



CITY OF TOPEKA

CITY COUNCIL COMMITTEE MEETING MINUTES

PUBLIC HEALTH & SAFETY COMMITTEE

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

Date: February 26, 2025

Time: 9:30am

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

Committee members present: Councilmembers Karen Hiller, David Banks,
and Brett Kell (Zoom)

City staff present: City Manager Dr. Robert Perez, Property Maintenance
Division Director John Schardine, Changing our Culture Program
Administrator Nicole Stovall, Director of Communications Dan Garrett,
Community Engagement Division Director Monique Glaude', Housing
Services Division Director Carrie Higgins, Community Engagement Program
Coordinator Amanda Cisneros

Call to Order

Committee chair Hiller called the meeting to order at 9:35am. She
introduced staff and committee members.

Elect 2025 Committee Chair

Committee member Banks nominated Committee member Hiller to serve as
the Chair for 2025. Committee member Hiller accepted the nomination.
Committee unanimously approved the nomination 3-0-0. Committee
member Hiller will serve as the 2025 Chair.

Approval of January 15, 2025 Meeting Minutes

Committee member Banks made a motion to approve the minutes.
Committee Chair Hiller seconded. Approved 3-0-0.

Changing Our Culture of Property Maintenance (CoCPM)

Initiative:

Committee Chair Hiller spoke to CoCPM being in year 3 of a 5-year multi sector initiative, making this a good time to stop and look at what has worked and what didn't work, what's moving, and what needs to get started. We're also at a point where we're able to look and see whether policies and procedures we thought were in place or put in place are actually working. Chair Hiller shared CoCPM status check narrative, CoCPM status check annotated, and Rental Protection and Safety Net. Those documents are attached.

Marketing and Education - Public Information Series

Director of Communications Dan Garrett shared that the social media campaign for 2025 has a posting schedule of about every other week. First post topic was "Reporting code violations". It got a lot of interaction and was shared to other groups. The next posting will discuss "Top code violations", which is sanitation and weeds. The posting schedule is based on seasons, it also encompasses the upcoming initiatives planned with Community Engagement Division Director Monique Glaude' team.

Committee Chair Hiller shared the goal in the initiative is no write ups and would like that to be part of the thread. She would also like to see vegetation mentioned since it's supposed to go into enforcement in 2026, there's needs to be more publicity. Property Maintenance Division Director John Schardine shared his team has been educating property owners that it's been added to ordinance, and they have 1 year to comply, their also leaving courtesy notices.

Committee member Banks inquired on what is considered sanitation. John advised the International Property Maintenance Code defines it as rubbish, which could be vehicle parts, yard waste, trash, a various number of items.

Yard of the Month

Community Engagement Division Director Monique Glaude' reviewed the Yard of the Month Program Plan details. Those documents are attached.

Committee member Banks shared anything Southeast or Northeast Topeka can get to feel joyful about how our neighborhoods look. Would like to know how people feel about their neighborhood, have someone go and speak with them.

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Community Engagement Division Director Monique Glaude' advised Community Engagement is always welcome to partner with the NIAs to do "Walk and Talks". She also recommends we make sure to acknowledge even the smallest improvements, that's encouragement and the hopes Council Member Banks is speaking of. Monique also shared that Shawnee County Waste customers can put out one large item a week except for Holiday weeks.

Committee member Kell shared you can get cheap gallons of paint through Shawnee County Waste Department.

Community Engagement Division Director Monique Glaude' shared they would like to start advertising the "Yard of month" on March 17th or that week.

Community Cleanup:

Community Engagement Division Director Monique Glaude' reviewed the Community Clean-Up Day Program Plan details. Those documents are attached.

Property Maintenance Division Director John Schardine inquired that Central Park has a cleanup day scheduled. Community Engagement Division Director Monique Glaude' confirmed that Omni Circle has one planned for March. Monique also shared she would like a second cleanup done by City of Topeka Employees and challenge each other.

