting, Cox received a large grant of \$1.4 million through the State's SPARK grant taskforce. This will assist with serving 550 unserved homes. The project is for five projects across the state. Two of the areas will serve homes north of Topeka in Shawnee County. The new service areas have been reviewed for 15 years, but the opportunity had not presented itself until the award of the grant. This is an example of the public/private partnership.

One of the issues brought up was about connectivity. The issue in Topeka may be more with technology, rather than the broadband service. Ms. Bottenberg asked anyone experiencing slow service to contact Cox Communications to have a technician come out. Another concern surrounds too many people connecting to the network creating congestion. Ms. Bottenberg stated testing is done multiple times daily to ensure that is not the case, and again asked customers experiencing slow service to call Cox Communications.

Ms. Bottenberg noted there has been some miscommunication between Cox, USD 501 families, and USD 501. As people begin enrolling in the Connect2Compete program, families are instructed to contact Mr. Scott Gowan with USD 501 rather than Cox Communication directly.

Committee member Ortiz expressed confidence in the programs after meeting individually with Ms. Bottenberg to better understand the broadband service and Connect2Compete programs that are offered through Cox Communications. Committee member Ortiz noted through the one-on-one meeting, Ms. Bottenberg had stated Topeka is on the low end of usage compared to larger cities, and that the network has the ability to handle more users.

Committee member Dobler noted that during his one-on-one meeting, he had previously misunderstood that the ability to get the fiber from the street to the house is in fact there, but that it was indeed more of an issue of technology for city residents. Committee member Ortiz echoed similar sentiments. Ms. Bottenberg noted her daughter was having issues with zoom. However, found out that instead, they needed extenders in the house rather than it being an internet problem. A short term solution was to have her daughter move closer to the router.

Chairwoman Hiller asked for clarification about free technical assistance. Ms. Bottenberg noted that families enrolled in the Connect2Compete program are able to receive technical assistance for little to no additional service fees, and would be able to provide detailed information to the committee.

Committee member Dobler noted this issue can grow rapidly and that the goal of this conversation is to understand the small steps to help families and people working from home to have better access. Once needs have been identified and a plan has been set to get families with students addressed, the conversation can expand to discuss ideas for people who need access to apply for jobs and senior centers. Chairwoman Hiller appreciated the comments, but felt that addressing the senior population was equally important. Throughout the conversations, if it was felt that a community-wide educational campaign would be helpful, that may be an option to explore.

Ms. Bottenberg noted the understanding that other populations are in need of reliability and that Cox stands ready to help. However, the priority focus began with school-aged children as the school districts and families were impacted in a much greater capacity initially.

Chairwoman Hiller asked Ms. Bottenberg to speak about competing providers and costs. Ms. Bottenberg broke down costs of service and the reasons for why certain services cost certain prices. She finished by stating that competition was welcomed.

b. Updates - USD 501 - Families enrolling in Connect2Compete

Scott Gowan, USD 501, noted 64% of the original group of families were able to enroll in the Connect2Compete. This leaves 36% of families that have yet to be enrolled. Most of the families were able to connect without requiring further assistance from the District's IT department, however some challenges experienced included families moving and needing to redirect service, families owing past-due fees, families with bundled services which created an opportunity for the District and Cox to modify their memorandum of understanding and the District is offering two ways of paying: in addition to paying for the Connect2Compete service, the District is also willing to pay a comparable credit for those families that wish to stay bundled. Mr. Gowan noted the Connect2Compete program has been offered for almost a decade. However, now the requirement is for families to go through the free & reduced lunch program rather than directly through the IT department. There have also been a few gaps in communication when families contact other offices outside of IT, and are receiving outdated information. IT staff will continue working to address those gaps.

Additionally, the District has recognized that there is sometimes a time difference for some families for connecting. They have sought out some short-term solutions to address this. T-mobile has partnered to provide hotspots to those families who are still waiting to get connected. Families will receive better quality of service with the Cox program, however the hotspots have been appropriate for that short time. There are about 1,000 of those on the way.

