



CITY OF TOPEKA

CITY COUNCIL COMMITTEE
MEETING MINUTES

PUBLIC HEALTH & SAFETY COMMITTEE

CITY COUNCIL
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Date: May 26, 2021

Time: 10:00am

Location: Executive Conference Room; 3rd floor City Hall 215 SE 7th (virtual via Zoom as well)

Committee members present: Councilmembers Karen Hiller, Christina Valdivia-Alcalá
Committee member Neil Dobler was absent.

City staff present: City Manager Brent Trout, Monique Glaudé (City Ombudsman), Corrie Wright (Housing Services), SGT Josh Klamm (TPD),

1) Call to Order

Committee member Hiller called the meeting to order at 10:00am. Committee members and staff introduced themselves.

2) Approval of March 25, 2021 minutes

Committee member Valdivia-Alcalá made a motion to approve the minutes. Chairwoman Hiller seconded the motion. Minutes approved 2:0.

3) Discussion: Internet Reliability for Topeka Residents

Scott Gowan, USD 501, provided a few updates:

- Additional team members added. The Topeka Shawnee County Public Library, Housing and Credit Counseling, and the Topeka Housing Authority.
- Since last meeting, putting application for \$250,000 grant. Introduced pillars at last meeting, Pillars one and two were affordable & equitable access to the internet connectivity, and affordable devices. Working with FCC and other groups to satisfy those demands.
- Pillar 3: Digital Literacy Citizenship & Technical Support and Pillar 4: Funding & Sustainability, are now being focused on. Grant through the Kansas Health Foundation, would provide grant capital needed to fund a combined one Full Time Employee (FTE) to fill the Digital Navigator position, as well as a Technical Navigator. It is felt these two pieces are missing and are needed in

order to point people in the right direction and support them in their adoption of digital connectivity.

Questions

- Can someone speak about the Emergency Broadband initiatives that have been popping up in the news? Lazone Grays, IBSA Inc, noted this is a benefit and have been able to provide outreach to the community. There have been some hiccups out of the gate, on a national level, however it has not seemed to affect us locally. If anyone would like more information about the EBB, or have individuals who may benefit from this program, please reach out. It would be great, if we were awarded the grant, to be able to put the Digital Navigator into place. Looking forward to future outside of the EBB.
- How long will the program last? And how does this overlap with the current program? Scott Gowan noted this program is almost an extension of the current partnership program with Cox Communications. Participants will be able to choose a higher level of service, and an additional \$100 toward a device in the house. This creates opportunity to reach benefit outside of the school district. Items were presented in Spanish and English. This will also open the opportunity to families outside of only those who have been eligible for the Cox partnership program.
- Megan Bottenberg, Cox Communications, expressed thankfulness to be involved in the program, and understands how important an adoption of a community access program would be. They are continuing to see what additional areas they can reach and how they can better the programs.
- When is the Community Foundation grant due? June 4th.
- Do we anticipate a lot of competition for the \$250,000? Yes, but we some advantage as we had begun working on this program a while ago, whereas other coalitions will likely not have been having those earlier planning meetings. The next step will be getting the information pushed out to the community. The focus in the application will be placed on providing public information.
- Where would the FTE position be housed from? Monique Glaudé noted it would be out of her department, Community Engagement. It would be split into two

part-time positions. Half will be for a Digital Navigator and half will be for a Technical Navigator.

- This would require a lot of outreach, even beyond USD 501, and into other communities such as elders or individuals who are less knowledgeable with technology, correct? Yes, that is correct.
- Would the additional dollars be put toward having the FTE go out into the community to help set up space and perhaps classes to assist seniors in digital literacy? Yes. Ultimately, we will be continuing to move forward with this. The EBB grant will not be the only funding source sought. Ombudsman Glaudé would like to see two full time Digital Navigators put into place in the future to assist with as many of our 6,355 low-moderate income residents as possible. The first year of the program would be to saturate the community with information and material about the program.

Committee member Valdivia-Alcalá expressed appreciation for the out-of-the-box marketing that Ombudsman Glaudé utilizes to reach populations who do not have access.

Mike Siebert, DCF, spoke about computers being available in the Topeka & Shawnee County Public Library (TSCPL) and Community Centers. He also noted that the Community Centers have free Wi-Fi for people who may need to connect. The library has, in the past, offered classes for various computer systems. Mr. Siebert suggested they may be a resource to tap into with regard to training. Mr. Gowan stated TSCPL has become one of the lead partners with the group. One strength of program, is that we will want to partner with other community partners. We would like to purchase equipment to help reach some of the members of the community, but will need to rely on community groups to better reach the houses and those in need.