Reports

Timberlee – HUD

Housing Services Division Director Carrie Higgins shared The City of Topeka and Timberlee are still meeting regularly with both HUD and Topeka Housing Authority (THA). They have issued emergency housing vouchers to the tenants that are currently at Timberlee, and THA is overseeing that process. Sometime in the first few weeks of March, HUD will have a relocation specialist on site that will help those individuals find new housing and will help cover some of the moving costs. Currently there is not an exact date. Committee member Banks inquired when then tenants are displaced where do they go. Carrie advised they have been encouraged to stay onsite because they still must be a current tenant as of March 1st to qualify for the emergency housing vouchers. They take the voucher and

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find a landlord that will accept it. Carrie also shared that HUD has officially decided to drop the property from its subsidy program and that goes in effect March 1st.

Trash & Cases - McGinnis

Property Maintenance Division Director John Schardine shared in December there was the issue with all of Lew McGinnis properties having mismanagement of contracts between trash contractor and his management team. As a result, 46 cases total, 37 sanitizations, and 9 lack of receptacles. All have been pushed to Municipal Court and have court dates. We have abated 5 of the properties as a result from the mismanagement, and all the bills have been paid. Committee members Banks and Kell thanked John and Carrie for all their hard work.

White Lakes Plaza - Improvement

Committee Chair Hiller shared there are no new updates from the positive report last time.

Pest Elimination

Property Maintenance Division Director John Schardine advised since we have changed our ordinance, we have only had 2 cases, and those have been resolved.

Legislative

Committee Chair Hiller shared a report dated February 21st from our lobbyist Whitney Damron and City Attorney Amanda Stanley regarding a piece that came from the Timberlee experience. The full house debated House Bill 2099 on the floor on Thursday February 20, advancing the measure to the Senate on a vote of 111-12. As adopted, the bill only applies to the City of Topeka, applies only to HUD-supported properties located in the City of Topeka, and the measure has a 5-year sunset provision.

Next Meeting

Committee Chair Hiller requested to meet March 19, 2025 at 9:30am.

Adjourn

Committee Chair Hiller adjourned the meeting at 10:44am.

**Changing Our Culture of Property Maintenance Status check - Annotated
3 years of 5 CoCPM Co-Lead Councilwoman Karen Hiller SUMMARY REPORT 2-26-25**

Much work has been done to assess where we are now. There is a very detailed action plan that Co-Lead Councilwoman Valdivia-Alcala and I spent 2 sessions going through that we..and the partners...and the City Manager will use to guide and monitor our activities. Our first active year for the CoCPM initiative was 2022. We have completed year 3 of our 5 years. As it is a new year, and a new Committee, I have taken the time to condense all into a 5 minute presentation to frame it.

In short, we have learned a lot!! We are just now at a point where we are able to collect data....as time has passed and we have now been at or close to full inspector employment for a year. We are also at a point where we are able to look back and see whether policies and procedures that we thought were in place or put in place are actually working. I will give you the "Cliff's Notes" today, then you will likely hear from us in context of these various sectors, each of which has its own interdepartmental and community partners as well. I want to start by giving a particular shout-out to Nicole and John for their staff leadership in this initiative, to Robert (CM Perez) for jumping in and rallying folks together, the staff on all of the teams (esp Legal and Fire and Housing and Land Bank) for initiatives and ongoing support and to Christina (CW Valdivia-Alcala) for her strong role throughout as co-lead. We are all making our way....and we ARE making progress!

Mowing/Vegetation/Trash Dumping/Homeless

We are still working on making sure we have made progress with people helping themselves and each other with mowing and cleanups....We have some events for this year for your review and any suggestions later in this agenda..and more ideas are welcome. We have much promo to do for the adopted 2026 addition of overgrown vegetation besides grasses and weeds to our process...and we are all hoping that the updated camping ordinance will help with location and quality of homeless camps.

Homeowner Safety Net

The initiative committed to focusing on a safety net of both procedures and referrals to financial assistance for low-income homeowners. A hardship form was agreed and tried; a less formal approach was then initiated and seems to work better. The Council voted in more money for Rehab in the City budget...and inspectors were sent out armed with permission to consult as well as brochures about services and resources. We are looking forward to data to see how that has shortened times and increased

results. After a start and stop with a planned Housing Navigator position, we now have a consensus that the position should be re-established and are moving toward that.

