



# CITY OF TOPEKA

CITY COUNCIL COMMITTEE  
MEETING MINUTES

## PUBLIC HEALTH & SAFETY COMMITTEE

CITY COUNCIL  
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**Date:** November 16, 2020

**Time:** 3:00pm

**Location:** Classroom A;

**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 3:00pm. Committee members and staff introduced themselves.

### 2) Approval of October 19, 2020 minutes

Committee member Dobler made a motion to approve the minutes. Committee member Ortiz seconded the motion. Minutes approved 3:0.

### 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. Members in attendance introduced themselves.

#### a. Updates

##### i. USD 501

Scott Gowan, USD 501, provided the following information:

- At the last meeting, there were roughly 64% of families that qualified for the Connect2Compete program that still needed to be connected. Since that time, there are 53% that are still needing to be connected. There should be a better estimate after the end of November.
- Two main reasons families were having issues getting set up with program: had outstanding bills that needed to be addressed first, and people moving and not updating address with the school district.

- Involving principals and social workers at the schools allowed for more contact to be made with families who did not have the internet access in order to request access.
- Split-home families, or non-primary home access: Has not received any calls from families who indicated that being a barrier during this last push, however knows that it likely is an issue.

ChildCare Aware- Reva Wywadis spoke on behalf of child care facilities within their system. She noted there are currently 337 licensed child care programs in Shawnee County. These include family child care and family group care facilities that operate out of a residence, child care centers, pre-schools and licensed before/after school programs. Many only operate over the summer, and some are closed temporarily due to COVID-19. She asked her staff if they had heard from providers about internet connectivity being an issue. There were no amount of numbers to provide, but yes, internet issues are being relayed to ChildCare Aware as issues for daycare providers.

Boys & Girls Club- Dawn McWilliams spoke about the Club sites. There are three remote learning centers: Montara (52 participants), Adam's Club (58 participants), Teen Center (47 participants). Experienced many challenges during the first go-around with the remote learning, it was clear that enhancements with firewalls, points of access, and bandwidth needed to be made. Worked with Cox Communications, and now during the second go-around, there have been no issues. Chairwoman Hiller inquired about the cost for the upgrades. Ms. McWilliams confirmed there was additional cost associated, however ChildCare Aware was able to provide the additional funding that was needed.

Committee member Ortiz stated she had provided a few people with the tips Megan Bottenberg had suggested at an earlier meeting, regarding ways to troubleshoot to get a better connection, was appreciative of that information, and recommended people reach out to their internet providers if they are having issues. She thanked USD 501 for the district's program to assist with paying for internet through the Connect2Compete program, and suggested a continuation of pushing the information out.

Committee member Dobler inquired if there was a way for classroom teachers to identify students who did not have internet access to contact Mr. Gowan's office. Mr. Gowan noted a couple of options. Communication goes to all teachers and district employees about the program and how to refer a family. Some families will not qualify for the program, however they are working with families to see what other options and resources are available.

Chairwoman Hiller noted all students are issued an i-Pad or Chromebook, and inquired if people may be running into hardware issues rather than internet issues. Mr. Gowan confirmed that some are connecting with personal devices rather than school-issued devices and may have some difficulties. Another issue may be browser software that has not been updated to the most current, and causing issues. Mr. Gowan noted there is a resource page on the district's website that provides some of these troubleshooting items.

**ii. DCF**

Mike Siebert, DCF, was not the contact for the Foster system, however he noted it was important for connectivity and encouraged people to contact their provider with issues. It may not be something indoor, but outdoor connection.

**iii. Senior Agency Representatives**

Debra Dawkins, East Topeka Senior Center, noted the largest issue they had was with working out of a community center, and that the internet connection is a public wi-fi. The seniors have expressed the same type of issues from home as what has been brought up from school-age discussion.

Megan Bottenberg, Cox Connections, encouraged people to contact their service provider with issues. Chairwoman Hiller stated she had not heard about service technicians helping with operating systems and browser issues. Ms. Bottenberg was not able to speak to exact protocols and procedures regarding customer service, however the priority is to ensure the network, wires and lines coming into the residence are working correctly and that good signal connection is occurring.

