



CITY OF TOPEKA

CITY COUNCIL COMMITTEE
MEETING MINUTES

PUBLIC HEALTH & SAFETY COMMITTEE

CITY COUNCIL
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Date: May 17, 2023

Time: 11:00am

Location: 1st Floor Conference Room; Cyrus K. Holliday Bldg 620 SE Madison
(virtual attendance option also available)

Committee members present: Councilmembers Karen Hiller, Christina Valdivia-Alcalá, Brett Kell, Spencer Duncan

City staff present: City Manager Stephen Wade, Mathew Mullen, Director of Innovation & Special Projects Hannah Uhrig, Property Maintenance Division Director Mike Haugen, Communications Director Gretchen Spiker, CFO Freddy Mawyin

1) Call to Order

Committee member Hiller called the meeting to order at 11:00am. Committee members and staff introduced themselves.

2) Elect 2023 Chair

Committee member Valdivia-Alcala nominated Committee member Hiller to serve as Committee Chair for 2023. Committee member Hiller accepted the nomination. Committee member Duncan seconded the motion. Motion approved 4-0-0. Committee member Hiller will serve as Chair.

3) Changing Our Culture of Property Maintenance

Chairwoman Hiller stated the purpose of the meeting was to bring the full committee up to speed on the various pieces of the Changing Our Culture of Property Maintenance (COCPM) initiative.

CoCPM Work Plan:

Hannah Uhrig, Director of Innovation & Special Projects, developed a living document work plan. The plan included in the agenda packet is a snapshot of where things were as of May 15th. It is updated frequently. Main pieces on the current plan include:

- Staff teams have access to the document and are able to provide comments, move dates, or adjust and update as needed
- First column is the goal column. Its purpose is to tie the overarching four goals that were identified for the initiative.

- Each piece is also tied back to the May8 Consulting recommendation list.
- As staff works through the pieces of the various projects, they are grounded and reminded of the goals and purposes are for the different items.
- The next three columns are reference to the task and help staff understand the level of effort going into each.
 - Municipal Ordinance
 - Internal process or procedure
 - Cross-agency coordination effort
- Additional columns identify the task owners and the partnering departments.
- The final columns establish a start and end date, task status, and comments section.

Chairwoman Hiller noted that each Committee member has a notebook with current sets of documents and items as they are today to include a reproduction of the initiative statement that the full Governing Body approved in December 2021.

Chairwoman Hiller invited committee members to review the documents and reach out with questions. The goal for this meeting is to receive an overview of the overall work plan and some of the active moving parts right now. Monthly meetings have been established to allow the committee to work on certain pieces through the remainder of the year. Vacant properties will be the focus for the summer sessions, as well as to pull one or two of the smaller items.

LLC Ordinance:

Mathew Mullner, Senior Legal Advisor, introduced himself but did not have an update on this ordinance.

Chairwoman Hiller reminded everyone that the LLC Ordinance was passed by the Governing Body. She did not know exactly what City Attorney Amanda Stanley was going to specifically report on, however it was her understanding that the Legal Department was already actively using this ordinance in Municipal Court as a tool to get people to show up for their court docket hearings. Speaking to the Repeat Offenders pieces of the ordinance, it was Chairwoman Hiller's understanding that the intent was to help encourage people to not be repeat offenders. City Manager Stephen Wade confirmed that this ordinance has been used and there are a couple of cases. Chairwoman Hiller indicated further update on these cases and the LLC Ordinance in general would be forthcoming at a future meeting.

Committee member Valdivia-Alcala suggested this piece possibly come back as a quarterly report to update and track how it is working.

Committee member Duncan requested to receive a copy of the report, as one reason the Governing Body passed the LLC Ordinance was to, not only help everyone, but more so to address higher profile problems that are meant to address the worst offenders, and he is interested to see if it is impacting the couple of offenders it was meant to address.

Municipal Court Update:

Chairwoman Hiller stated a memo from Judge Thadani was included within the packet, and encouraged the Committee to read through it. She would like to have a report on how it is doing at the next meeting.

Committee member Duncan stated he would be interested in also hearing if this ordinance was having an impact with the worst offenders, now that it has been in effect for about six months.