LLC and Landlord Strategy

With our unexpected explosion of serious maintenance issues in apartment complexes and learning that a number of the big LLC's were not responding to their Code notices or court summonses, an early step of the CoCPM, with leadership from City Legal, was to have Council pass an ordinance tightening up the responsibilities of LLC's to respond to notices, with a passthrough of responsibility to principals if that failed. Staff reports that seems to have worked and, again, we will soon be able to review the data supporting that. Having discovered some issues about fines and fees being assessed, we will be looking at Code language as we update this year to make sure there is a simpler system that also accomplishes what was intended for repeat offenders. I should mention here that the Shawnee County Landlords Association and the Apartment Council of Topeka have been very supportive of these and various other steps.

Renter Protection and Safety Net

Additional steps and education pieces for renters, particularly to prevent retaliatory evictions have been a priority of the initiative as well. We are in the process now of evaluating how we can improve the timeliness and ease of access to that array of resources and backing up our focus to be primary health and safety, not just retaliation prevention. The Navigator role will help here as well. We are looking to continue and solidify the emerging partnership of PMU and Fire to partner on periodic inspections and use that opportunity for checking properties and for outreach.

The Code itself – Ordinance, Commentaries and Admin

The update of what we will henceforth call the TPMC (Topeka Property Maintenance Code) is scheduled for 2025. We've got a good Code. That said, we expect to take all we have learned with interpretations of the code itself as well as our procedures and writeups and put all of that into our next iteration. The informal goal is to have a recommendation for the Council ready by June and have Council approval completed by August. *Note: All on the Committee or others you know are welcome to comment.

Vacant Properties – Database, Strategies, Tax Sales

Through a partnership of PMU and Fire, a real-time database to be shared among Police, Fire and Property Maintenance is emerging...such that any of those

departments, when called to a property, can see if there have been other issues. We are excited about the potential of this development. A Mothballing brochure has been developed and both posted and distributed. We are looking to the emerging redevelopment roles of the Planning Department and the Land Bank board to help us address other aspects of Vacant Properties and resources such as tax sales to help us further in getting vacant properties reactivated.

Education, Public Information

The initiative has used public media and social media extensively. Early work and recent updates have been done on the CoCPM webpage as well as its links to resource and educational materials, background information, and both PMU and Retaliation pages. Spanish translation has been done or arranged for the same materials. Monitoring and updates will continue.

Neighborhoods – Engagement, Encouragement, Promotion

Much of our communication and focus for programs such as Mowing and the new Yard Contest has been targeted at our low and moderate income organized neighborhoods. The first of the Neighborhood Profiles, promoting the assets and character of our neighborhoods, not just what is wrong with them, are under way thanks to Planning and the Greater Topeka Partnership.

Performance/Outcomes Measures

The Property Maintenance Unit has been identified as the “backbone” organization. A list of the partners for each goal has been established. Baseline numbers had not yet been established for measuring Outcomes (Aspirational and 4 major goals). Nicole and John are thinking that 2024 numbers can be a start. If, in 2025 we get the entire city covered and assessed, baseline #'s will be better. Performance measures on action steps are just now being populated. A report sheet has been created. Proposed 6-month frequency on reports has been agreed.

Changing Our Culture of Property Maintenance Feb 2025

Status check Narrative 3 years of 5 Prepared by K Hiller, Councilwoman

Action Steps and Progress Measurement (Note: The original 2022 18-part Action Plan is current and guiding. The items below are drawn directly from the document, just grouped a bit differently, for ease of understanding.)

Mowing/Vegetation/Trash Dumping/Homeless

- 1) Vegetation ordinance was passed to update our PMC to include vegetation other than grasses and weeds over 12". Phase-in was set for 2024 and 2025, with full enforcement starting 2026. Major education about these changes was to happen in 2023 and 2024, but largely did not. It is planned for 2025
- 2) A Vegetation SOP has been drafted, but not yet tested.
- 3) Various Mowing initiatives (self-help and help others) were offered in 2022, 23 and 24 and were not particularly successful.
- 4) Using a website for volunteer asks and offers and having a season-end plaza celebration did not seem to particularly work.
- 5) It seems that having a list of available mowing contractors (with prices) is working, as people are not calling back. It seems that maybe finding a price to use or to beat is helping? This is hard to track with the contractors and the callers...but people are not calling back. We also added referral to and promotion of the various social media platforms (NextDoor and Facebook) as resources, as we have seen great activity and success with residents offering services or asking for help.
- 6) 2025 plans include a citywide Yard of the Month program and a Community Cleanup Day program, both to be run by Community Engagement.
- 7) Ensure that the State is fully executing its mowing responsibilities in City gateways and other state-owned properties. It seems that the mowing has improved, but we heard along the way that the City was doing some of it. Needs to be confirmed.
- 8) The Action plan has 11 points regarding pursuing strategies and funding for "free" dumping as well as related support services such as mental health. With the exception of occasional "dump" days and the growth of the EAS services in the City's Housing department, these action initiatives have largely not been pursued yet.
- 9) There have been issues with Sanitation cases where the property owners have claimed that items that were not trash or garbage or arguably illegally were taken. There has also been legitimate confusion about what was to be cleaned up to satisfy the order based on confusion in notice wording as well as whether the photos included are just representative or all-inclusive. Police are now called at any sign of agitation or threat, which has caused