Chairwoman Hiller noted that the library has previously had a “drop-in” time where people could bring their devices to the library, during certain times, and receive assistance as to how to use their device and navigate the internet. She stated this type of program may be something other groups could do. Ombudsman Glaudé agreed and added that such a program would be implemented.

- Ombudsman Glaudé stated the grant asked for bold policies. She stated the group has been working on some draft language and would be sharing that with the Committee within the next week or so. She is excited about the partnership.
- Chairwoman Hiller spoke to appreciation of the group and their continued work. She asked Ombudsman Glaudé as to if there is any additional needs that the Committee and or full Governing Body would need to approve. Ombudsman Glaudé stated once the draft was completed, she would be sending it to the Committee for review and comments.
- Committee member Valdivia-Alcalá appreciated the diversity of the small workgroup, and noted that in order to be successful, having all of the different voices at the table were very much needed.
- Chairwoman Hiller requested verification with regard to the two part-time employee positions, as opposed to one full-time employee, and inquired about an earlier statement regarding the use of AmeriCorp members. Ombudsman Glaudé stated there was a concern about identifying the role of the Digital Technician. Funding for the program will not be available until the first week of August, however they would like to begin moving through the first phase of the program before the end of August. Once the implementation plan has been set, we may look for an AmeriCorp Vista. Goal will be to secure additional funding to expand staffing for the Digital Navigator as a FTE, in addition to the part-time Community Navigator position. This would be too much for one person to handle.
- Committee member Valdivia-Alcalá inquired if it would be possible to utilize some of the American Rescue Plan funding to assist with this initiative. City Manager Brent Trout noted it would be a possibility, and that they would bring a proposal to the Governing Body listing the different spending options that would be available. City Manager Trout stated we have until December 2024 to spend the one-time \$45.6 million, and wants to be very intentional about where it is used. Spending all of the money will not be an issue, it will be important to have a plan on how to use it.
- Chairwoman Hiller would like to have a report regarding broadband to the Governing Body. City Manager Trout confirmed a report would be brought

before the Governing Body once more details are sorted out. He feels that the City has the capacity to reach members of the community that would benefit from the program outside of just families associated with the Topeka Public Schools, and that he felt the Community Engagement division was the appropriate place to oversee that staffing.

- Chairwoman Hiller would like to have a progress report from this group at the next meeting. Chairwoman Hiller inquired if a draft policy statement might be available to review? Mr. Gowan stated that an update could certainly be brought to the next meeting, and that optimistically the policy statement may be available. Ombudsman Glaudé noted that awardees to the Kansas Health Foundation grant would be notified on July 5, 2021.

4) Property & Premises

[Video 37:10 minute mark]

Chairwoman Hiller noted that this topic has been in motion since 2020. The Committee and Property Maintenance Division Director, Mike Haugen, have been working through what the code compliance division does currently. There has been discussion to understand what things are working, and what changes could be improved on. The 2020 Committee had sought to have public input sessions once the internal discussions had been reviewed, however COVID-19 interfered with this. The Committee continued working through and developed some goals and objectives for consideration. During that process, various pieces were reviewed to see what things Staff could do, what policy changes the Governing Body should review, and what things the community could help support. Chairwoman Hiller presented a copy of the most recent version of these goals and objectives.

Chairwoman Hiller stated the suggestion from City Manager Trout was to work through the list today, and if there was a comfort-level with the fundamentals, aspirational goals, and accepting the four main items as the challenges, the Committee could make a preliminary approval. This would then allow for setting the calendar with an immediate turnaround for Staff to respond with their proposal for meeting those challenges, and finalize the items at the June meeting. From there the Committee could report to the full Governing Body in July, and then begin public input sessions later in July. The goal would be to then bring all of those items together and make a recommendation of policy changes to the Governing Body and a plan of action for Staff to move forward with by the end of

the year. With Committee member Dobler's absence, Chairwoman Hiller stated the Committee may not be able to bring a recommendation, but would like to see what work could be done to present and possibly finalize at the June meeting.

Chairwoman Hiller inquired about how Committee member Valdivia-Alcalá would like to proceed. Committee member Valdivia-Alcalá provided additional comments and concerns:

- A main concern centers on the amount of time some of the offenders receive and the leeway that is provided to them once they get to court. And perhaps too many chances given to people for repeat offenses. Feels there is a shortage of Code officers.
- Was provided link to MyGov.us. Is that link accurate for currently open cases by district? And how do the statuses of cases on MyGov differ or connect to SeeClickFix? Mike Haugen noted the information on MyGov is up to date and can be organized in a way to provide information per district or per neighborhood association to send an email regularly based on preference.