Chairwoman Hiller inquired about the size of the initial group. Mr. Gowan answered that the portion of the group that has been connected was about 2,700 families. The original amount was 4,324. Their office took about 100-150 phone calls. The majority of the people were able to sign up through the online link. Cox was able to get that large number of families connected quickly.

Committee member Ortiz inquired about internal information. Mr. Gowan noted that information was sent in the staff newsletter, and will continue following up with staff.

c. Updates – City Manager

City Manager Brent Trout noted that a review of the original Broadband Taskforce discussion brought forward the need for a review of the rules and procedures as they relate to the access that individuals needed to have in order to put fiber into the ground. Through the discussion, Staff found that most of the policies were up-to-date and were where they needed to be in order to support individuals that would want to have fiber installed. Shortly after that, a third-party provider approached the City with an interest to do business, based off of that analysis. During that conversation, City Manager Trout inquired if the provider would have an interest in coming to Topeka, and if they felt the City would be easy to do business with. The representative felt the City was in a good spot within the policies to be able to do that.

City Manager Trout stated he had asked Staff to review the concept of placing conduit in the intersections in order to gain access. This is one of the most costly features due to having to dig into the intersection, putting fiber through the conduits. Placing the conduits is a major component of

the expense they would have. City Manager Trout noted a lack of a consistent policy, however that there have been some intersections where a fiber conduit was placed during a project to avoid the need to tear up the intersection again. There is cost associated with that, so that has not happened with every intersection, however it may be something to make as a standard in the future. If the conduit is already there, having it available for providers to use in the future could be a benefit to the City and is something that could be researched. He noted there are other competitors who are able to offer different services. By having the conduits available, the companies could see investing in the community as a benefit.

Chairwoman Hiller inquired about the reason for investing, in hopes of having additional providers, if the current providers are able to provide the service that is needed to Topeka. City Manager Trout noted that the City would not necessarily encourage other providers to come, however it is a free marketplace. Additionally, some of the other providers utilize Cox's system as their basis for then their service. Many of these types of providers are able to provide additional services, mostly to businesses and industry. One question that has come up is in relation to appropriate level of coverage and service for businesses and industry.

d. Discussion, possible action

Chairwoman Hiller inquired about ideas for identifying the problem. Committee member Dobler suggested identifying the gaps regarding the current service available. Chairwoman Hiller noted a lot of information has since been learned that the problem is not that there is no service, but that it may be other facets. Committee member Ortiz noted that by having the information that is being sent to the remaining 36% of USD 501 families, as well as learning more about the SPARK grant that Cox Communication received, the committee may be able to gain a better understanding of where problems lie by the next meeting.

Committee member Dobler agreed that reviewing the school district information would be helpful, but that the committee could begin looking at other demographics, within the city limits, who have limited access due to financial hardships. Once that has been reviewed, the conversation could expand to all residents within Shawnee County. Committee member Ortiz

would like to focus on sending a unified and clear message to provide accurate information to families and community members.

Chairwoman Hiller noted that in addition to inquiring if other demographics are sharing the same issues that are being seen by USD 501 families, two other issues raised were people lacking an understanding of technology, and old or incorrect equipment. By understanding that older technology and technology overall, and all of the pieces that come together; and how the actual broadband moves, such as by placement in a home, many of the connectivity issues may be able to be solved. It is also important to understand what the capacity is for each level of service.

Committee member Dobler inquired with Mr. Gowan as to how they are able to identify with families what the issues are, and if the issues have been solved. Mr. Gowan noted it would be unlikely to reach 100%, due to a number of different reasons, however many had noted that they already have some type of Cox service established and noted they do not want to change from the current service. However, Mr. Gowan feels it is possible to reach some additional families by notifying them of the second option, for the district to provide a credit that would be used toward the family's current bundle. Mr. Gowan noted there are 2,700 new families that may have missed the initial communication about the program, and the focus will shift to begin engaging with them.