problems with ticketing and court as well. Axon cameras are now being worn by inspectors, so it should be possible to review interactions and panoramas of sites.

10) As far as homeless camps, the City has taken various steps to alert campers and assist them to alternate accommodations as well as some major and expensive cleanups. The Camping ordinance was just updated to adjust requirements on all properties and to add private property to what was covered. The intent, it seems, was to seriously limit where camps could even be, and to limit on private property to 10 days in any 6-month period. The ordinance also has specific language saying that all campers must follow all city ordinance....so this addresses building shacks, letting animals run, criminal behavior, fires and, of course, all property maintenance requirements. If effective, those changes should substantially reduce the amount of time Code and Police spend tending these properties as well as the costs involved with abatements. This needs to be followed.

Homeowner Safety Net

1) Declaration of Hardship Form for LMI homeowners was created, then cancelled. Links to the Hardship Form were to be on each violation notice and doorhanger. There was to be a timeline for when owners who remained in noncompliance returned to standard (court) prosecution. The alternative process that PMU chose needs to be documented and explained to CoCPM.

2) Fact sheet to go along with Hardship Form was to be created. Need to confirm what is being handed out.

3) Housing Navigator position was created, then canceled by PMU. The thought by PMU was that the handout materials, the inspectors themselves interacting with residents and referrals to Housing or outside resources staff would be enough. ARC and others are frequent outside resources? Is there a full list? All in community are on it? It may be enough for Homeowners. Worth a review of a list of different situations and resolutions to ensure that all needs are being met.

4) Expand investment in home repairs for this group. Housing has worked out a collaboration with PMU to get inspections where LMI owners have come to the City for rehab help, to qualify them for grants. Housing has a FHLB 3-year grant of \$750K. \$200K additional from City was allocated for 2024(?) to fill gap. Think the \$200K continues. \$330K for major rehab is budgeted out of HUD \$\$ each year via DREAMS 2. Another \$1M is sitting in the new Affordable Housing Trust Fund; once a revenue stream and fundraiser are set, at least some of that amount should be available every year in perpetuity; hopefully settled in 2025. Other regular partners need to be identified, if they are not already.

LLC and Landlord Strategy

- 1) An ordinance filling “loopholes” that allowed LLC’s to dodge both City notices as well as court summonses was passed in 2022. It seems to be working.
- 2) Consolidate cases of chronic offenders. We are just now beginning to get data reports, but we have been assured that is happening.
- 3) Double fines or more on repeat offenders. We were assured this would happen. Have learned that fines simply weren’t being assessed at all except in the cases where abatements had occurred.
- 3) Routinely impose fines, fees and court costs. We assumed that these were automatically being applied and, by early reports, were being routinely waived by the courts when repairs were completed....whether the owner was an LMI owner or a wealthy corporation. We were advised in year 1 that the court policy had changed and owners would be treated differently based on capacity (skills or funds) to repair. We have learned that this did not particularly happen.
- 4) Create a clear objective standard for granting continuances. Was committed. We need to check SOP and data to confirm.
- 5) When particularly egregious cases occur, the City should consider filing a civil lawsuit. This one was marked complete on our action plan form, but we think it was simply decided not to.....or we could if we wanted, but we haven’t. (See Renter Protection below. We should probably reinstate simple interventions, if needed, in retaliations as well as find assistance, likely via non-legal personnel, in helping people file simple claims.)