Committee member Valdivia-Alcalá reviewed cases for all districts through the MyGov and found the following numbers of total open cases, not the amount of total addresses, per district:

District 1 - 504

District 2 - 524

District 3 - 8,766

District 4 - 154

District 5 - 165

District 6 - 149

District 7 - 979

District 8 - 52

District 9 - 68

There seem to be some discrepancies between open and closed cases. Some of these case numbers will lessen by address, as they may have numerous issues for a single address. But are these the number of open cases?

Division Director Haugen expressed concern for the numbers reported for District 3. Chairwoman Hiller noted that she had understood past practice to be that a case would be closed from the MyGov system once a case went

to court, and that it was then no longer counted. It was also no longer able to be searched for. She inquired if that had been changed to allow the public to go in and view the status of a case? Division Director Haugen stated there are a number of cases that do not get resolved in court, for a number of different reasons. If Staff leave those cases open in the system during the entire process, the case load would be overwhelming to search through. The Code Inspectors continue to follow-up on those cases, even while waiting for those people to show up to court. As such, the cases are closed on the MyGov site until after it has been brought before the court. At that time, the case can then be reopened.

Mike Siebert inquired about the landlord component, and inquired if there would be a way to implement a tax or do something outside of the court system to address landlords that are out of state. Division Director Haugen noted that a lot of the problem houses are owned by people who live out of state. These are vacant houses. We have a vacant house registry program. However, what we see at court are not a lot of landlords, however it is the property owners.

Committee member Valdivia-Alcalá requested update on numbers through the MyGov app, be presented at the next meeting. Chairwoman Hiller inquired if the SeeClickFix reports are automatically transferred over to the MyGov app? Division Director Haugen confirmed those systems reflect each other.

- Committee member Valdivia-Alcalá would like to seriously consider items about communicating to community members about the responsibility and pride to improve neighborhoods. She referenced some materials by Karen L. Black, Principal Consultant and co-founder of Healthy Row House Project. The main topic focuses on smaller municipalities and their Code Enforcement issues. Items spoke about blight, a call for enforcement, and vacant properties costing government money daily. And the hope in addressing neighborhood blight and vacant properties. The system needs to shift from a complaint-driven enforcement to a strategic plan that hits all businesses and homes. There is also a thought that the judges and prosecutors for these cases do not grasp the entirety of the situation. Committee member Valdivia-Alcalá suggested having those individuals go through these areas to become better aware of the bigger picture, especially

when it involves repeat offenders. Committee member Valdivia-Alcalá would like to review the work that has been done over the past year, but also review the components that are still not working. She would like to request a time study be conducted to better understand where the target issues continue to be. She feels the division should increase by an additional one or two code enforcement officers.

Chairwoman Hiller reflected on the material brought by Committee member Valdivia-Alcalá and agreed that there is disconnect between the community culture and Staff completing code compliance. There is a challenge to improve the areas where we can do a better job. Raising the bar for acceptable appearances of properties needs the neighborhoods to become involved. She suggested perhaps a navigator-type role could help connect those willing to serve with those needing that help.

Committee member Valdivia-Alcalá noted that often times, low to moderate income (LMI) neighborhoods are often thought of, or are given an excuse, that they will not or are not able to understand the social obligation to keep their properties up to a higher standard, and she rejects that frame of thought. She suggested that creating an innovative, pro-active approach, to make more of a working unit, we should look at everything that we can to get on the same page and send the message to Topeka that this process is something new and improved and inform the owners on the values that will benefit them from having better kept properties.

Chairwoman Hiller stated there had been some prior conversation that a number of problem properties are from homeowners, or vacant properties and not all related to the rental properties. There is a challenge to know who the problem is. Looking at raising the bar, and neighborhood initiatives, does not have to cost money. It is rebranding who we are and what we want to see in our community. One of the goals is to get the city to a place where the community works on expectation and self-sufficiency. Another area previously discussed noted that not all areas of enforcement involve the Property Maintenance division.

Committee member Valdivia-Alcalá inquired if one of the solutions was to have a coordinated internal database type system to show all responsible divisions the different issues? Chairwoman Hiller discussed some examples of divisions

outside of Code Enforcement that help with code issues, and that having a coordinated system would help with the billings being done at one time. There had also been discussion about putting all violations onto one letter rather than sending multiple letters for different issues covered by different divisions.