Chairwoman Hiller inquired about programs for other types of issues such as day care centers or atypical child care situations that had not previously been an issue, but are now experiencing limitations for service. She provided the example of the program offered by the Boys & Girls Club of Topeka, where many students were participating in virtual schooling at the same time and the bandwidth was no longer appropriate for the need. Mr. Gowan confirmed situations such as these are problems. The district has established hotspots as a way to try to address the immediate issue, however, this issue highlights the need for a community-broadband program. Chairwoman Hiller inquired if not having a community-wide footprint for access was a problem. Mr. Gowan stated he felt there was certainly a need to have a wireless based broadband service that has nodes that cover the community. This footprint was ultimately the recommendation of the original Taskforce.

Chairwoman Hiller inquired about the difference between having full coverage in the community, versus community broadband. Mr. Gowan stated that having full coverage in the community means having the ability to step away from a building. By having access from a broad tower wireless footprint, the additional gaps would also be covered.

Chairwoman Hiller noted the idea of creating broadband to be a public utility had come up, and asked what that would look like. She wanted to know if it would be something that everyone paid into, or if it would be something that would be an overlay and people could still buy their own additional service. Mr. Gowan responded that more often than not, it is a base-level of service that some people partake in and others continue choosing to pay for private enterprises.

Chairwoman Hiller inquired about the number of people that would be needed in order to establish a community-broadband initiative versus those wanting a private broadband. Mr. Gowan noted it would depend on the level of service. In other places that have such an operation, there are about 20-25% of the customer base, and that is mostly the customer base that was not connected in the first place.

Chairwoman Hiller inquired if the initial study researched the subject. Mr. Gowan did not think that specific topic had been discussed, however stated Gina Millsap, with the Topeka Shawnee County Public Library, and may have additional information. Chairwoman Hiller inquired about what the next step might be. Mr. Gowan thought the next step would be to analyze what it is that the community needs, and what it is that the community wants to fulfill. From there, seek out vendors who want to be part of the process either to be the connection or to manage the towers that connect to other providers for service.

Chairwoman Hiller inquired if the previous study had already taken that information into consideration. Mr. Gowan did not think that was the case, but that the first step was to identify what the demand was. The second step was to determine what to do with the demand. The Taskforce had done some work with an engineering firm to show that there was a ring available where some connections could be made, and to his recollections, some

designs had been made with regard to placement of a tower or node to get the distributive connectivity that was needed.

Chairwoman Hiller inquired if the next level would be to have a professional complete a study to inform the city about what equipment would be needed and the cost of it. Mr. Gowan confirmed. However, internet providers may not have the broadcasting towers, which would be the other piece that was needed.

Chairwoman Hiller noted that LaZone Grays, with IBSA Inc, did not seem to agree with the information being provided by Mr. Gowan and invited him to the microphone. Mr. Grays commented that a line of sight analysis was possible, and although unsure, it may have already been conducted by the State with the SPARK grant monies that they were awarded to assist with broadband infrastructure. Mr. Gray referenced a \$250,000 study and stated he would have expected some of the questions brought up by the committee to have been answered. Mr. Grays noted there are many places to use for tower line-of-sight.

Committee member Dobler stated that he felt the first question to ask is about getting access to people now with what is currently available, and to look further into the community-wide program later. Chairwoman Hiller stated an additional issue is that there is COVID grant money being distributed, and the city does not want to miss the opportunity to be awarded some of that funding to address the larger things. Ms. Bottenberg stated that most of the Federal and State CARES Act dollars have been designated. Sixty million dollars were designated for connectivity. Of those funds, \$50 million was for broadband infrastructure expansion for the entire state and \$10 million was for adoption. Ms. Bottenberg stated she felt adoption was the key issue for the city. To her knowledge, the grant funding has been spent and none of the proposals were to be used in the Topeka area, outside of the 300 home proposal that Ms. Bottenberg spoke on earlier.