Renter Protection and Safety Net

[See pop-out. Will have some duplication of items elsewhere on this listing.]

Code itself – Ordinance, Commentaries and Admin

- 1) Update of what we will henceforth call the TPMC (Topeka Property Maintenance Code) is scheduled for 2025. Reviews have started. The informal goal is to have a recommendation for the Council ready by June and have Council approval completed by August.
- 2) Issues have come up along the first 3 years of CoCPM that we will want to address. It was discovered that Pest Elimination in multifamily was not adequately addressed, and we got that taken care of in 2024. There have been concerns that some of the interpretations (such as in sanitation or exteriors) were too high level or even incorrect (requiring a plywood cover for a rock basement wall that was taking on water, not catching a broken sewer issue for instance) need to be addressed with either changed wording or interpretations and training.

- 3) A set of “objective response times” for violations that are time-sensitive and involve high-risk hazards still needs to be created and followed. This needs to include a standard 30-day maximum on most violations in occupied rentals.
- 4) See below for issues of processes and notices.
- 5) See below for issues of assessing fines, fees and court costs.

Processes and Notices– Interior, Exterior, Vegetation, Sanitation, Dangerous Structures

- 1)) Revising notice letters was specified – to lighten the tone, refer to resources and be clear. That was done...but needs to be reviewed again. Some notices have been inconsistent and unclear with wording and photo references such that responsible parties have not understood what they were being asked to do. Understanding that there have been a lot of new inspectors, it could be that training is all that is needed. The wording and use of the notices and photos will be reviewed also as the Code is reviewed.
- 2) An approach of working with all parties toward success, based on their capacities and circumstances, was recommended in the Action Plan, and has been largely followed. The long-term objective and short-term action steps regarding extensions, Appeals and Municipal Court were to reduce the amount of time spent, particularly in court, and have better success in remediation. There is now enough data to begin to evaluate consistency and fairness and just how those administrative procedures have worked.

Access to Properties

- 1) Access to properties always requires permission of the lawful occupant or a warrant from a judge, which generally requires demonstrating cause. At the start of this process, it was agreed to drop the requirement that an occupant sign a consent to enter, as that deterred many from cooperating. The inspectors did note the agreement in their files, also now document that via live Axon video during access and inspections.
- 2) With major maintenance issue among our aging apartment buildings having emerged, particularly among a handful of out-of-state owners, it was decided to activate what was supposed to be the Fire Department’s annual multifamily inspections with a property maintenance inspector along....as Fire always calls ahead and is welcomed by management to be on property. The Fire Inspector would do their inspections and together they would slip information about property maintenance inspection availability under each door with direct outreach to renters they encountered. Though Fire had traditionally done only apartment buildings with shared interior unit access, it was decided to inspect all structures with 8 or more units. The first year was done in batches, and it turned out Fire did not do the leafletting if PMU was not along and neither group had understood the value of interacting with available tenants while they were there. Jointly, Fire and PMU began a

master inventory of structures that met their inspection criteria. First data is now being run on the fire writeups and cures as well as any resulting PMU calls and inspections.

Procedures are being adjusted to cover what fell between the cracks. And annual and up to 3-year rotation inspection goals are being developed. These were and are expected to be critical in developing trust and contact in all apartment complexes.

3) A major sewer issue was discovered in a HUD-subsidized apartment complex, and it turned out that the annual HUD inspections had not been done. After the discovery, many tenants were fearful and declined to allow our local department to inspect. Sanctions on HUD, and subsequent sanctions on the property, were secured. With that, a decision was made to pursue state legislation to require the landlords of structure with government rent-assistance funds to assist as well to get tenants to allow our local PMU to inspect. Such inspections would still require warrants from a court if tenants decline. That bill is still alive in the Legislature.

4) The updated Camping ordinance, progressed outside of CoCPM, says that camping is limited to 10 days in every 6 month period on private property and within 100 feet or 500 feet of most public infrastructure. This update was just passed and should allow both PMU inspectors and other government officials to step in earlier than they have before to get homeless persons and camps referred to resources and moved, if needed, from most properties in the city.