Division Director Haugen addressed some of the items brought up by the Committee:

- Referring to comment about the need for more inspectors: He had spoken to Committee member Valdivia-Alcalá about that, and it was not a singular thing. By adding Code Inspectors, we will add to our abatements because they will find more violations. Adding abatements means hiring more abatement crews. Those crews will find more properties that need to be mowed, which will require the need to hire more mowers. The current grass-cutting crew is behind as it is. Adding to the crew requires additional expenses for equipment such as trucks, backhoes, mowers, and staffing. The tow lot is running out of space. Court will require additional dockets, which will put pressure upon the Court Staff. Ideally, he would like to have more inspectors, however those additional costs would need to be considered as well.
- He appreciated the report that was read by Karen L. Black, and agreed that the items pertaining to changing the community-norm of what is acceptable, was correct. He stated that neighbors need to report issues as they come up and not to tolerate blight. Committee member Valdivia-Alcalá would like to revisit the topic of an outreach approach to help improve the neighborhood health by promoting the positive aspects that will come from having better maintained properties.

Chairwoman Hiller noted a sustainable community ownership is needed in correspondence with reviewing the Staff-level efficiencies. The draft of the fundamentals and goals sheet, and presentation.

[Video 1:27:30 minute mark][*This presentation can be found on the Committee's webpage at: <https://www.topeka.org/citycouncil/public-health-safety-committee/>*]

- Three main goals:
 - Safety of people
 - Protection of structures
 - Maintenance of an attractive environment and property values

- Three operational goals:
 - Straight-forward, kind and fair
 - Cost-effective
 - Fully integrated with other departments and services

Questions and Discussion:

- Vacant property program - Has this program been placed on hold? City Manager Trout stated the program has not ceased, but has curtailed so that it is not a blanket system like what went through initially. The program was paused to allow Property Maintenance staff time to follow up with the properties to determine which are truly vacant and which were mistakenly included. ProChamps is only involved in foreclosures, no longer in the vacant property registration.
- What is the timeline for when this process and verification will be complete? There were 1,488 letters initially mailed out. Inspectors are going out to re-inspect, in addition to their usual inspections. If they can show the property is truly vacant, another notice is mailed out letting the owner know the property needs to be registered.
- Could the committee get an update on to how far along they are into those 1,488 cases by the next meeting? Yes.
- Would like to discuss further the idea of having working windows and doors on vacant structures rather than boarded windows/doors. Chairwoman Hiller noted this was something that could be done to improve. Idea would be to have conversations with Staff on what more could be done to address and resolve the issues, and to then get community input on these ideas.

Security of vacant structures was another item to review. Committee member Valdivia-Alcalá noted that within neighborhoods, there has become an issue with people who use drugs and choose to not partake in help from agencies, breaking into vacant houses and causing problems. These are a handful of individuals, however it causes a big problem within a neighborhood. Chairwoman Hiller and Committee member Valdivia-Alcalá agreed that the property owners needed to keep structures secure, not to let it fall completely to the City. City Manager Trout noted that one obstacle is contacting the

owner. And that, in such instances, structures need to be secured quickly by City staff. The hope with the vacant property registration is to solve the issue with having a current contact person who could be quickly notified of security issues.

City Manager Trout noted that there will always be some amount of abatement, as there is an expectation from citizens that the City step in and abate a property when other resources and contact of owners have been exhausted.

- Committee member Valdivia-Alcalá inquired about reaching out to Washburn Tech to provide internship hours with the abatement crews. Chairwoman Hiller stated that there had been many models discussed as to the best fit for finding resources and options regarding abatement, with a hope to find a sustainable network of volunteers to help each other. Committee member Valdivia-Alcalá reiterated that there is a challenge and a need for creating a sense of apathy within neighborhoods, and moving out from there.
- City Manager Trout asked if Division Director Haugen had additional comments. He stated there was language in the Municipal Code that set the procedures. Division Director Haugen cited State law, with regard to grass, that requires the City mow the property if the owner does not. The word “shall” is used, thus making it a law that has to be followed by the City for any property that has been cited. This same language is also used for sanitation, vehicles, and grass. A lot of the laws allow the individual to correct the violation, however for the types of cases listed above, the State law requires cities to, upon notice, provide the owner time to correct the violation, and if they do not correct the violation we “shall” abate the property. Chairwoman Hiller commented about approaching State representatives to change this language. Division Director Haugen noted an uptick in scrap metal hoarders and that it has become a problem all over the city within the past ten years.
- Committee member Valdivia-Alcalá suggested inviting State Legislature and Shawnee County members to join in the conversation, as they are able to impact the changes we need to see. Chairwoman Hiller agreed that in order to get to “yes”, we need to have involvement from our County and State partners.