**iv. Career-seeking demographic**

Chairwoman Hiller inquired if anyone in attendance wanted to speak about issues with career-seeking individuals. Mr. Seibert noted he had not heard of issues getting connected. The DCF Workforce center had been meeting with people by appointment, but were still able to assist them. He noted an abundance of job openings around town, and that even without access to internet, it was possible to find a job.

Lazone Grays, IBSA, suggested some people may not be eligible for program through USD 501, but possibly would qualify for another program that would provide service or technology that is needed. He suggested creating some type of campaign to inform people of additional options and programs that are available. If an individual does not qualify for one program, they may qualify for another. The Bridging the Gap program helps provide access, and in some cases hardware, to access the internet. Chairwoman Hiller noted part of the goal was to hear from as many demographics of the community as possible.

Susan Harris, Jayhawk Area Agency on Aging, noted that there may be a growing issue for seniors regarding familiarity, want or ability to use technology. Many doctors offices are opting for telehealth visits, and seniors have commented that if they have to do an appointment online they will just not go to the doctor at all. Having a way to help teach the population how to use those online tools, such as Zoom, could be helpful in creating a level of comfortability.

#### **v. Service & Infrastructure**

Chairwoman Hiller noted that discussion had come up about placing conduits in the right-of-ways, as well as the T-mobile hotspot program that Mr. Gowan had introduced at the last meeting.

There were no additional comments from City Manager. Mr. Gowan noted the hotspots had not arrived yet, but that they will be able to help additional families, as well as students who may be homeless or not have a stable home. These hotspots are being purchased with SPARKS Grant funding.

Ms. Bottenberg provided an update about the service expansion in the Seaman school district area. Permits are going through and it is expected to begin in December.

Mr. Siebert inquired with Mr. Gowan about allowing the special needs students to continue in-class, or if all students were now remote. Mr. Gowan shared that as he understood, the schools were allowed the flexibility to continue assisting for those high-need students that do not tolerate distance learning as well.

**vi. GTP SPARKS second round funding**

Chairwoman Hiller inquired if there are additional needs for more funding. Mr. Gowan shared he did not think additional funding would be needed before December, however, there should be some lobbying about extending the deadline for spending the money; and that with the pandemic likely carrying on for several months, having additional time to spend the CARES Act and SPARKS dollars and potentially a second round of funding being provided after the first of the year, would be beneficial.

Committee member Dobler suggested waiting to decide where to allocate funding until after discussion has been had about the committee and leadership structure has been established. He would like to possibly see the Greater Topeka Partnership take the lead on this project.

Ms. Bottenberg stated Congress had just returned to work, and that December 11<sup>th</sup> is a funding level deadline on the federal level. If there are additional relief fund disbursements, or a deadline extension, it would likely be that time when information went out. She noted more information should be coming out within the week.

Committee member Ortiz suggested adding the item to the next meeting. And to wait until the next meeting to discuss the future plans.

**vii. Past Broadband Taskforce; accomplishments and future**

There were no representatives in attendance to speak to this item.

viii. **Possible future broadband leadership structure**

No additional discussion on this item.

b. **Discussion, possible action**

Mr. Grays noted the funding provision through DCF did not have the same December deadline, as they are not COVID-19 funds. Mr. Seibert confirmed the funding was through TANF.

Chairwoman Hiller briefly introduced some models that Mr. Grays would like to share for long-term collaborations. Mr. Grays suggested contacting Heartland Works. Chairwoman Hiller noted if anyone had additional suggestions, to please email the City Council Assistant, Liz Toyne at [etoayne@topeka.org](mailto:etoayne@topeka.org).

**4) Property Maintenance**

[Conversation began at video 1:00:20 minutes] Chairwoman Hiller supplied a handout with a draft of ideas for proceeding, to the committee members and Mr. Haugen. Out of all of the discussions from the Committee, as well as the Housing Study.

Four main ideas came from these conversations and included:

- City-wide beautification of vegetation program
- Protocols for complete interior inspections
- Mothballing standards for structures that are expected to be held vacant
- Restructured system of consequences and resource assistance to gain compliancy

Those items seemed somewhat simple, so a smart-goals approach to putting them out, along with steps to reach those goals seemed like the best way to proceed.