Chairwoman Hiller stated she wanted to be sure options had been explored to have access to funding that may be available to provide service to the unserved population that resided within the city. Ms. Bottenberg confirmed that as an applicant, Cox had to prove the areas in their application were underserved and not currently able to receive the 25/3 speed. Ms.

Bottenberg noted that getting any type of potential funding for Topeka would require going through the adoption route. It is unknown if additional CARES Act funding will be made available in the coming months. Earlier in the year, the State legislature provided within the new 10-year Transportation Plan, \$5 million annually for broadband expansion. Ms. Bottenberg cautioned this funding will likely have a focus and priority to provide service to the areas within the state that are currently completely unserved. The adoption route may be the best solution to obtaining grant funding for the city.

Michelle Stubbelfield, Greater Topeka Partnership, noted the GTP has been interested in growing connectivity within the community from a talent development perspective and from the quality of life for families, perspective. One thing the GTP would want to look at is what opportunities are available for when/if the second round of funding occurs. Adoption of digital equity is something GTP is interested in. Access is important for children, but job interviews are also happening now online.

Committee member Ortiz inquired about the second round of funding. Ms. Stubblefield noted a date had not been determined yet, but that conversations as to how to award the funding have been occurring. Chairwoman Hiller noted the City is involved with the Transportation Authority, and inquired if GTP was also involved with the advocacy portion to ensure there would be urban money awarded. Ms. Stubbelfield confirmed.

Mr. Gowan stated that whether the conversation takes the approach of community broadband or an approach that looks at more than just the students, it is important to be mindful of the different types of environments where a student may be partaking in their virtual learning.

Chairwoman Hiller summarized the key items identified during the conversation in order to stick to Topeka, with a focus on students but to keep the other demographics in mind, and to continue discussions concerning the following:

- USD 501 and generic ongoing communications
- Understanding technology
- Understanding how broadband works
- Understanding multiple devices
- Understanding the issue of old devices

Chairwoman Hiller inquired if the district-issued equipment was meeting the needs for completing homework, such as needing a scanner or printer. Mr. Gowan noted that teachers were providing curriculum based on the knowledge of what the students are using, and that for the most part the current devices were working. However, there were some challenges for students working with the CTE (Career Technical Education) programs. To assist with this issue, the District has laptops available for check-out. Mr. Gowan noted issues of printing or scanning may be an area that could be reviewed.

Committee member Dobler expressed a metric for the next meeting:

- Update from USD 501 on the 2,700 families.
- Explore issues raised about other populations such as adults needing access for job needs and the senior population. And invite appropriate parties to join the next meeting for that conversation.

Chairwoman Hiller inquired about interest for following up with Cox Communications and USD 501 to provide some reports on the items identified in the meeting. She noted it would be a priority to have someone who is participating and following along with the discussions at the State level be able to report back.

Mr. Grays mentioned a presentation he had made at a previous JEDO meeting regarding an initiative to bridge the gap between IBSA and DCF (Department of Children & Families). Mr. Grays had spoken to Ms. Bottenberg and Ms. Stubbelfield to discuss their organizations' service for households that are eligible for the free/reduced lunch program. It is likely that a child who is in the free/reduced lunch program has an individual parent or guardian that is low-income and have to be looking for work. Hot spots are not as reliable as wired service, but offer a great alternative for internet. IBSA provides hot spots through a service with T-mobile and are not having any problems. The hot spots are able to bring a connection to others outside of the county. He would like to bring awareness of the hotspot program and stated DCF has agreed to purchase the one-year service that offers a good speed. In some cases, the hotspots are utilized as an additional service to allow for multiple individuals in a home to connect to the internet simultaneously. Families with children eligible for the free/reduced lunch program, and are receiving TANF or cash assistance, are able to participate in the program. DCF has also agreed to purchase a home