Property Maintenance Update:

City Manager Wade noted there had not been prior communication to him to request various staff to attend, and he asked many to not be present. It would be his preference to have such future requests come through his office prior to the meeting.

Committee member Duncan inquired as to the number of staff currently with the Property Maintenance Division. City Manager Wade stated there were two vacancies. He thought there were currently five total staff, but was not confident with that answer. Committee member Duncan asked if whether, during budget preparation, staff was looking at any expansion in the code inspection program? City Manager Wade confirmed they were.

Committee member Valdivia-Alcala voiced concern for the number of cases open, and for wanting to address how the process for citing multi-family dwellings will work. She stated she did not understand how that would work, and would like to receive more information and have dialog about it. City Manager Wade responded that he would draft something to send to the Committee. Currently, some of the plans and ideas have had to be placed on hold as the Property Maintenance

Division is very low on code officers. The low staffing does not touch the additional enforcement of some ordinances related to the homeless issues that are needing to be addressed.

Committee member Valdivia-Alcalá sought ideas for moving these discussions forward, asking if it would take place at the Committee level, or would it go to the Governing Body as a whole? City Manager Wade did not give a definitive answer but was amenable to either suggestion as the various topics and conversations arose.

Chairwoman Hiller made mention of City Manager Wade taking over as project manager of this initiative.

Committee member Duncan noted he shared concerns with Committee member Valdivia-Alcala regarding the low number of staff and that this may be something to bring to the Governing Body during budget season to ensure these positions remain a priority to hold and hopefully fill.

Chairwoman Hiller stated one of the reasons to keep a pulse on how these pieces are working, is to get to a point when the system is strong enough to not require as many code officers. City Manager Wade responded the City is a far ways out from being able to be at the point just yet.

Vegetation:

Chairwoman Hiller noted this ordinance was in the agenda packet. She stated that when the primary initiative was passed, it added in language about overgrown vegetation, other than grass, that was over 12 inches and to begin dealing with that. The ordinance set before the Committee has been vetted and is final or close to being final. She provided some options related to how and when a vote could take place and when the ordinance could go into effect.

City Manager Wade stated there has been small workgroup discussions about what a Community Pride type of campaign might look like. Staff are still flushing those ideas out. He stated it was City Attorney Amanda Stanley's recommendation to not adopt an ordinance without having an appropriate enforcement piece in place to adequately address the ordinance. He stated it was staff's recommendation at this point in time to outline the parameters of the ordinance, but move forward with a community pride campaign before passing the ordinance.

Chairwoman Hiller inquired about next steps regarding getting the information before the Governing Body. City Manager Wade felt a recommendation could be made by the Committee, but that it would not be necessary to have approval by the full Governing Body at this point in time. There are a lot of pieces that could be covered within an education campaign to outline and educate about these goals, without taking legislation.

Chairwoman Hiller agreed to comments made, and inquired if City Manager Wade felt that including this information within a Committee report to the Governing Body, as a discussion item only, would be appropriate in order to garner feedback from the other Governing Body members? City Manager Wade stated he felt this would be appropriate and stated staff could give a presentation.

Committee member Valdivia-Alcala felt this community education campaign was a good idea, agreeing that no legislative action should occur at this point in time. She stated that this effort will require a strong and continuous campaign. She suggested that with staff's assistance, they would be able to keep the education in front of the Governing Body.

Committee member Kell suggested having a grace period of two or three years to only provide warnings to individuals about landscaping pieces, it may help space out the work that professional companies are able to keep up with.

City Manager Wade stated it was the City Attorney's recommendation to not pass legislation on this item at present time, if there is no enforcement. Chairwoman Hiller inquired if that also meant not passing a Resolution of Intent? City Manager Wade confirmed and re-stated his suggestion to provide a presentation to the Governing Body in the near-term followed by an aggressive educational campaign would share the City's intent to constituents. This would provide plenty of notice to constituents of expectations and time to voluntarily take action so that, when the City is ready to begin the enforcement, it is not a surprise to residents.

Chairwoman Hiller inquired when City Manager felt a presentation to the Governing Body might be able to occur? City Manger Wade stated it would not be able to happen prior to July. Chairwoman Hiller penciled in to revisit this item at the Committee level for August through October.