City Manager Trout noted Staff could review what administrative, or legislative changes could be addressed to bring forward. He noted that one thing they had

looked at was increased fines once the violator has been found guilty, abated and there is a need to return. Division Director Haugen confirmed and stated that current practice is only increasing the fine by \$100 once the second round has occurred. The subsequent fines remain the same then after that. There is an administrative fee of \$100, so the second time is \$200. He is deeply concerned with who we are impacting with the increased fines. However, he does not have a solution on how to solve that. Most of the people reaching out to him are unable to pay. Chairwoman Hiller reminded the group that the resource list, which was implemented some months back, was important to help reduce some of this concern. Division Director Haugen stated that in addition to providing this list, their team also does knock-and-talks with people to discuss issues and ways to get them cleaned up. He noted that the issue is nationwide, and is not only limited to Topeka.

- Committee member Valdivia-Alcalá inquired if there were models that we could look at for possible way to improve our own? Division Director Haugen responded that most of the models are limited with showing the nicest parts of said city, and that taking a deeper look within those cities will show the same issues. There are pros and cons to the various programs. Some neighborhoods take programs, such as the Team Up to Clean Up, and do a great job with them. But others do not and the best efforts on the City's end fall flat. He would like to see neighbors and NIA's take initiative to hold the conversations with their neighbors to understand why the issues are happening.

Preliminary Approval:

Chairwoman Hiller stated a vote could be held now, or a proposal could be provided to Staff to prepare responses. Committee member Valdivia-Alcalá would like to take the month to review the material and bring it to the next meeting. Division Director Haugen requested for a reconsideration regarding a specific definition for "sub-standard housing" as that definition has had a wide range of internal definition. If he can put a real number on that, he would be able to create a plan to reach a goal. He has requested a list from the County Appraiser regarding all properties that are rated "below average". With a number, Staff can set a goal to address. Division Director Haugen stated that the Appraiser has noted difficulty with assessing properties as many people are appealing their appraisal noting they fixed the exterior to get Code off of their backs but that the interior is still in poor condition.

City Manager Trout noted that Staff will continue working on addressing some of these issues, even prior to having the final approval from the Committee.

Chairwoman Hiller would like to see a preliminary recommendation from the Committee to then send to Staff for a response, and from there move to the public comment sessions to then present a recommendation to the Governing Body. Ideally, she would like to see this begin in July, or early August but she would like to have this completed by the end of the year.

City Manager Trout commented on the question about the process the Judge is currently using. There are many cases that are dismissed due to the violator addressing the issue prior to the court date, or due to the violator showing proof of actively working on the issue and being provided additional time to finish the project. There are times when charges are filed and then it is difficult to find these individuals. A warrant is then issued, for not appearing in court, and that creates an additional challenge. Do we want to make not fixing your house a criminal charge? Chairwoman Hiller responded this could be an additional tool to make it clear what the consequences will be. City Manager will get statistics related to those issues to the Committee.

City Manager Trout inquired about the number of dockets that were held weekly. Division Director Haugen stated there is one weekly docket for these cases, however there are times when there are a large number of cases and Municipal Court moves some to an overflow docket the next day. Chairwoman Hiller stated that because of this, the Judges are familiar with these cases and specifically focused on that. She feels it seems to be working reasonably well, but would be open to additional feedback. City Manager added that a Code Inspector is made available for each of the dockets to provide information when the Judge has a question. Division Director Haugen stated that the current system is not perfect, but that it is much more efficient at addressing the cases that come before it than what used to happen.

City Manager Trout inquired if there were any Federal Home Loan funds available? Division Director Haugen responded he was not sure of the exact amount, but could inquire. City Manager Trout stated we would be reapplying for the Federal Home Loan grant. This money helps fix a lot of home issues for people who genuinely could not afford to do it otherwise.

The Property Maintenance Division has been short two inspectors, however, notice received from a third inspector. There have not been any applicants for over two months.

Calendar next steps:

Chairwoman Hiller noted that this topic would not move forward until the next meeting.

5) Adjourn

June 23rd proposed as potential next meeting. 9:00am-11:00am. Additional information will be shared to the committee's webpage once known.

Chair adjourned the meeting at 12:35pm.

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