Assumption of goals of Property Maintenance Division are:

- Safety of people
- Protection of structures
- Maintenance of an attractive environment
- Property values

Operations Assumption

- Be straight forward, kind, and fair
- Cost effective

- Fully integrated with other departments and services

Aspirational goal - To bring up the quality of structures and premises of Topeka, KS so that:

- code violations in structures and on premises are the exception rather than the rule
- that our number of sub-standard properties is never over 500
- that owners are motivated to take care of properties before Code is called
- that our staff requirement is ultimately not more than six in the program.

The challenges were respond with some detail to say:

- 1) Reduce the current number of 4,300 sub-standard structures down to 500 within five years
- 2) Reduce deterioration in vacant structures
- 3) Reduce the expense and revenue gap on abatement cases from a \$500,000 loss annually to zero dollars lost
- 4) To improve the appearance of the community through the management of uncultivated and overgrown vegetation, such that the average resident or visitor would score Topeka's property appearance to at least a 7 on a scale of 10
- 5) The Police Department would rate 80%, or more, of the properties as "in compliance" with CPTED (Crime Prevention Through Environmental Design) principals within three years
- 6) Reduce the amount of tree and shrub abatements, by both Code Compliance and Forestry divisions, by at least 50%

Chairwoman Hiller noted that there was additional detail for each of those items.

Committee member Ortiz stated she would like to have some additional time to review and think through some of these proposals.

Sub-standard structure reduction goal [video 1:12:30 minute] - Committee member Dobler stated the goals make sense and have potential to achieve over time, but will take deeper discussion. He had some concern on the first goal, noting it would take improvement of 700 structures annually to reach the 500 in 5 year goal. Current staff limitations may prove this to be difficult to achieve. Alternate suggestions to assist in this would be upsize staff through some method for a period of time, or outsource. Mike Haugen, Property Maintenance, noted that

the 4,300 is referring to the annual number of new cases. This total does not reflect cases that carry over annually. He could not think of ways to reduce the number, and noted that their division would be able to find more than that with proper staffing. Mr. Haugen noted the division was taking pro-active measures to include sending letters to property owners during the winter to allow them time to create a plan of action once the warmer seasons arrive.

Committee member Dobler stated that the bigger issue is how to get properties into compliance and keep them there. Mr. Haugen stated most of the repeat violators are unable to afford to maintain their homes, let alone bring all items up to compliance at once.

Committee member Dobler inquired about landlords verses homeowners. Mr. Haugen noted many of the landlords understand that fines are going to increase the longer issues are left unaddressed, or are re-cited and are doing a better job at maintaining them.

Reduction of inspectors - [1:22:30 minute] - Mr. Haugen asked the Chair for clarification regarding the fourth goal, to reduce the current staff to six and if that was referring to the number of inspectors. Chairwoman Hiller confirmed. Mr. Haugen noted that the current seven, are all back-logged because of how efficient they are operating by reinspecting, re-cite, and meet with owners on a daily basis. A staff reduction would reduce the amount of properties the inspectors are able to get to. Chairwoman Hiller noted the goal was long-term, and feels this is something that can be achieved if some of the other smart goals measures are attained.

Interior inspections [video 1:29:45 minute] - Mr. Haugen noted there is currently measure in place, and being practiced, for addressing interior inspections. However, these are not completed 100% of the time, and there is no way to mandate interior inspections on landlords. The courts have established these state laws. Chairwoman Hiller cited Tenant rights, that protect them from being evicted on a retaliatory basis, if they have let the Code Compliance inspectors in. She noted language had been included in the IPMC (International Property Maintenance Code) to address voluntary inspections that do not include a write up. She also suggested a check-list for landlords. Mr. Haugen noted there were legal challenges, however he would really promote finding better ways to address the interior inspections.



Committee member Dobler proposed a hypothetical scenario where the Property Maintenance was provided unlimited funds, and asked what Mr. Haugen's top priorities would be. Mr. Haugen noted increasing inspectors, abatement crews, and legal staff would allow the division to abate, clean, bill and address the properties at the level everyone would find ideal. Property Maintenance currently utilizes reports sent to them from other departments to gain entry to inspect interiors of some homes. Mr. Haugen noted a cultural shift of the people moving out of the inner core of the city to further out, that occurred from the 1980's through the 1990's, which have since left properties to deteriorate. He does not have an answer to address changing the norm and expectations of neighbors living in an area. Changing these norms would bring these standards up, however there is no easy solution to bringing about this change.