Committee member Duncan inquired if most of the current right-of-way and City property work is handled by in-house staff or was outsourced? City Manager Wade stated that most of the work was addressed in-house. However, there are some needs that require outsourcing. Committee member Duncan felt further discussions about recognizing the timing to hire third-parties to help catch-up on the City's work would be appropriate.

Committee member Duncan inquired about how easements were currently addressed? City Manager Wade stated homeowners receive a notice of a code violation with a date for re-inspection included. When Code Officers return for re-inspection, if the issue has not been addressed, they receive a citation. If the City has to complete the work to abate the easement or property, the expense is then passed along to the property owner. Committee member Duncan felt there would need to be continued internal discussion about how best to address overgrowth in easements that are known to be high-problem areas.

Chairwoman Hiller inquired with Committee member Duncan as to his thoughts on when he would like this to come back to the Committee. Committee member Duncan indicated later in the year would be fine. Discussion continued about vacant properties and overgrown vegetation.

Committee member Kell inquired as to the reasoning behind only requiring lots to be mowed 15 feet from the roadway? Chairwoman Hiller referenced the proposed ordinance for additional background, but stated that in the past, some people have not mowed the property all the way to the curb. Overgrown vegetation then covers the sidewalk, if there is one, and out into the street. The 15 feet was to keep vegetation far enough back from the sidewalk to not hinder use and to keep sight lines of the street clear. Committee member Kell had questions about why the requirement would not be to mow the entire lot, rather than just a set amount of feet. Additional conversation followed on this subject.

Deputy Director Uhrig commented about information from the May8 Consultant's report about the five feet back from easements. The ordinance was written for lots that exceed one acre. The majority of city lots that are surrounded by neighborhoods do not exceed that. Karen Black's report indicated that when grass/vegetation is not cut back at least five feet from the sidewalk or street, it makes people feel unsafe. When walking down a street and being able to see around a corner or down the street is where the additional five foot came into

play in the Vegetation Ordinance. Committee member Kell continued to feel the full lot should be addressed. Chairwoman Hiller stated this point may be able to be discussed further over the summer work sessions regarding vacant properties. City Manager Wade stated there were some additional avenues in which current policy may be able to address and asked Committee member Kell to share some of those addresses of concern to see what staff may be able to cover.

Retaliatory Eviction Ordinance:

Chairwoman Hiller noted the ordinance is in the agenda packet. This draft is almost complete and ready to move before the Governing Body for action. The City Attorney's office provided the draft ordinance to the Shawnee County Landlord Association as well as to six other non-profits that work in this type of housing area for comments and received a lot of feedback. The City Attorney is now sorting through those comments to see what could be reflected or addressed within the ordinance and will send out additional information once completed. With no further questions, this item will be prepared with the final comments included and ready for a first reading by the Committee at the June meeting.

Mowing Initiative Update:

Chairwoman Hiller noted that the public engagement piece of the mowing initiative has been focusing on engaging with the community and the Neighborhood Improvement Associations (NIA) and have a few highlights to share.

Communications Director Gretchen Spiker showed the webpage that was made for this initiative and reviewed some of the pieces related specifically to the Mowing program. The webpage can be found on the City of Topeka's website, or at <https://www.topeka.org/citycouncil/changing-our-culture-of-property-maintenance/#gsc.tab=0> .

Deputy Director Uhrig shared about the contact form that can be found on the Changing Our Culture of Property Maintenance webpage. The goal was to offer as many ways for citizens to communicate with the City in the way that works best for them. Examples include Facebook connections, personal connections, numerous public meetings, a phone number that directly reaches out to the Community Engagement office, as well as an online survey found on the CoCPM webpage to interact digitally. The survey was updated this year to include more multifaceted options to better support the initiative on all levels. The information submitted on the form requires a name and an email address or a phone number.

Director Spiker reviewed additional pieces that are found on the Mowing Initiative portion of the webpage. Topics found include partner agencies in the community who offer mowing services, volunteer opportunities, “Community Resources” is a piece that was added this year. This provides a one-stop-shop to find information about programs offered through the City that relate to home improvement and taking care of properties, as well as other local organizations that can help in these areas.