computer for those participants who need one. Mr. Grays suggested that identifying who the people with internet access but no computer are, and having conversations with other entities outside of Cox and USD 501, the full picture of available options. Chairwoman Hiller asked Mr. Grays to send some information about the program to the Council Assistant. Mr. Grays mentioned that having an equity plan, allowing partners within a public-private partnership to speak to their programs, and to have an entity come forward to take ownership of the initiative would be key items to include. Mr. Grays urged the committee members and City staff to look for opportunities to address the issues, which may seem unconventional.

Committee member Ortiz thanked Mr. Grays and mentioned DCF had been waiting to see what ideas the City was going to come up with, as not only are they serving families of low-income, but also children in the foster system. She feels this would be an additional piece of the puzzle to keep in mind for individuals needing service. Mr. Gray noted if there are individuals who cannot receive service through the school district, this program may be able to offer another solution.

Committee member Ortiz also noted Dawn McWilliams with the Boys and Girls Club stepped up to assist with students attending virtual school who needed a place to be during the day.

Chairwoman Hiller inquired about how many devices that could be operating at the same time while using Zoom, in a household, with the current service that is available city-wide. Ms. Bottenberg noted she would only be able to speak about the service of Cox Communication. The starter service offered 25/3, which would allow one to two devices. Packages increase from there up to the largest size of one gigabyte. This service would be able to support an unlimited amount of devices using Zoom. One of the middle packages of 50-100 megabytes speed would support five to seven devices. Additional service information can be found on Cox Communication's website.

Chairwoman Hiller inquired about the service provided through the Connect2Compete program. Ms. Bottenberg confirmed that the service would support about two individuals using the full Zoom suite package. Mr. Gowan confirmed Ms. Bottenberg's statements, and provided tips that were provided to families who have had been experiencing issues, such as staggering Zoom calls, and to rotate their camera. One student may need to

use the camera to participate in a class discussion, whereas the sibling may be able to participate in class using audio only, and then trading off.

Chairwoman Hiller thanked those in attendance for this piece. And scheduled the next meeting. Meeting will be Monday, November 16th at 3:00pm. A zoom option will be available for attendance.

4) Property Maintenance

a. Report on mold issue

Mike Haugen, Property Maintenance Division Director, noted that there are very few statewide, countywide or citywide laws regarding mold. Shawnee County nor the City of Topeka have such policies or codes. However, mold can be a dangerous health issue. The Property Maintenance Division has been addressing mold as a sanitation issue, noting that if mold is present, the living conditions are likely not very sanitary. They also address the cause of mold, as this can be caused from poor ventilation, leaky pipes, or leaky roofs. If someone calls stating they have a mold issue, inspectors will go out and look for the cause. If the mold can be cited for sanitation, which is what happens. Mr. Haugen noted that addressing surface mold is the responsibility of the tenant, and they need to maintain a clean and sanitary area. It can be cleaned with a vinegar or bleach solution and wiped off.

Mr. Haugen noted that their staff is not able to get into parts per million. They do not have the equipment, training or certification to know what a healthy air quality is for someone's home. There are professional companies that are able to provide this service, and they are generally fairly expensive. A tenant has the right to live in a habitable space, so if it is dangerous because of mold, that tenant should reach out to the landlord in writing to notify them of the issue. If the landlord does not address the issue, the tenant can notify Property Maintenance.

Chairwoman Hiller noted in the past, Property Maintenance would not address this issue, however was thankful that since that time, ways to address the issue have been approached.

b. Next steps proposal; Discussion & possible action

Chairwoman Hiller stated she was working on creating this framework and would like to talk about it further at the next meeting.

5) Other Items

No other items.

6) Adjourn

Chairwoman Hiller adjourned the meeting at 4:50pm.

Meeting video can be viewed at: https://youtu.be/2_QZQODe7G8