Vacant Structures [video 1:43:05 minute]: Chairwoman Hiller cited information found in the recent Housing Study that stated there were 6,000 vacant units in town. She asked Mr. Haugen if he agreed with that estimate. Mr. Haugen stated he was not sure how the study came up with those numbers, provided a few possible guesses but did not have a definite answer. He said 6,000 was a very high number and would be very noticeable.

Deterioration of vacant structures [video 1:45:38 minute]: Chairwoman Hiller noted some success with the foreclosed unit registration program, and inquired about the vacant structure registration. Mr. Haugen noted there is not much resistance from property owners, and structures are getting registered. They have received some community backlash, as they do not want to pay fees or register the property and do not want to be in the system. The fee for vacant structures is minimal in comparison to the foreclosed properties.

Mothballing: This process will require interior inspections. Owners are protected by law to refuse voluntary admission into property to inspect for proper mothballing process. Historical building preservationists are compliant, however those types of properties are few and far between.

Back to deterioration of vacant structures, Chairwoman Hiller noted that many times, roofs in disrepair are the cause of interior damage in many cases. Mr. Haugen noted that if roof damage can be seen by an inspector, it is cited. However, they cannot go on top of structures to inspect the roof. It would be

preferred to rehabilitate a structure rather than spend the time and money to demolish it.

Mr. Haugen discussed the improvements of the process that have been taking place over the past few years through the demolition project for special structures. The goal is to save the properties, gain voluntary compliance and to provide resources for owners who are not financially able to take care of numerous issues but have the willingness to do it.

Chairwoman Hiller provided some thoughts on a vacant structure ordinance, to include language to assist property owners with ideas of how to take care of a structure to avoid further deterioration.

Expense gap on abatements [video 1:54:20 minute] - Mr. Haugen noted the majority of people voluntarily comply with citations. However, they are taking more aggressive action toward those owners who do not comply. Ways of contacting owners include: placing door hangers, contact in person, call, leave contact numbers, send a certified letter (legally required) as well as a first-class letter, and in cases where the first-class letter comes back more research to find a current address for the owner is conducted. The focus now is to set up lists of repeat offenders to be pro-active with citing smaller violations before it gets to the point of requiring a 40-yard roll off that pulls all of the crew off of the other jobs to address. Mr. Haugen stated he would not have a preference one way or another to increasing fines, however noted that most of the people that are cited are poor already and the City may begin pricing them out of their livelihood if the fines are increased too high. Chairwoman Hiller noted that it seemed to be a goal to raise the bar to set the standard higher, but not penalize unnecessarily.

Mr. Haugen stated that a volunteer mowing program had been in place at one time, however it was not sustainable. He would be in favor of starting it up again with a better organizational structure.

Vegetation overgrowth management system [video 2:04:00 minutes] - Mr. Haugen agreed that this is an issue. He suggested enforcing the codes that are currently in the books, and that his inspectors have taken a pro-active approach by sending a notice to people who had previously been cited for this issue to hopefully let them address it before it becomes an issue again. He stated he could add additional language to the letter to include the shrubs and volunteer trees in the

alleys. Mr. Haugen is supportive of adding additional language but noted that there continues to be a consistent backlog of over 200 cases for grass and weeds alone, even with the proactive measures in place. Including shrubs and trees will only increase that backlog. Chairwoman Hiller suggested implementing some type of public information initiative to bring the issue to the forefront. Mr. Haugen stated some of the issue is the mindset of neighborhoods of what is “the norm”. If it is tolerated, it will continue to get worse.

Chairwoman Hiller asked the committee to continue reflecting on those goals and think of ideas to bring to the table at the next meeting. Mr. Haugen noted the Chief of Police asked him to provide a list of goals for one, three, and five years out.

The next meeting will be December 14<sup>th</sup> from 3:00-5:00pm, location TBD.

#### **5) Other Items**

No other items.

#### **6) Adjourn**

Chairwoman Hiller adjourned the meeting at 5:15pm.

Meeting video can be viewed at: <https://youtu.be/wlYauKkrP5s>