City Communications, Community Engagement, Diversity Equity & Inclusion (DEI) office and others have been in collaboration to host a series of three community public information meetings. One of the meetings was in Spanish. These meetings were recorded and can be accessed on the webpage. Three lawn mowers and other donated items were given away during the three public information sessions. There is currently a giveaway happening on social media to gift the winner some tools to be successful with upkeep during this mowing season. Interested individuals can find this giveaway on the City of Topeka’s Facebook page. There are currently 113 comments to date, since being posted on May 11th.

Director Spiker noted staff was working to film some PSA’s, and more information on those would follow.

Director Spiker highlighted that some of the selections on the survey form found on the webpage have drop-downs to allow individuals to include additional information. Chairwoman Hiller stated that individuals who were not comfortable with online webpages could also call the phone number for the initiative to be assisted by a team member. That number is 785-368-9530.

Chairwoman Hiller solicited feedback from the other committee members on the webpage. The hope is to encourage volunteers to engage with their neighbors or for groups to help within our community. There were no additional comments or input.

Chairwoman Hiller stated one objective is to get people or groups to volunteer to help mow or to find places that are already overgrown and just take care of it, or to be linked up with someone who has indicated they need help with mowing. She noted that, for her colleagues on the Governing Body, to be aware that even

though this is targeted at the low-moderate income (LMI) neighborhoods, that anyone who wants to be involved across the city can be involved.

Committee member Duncan shared that he felt Chairwoman Hiller and Committee member Valdivia-Alcala, and staff, did a good job of getting the word out last year and have started this growing season out strong for getting the word out. He will contribute by sharing information on his social media as well. Committee member Kell shared in the sentiments.

Vacant Properties:

Chairwoman Hiller stated there was a check list of items to be addressed, and inquired if any of the other Committee members had been able to review that document? She felt this may be something to work through over the summer, as a committee, to find out how to best use the tools the City currently has and identify where additional work may be needed.

City Manager Wade requested to allow time for staff to review the documents and to come back to the Committee with some information.

Committee member Valdivia-Alcala inquired if, by allowing staff to take this piece, if a final number of vacant properties could actually be identified and provided? City Manager Wade confirmed.

Chairwoman Hiller reviewed the information on the item found in the agenda packet and commented that there are many pieces to it and things that have come up since the first introduction.

Committee member Duncan sought clarification from Chairwoman Hiller about intentions on this subject. She clarified it was the City Manager's wish to hear input from the Committee to then form a staff working team to come up with a plan to address some of the issues.

Committee member Duncan felt some work needed to be done in the areas of figuring out the City's process when the claim of being "stuck", in terms of dealing with a property, is made and need to find a way to move past the blocks. Secondly, he felt there needed to be a plan for dealing with commercial properties. There are different variables and different ownership pieces with different circumstances. These should be two distinctions that are handled in

different ways. Thirdly, he felt Shawnee County should be brought in at some point during these discussions as some programs and components that deal with vacant properties fall into their jurisdiction.

City Manager Wade noted staff has a strategy in place and have had conversations with a local attorney as to how the City might be able to go about addressing the issue. That information will be shared at a later time, as more pieces come together.

Committee member Valdivia-Alcalá noted there were a few things that she wanted to bring up that are not on the current itemized list. Chairwoman Hiller felt comfortable with having Committee member Valdivia-Alcala send those to City Manager and her to be included in the list. Committee member Valdivia-Alcalá stated her items centered around looking at the Community Health Maps and design an approach for how these types of large numbers of vacant properties will be addressed in a prioritized type of list.

Chairwoman Hiller stated she would like to hear a progress report from City Manager or staff on this vacant properties list.

4) Other Items

Committee member Valdivia-Alcala provided an update on the chronic unsheltered, and that as 90% of the unsheltered are located within the District 2 boundaries, she would like to provide input to the consultant and staff who will be working on this unsheltered initiative as it moves along.

5) Schedule Upcoming Meetings

The next meeting will be Wednesday, June 21st at 11:00am and will be held in Classroom A at the Law Enforcement Center (320 S. Kansas Ave). A virtual attendance option will also be available.

6) Adjourn

Chairwoman Hiller adjourned the meeting at 12:30pm.

Meeting video can be viewed at: <https://youtu.be/hOH2DpEmWsc>