Vacant Properties – Database, Strategies, Tax Sales

1) With the leadership of PMU and Fire, a database to be shared among Police, Fire and Property Maintenance, that will show when and whether there has been activity by any of those units on those properties, is now well under way with the City's GIS and new Tyler software. It is yet to be decided whether the "vacant property registry" ordinance will be retired, but this database should always show totally up to date activity information rather than just a declaration.

2) Either on its own or in cooperation with the Land Bank board, CoCPM this year needs to engage in a full examination of what practices would be most effective to get both vacant parcels and vacant structures reactivated.

3) Increase transfer of vacant properties for development

4) Improve collaboration with County on tax sales

Education, Public Information

1) Standard social media and list-serve distribution lists as well as outreach strategies (such as school enrollment times, certain community events and so on) were to be developed. So far, despite various forays into public information and education, those standard distribution plans at does not appear to have happened, though it is in active

discussion in plans for this year. A series of twice monthly releases on Code in general, mowing and vegetation, tenants rights and retaliation, and more is planned by Communications for 2025. We have discussed that the measures of success needed are whether everyone in town seems to be aware of what we are doing and participation in taking care of themselves and each other are up and people's sense of the community (as measured via our master performance measures), is up.

2) Resource Lists and Educational Materials to be developed. A Housing Resources list has been developed by Community Engagement. Property Maintenance, Retaliation and Mothballing brochures have been developed by Property Maintenance. A set of other resource materials such as Mowing Tips has been posted on the website since it first went up in 2022. Glossy fliers with information about all of the above have been created. The inspectors carry copies of these items with them on inspections as well as for when they attend neighborhood and other meetings.

Website

1) Staff is in the process of key updates. We have realized we need to stay on that, updating attachments too.

2) We have realized also that we need to simplify and synch the PMU, Retaliation and CoCPM pages – watch how we list referrals – as we are referring residents to them in our publicity, education and print materials. Under way as well.

3) Spanish translations are under way.

Neighborhoods – Engagement, Encouragement, Promotion

1) Neighborhood Summits were suggested as a way to kick off each season. This has not been tried.

2) See Mowing (above) for some neighborhood-based promotions/incentives and one end-of-season event that have been tried and two programs that are planned for 2025.

3) See Education and Public Information above as well.

4) Neighborhood Profiles outlining the character, culture and activities of each organized LMI neighborhood were specified. Starting drafts for 2 neighborhoods, developing in a partnership between City Planning and the Greater Topeka Partnership, are just now under way. An unexpected barrier was that the neighborhoods have apparently been so focused on talking about what is wrong with their neighborhoods that their leaders were not able to come up with their positives and story on their own. Help is coming from the representative councilpersons and neighborhood plans, and Washburn is helping on one; others may be needed as well. The idea is to get the first two finished as prototypes, then move two at a time through the other neighborhoods. Then, a delivery system to various

entities (such as employers, the Police Department, City website, Greater Topeka Partnership, realtors and others) needs to be developed. That has not started.

Interdepartmental Partnerships within the City; Partnerships outside the City as well

- 1) A working list of which City departments are partnered on the different parts of this initiative exists and is kept reasonably current – on the Action Plan as well as a standalone master list.
- 2) Community Partners can be found on some of the Action Plan lines as well as in the resource and website materials. Strategy discussions have occurred on an issue basis, but not a full initiative basis.

Performance – Outcomes Measures (Aspirational Goal and 4 Major), Activity Data

- 1) The Property Maintenance Unit has been identified as the “backbone” organization. A list of the partners for each goal has been established
- 2) Baseline numbers had not yet been established for measuring Outcomes (Aspirational and 4 major goals). The measures are identified in these goals. Nicole and John are thinking that 2024 numbers can be a start. If, in 2025 we get the entire city covered and assessed, baseline #'s will be better
- 3) Performance measures on action steps are just now being populated. A report sheet has been created. Proposed 6-month frequency on reports has been agreed.
- 4) Per the plan, collecting data that notes property type and ownership is being developed as the new software comes in.
- 5) Recording all contacts has been a priority, and has apparently been well done. A note in the latest update of the Action Plan says that “all contacts are now captured on video.” Need confirmation that will not reduce the in-place system for file documentation.
- 6) Coding on closing of cases from MyGov has been problematic. Staff is working to correct that with the transition to Tyler

Staffing

- 1) Job descriptions for Code inspectors, new mid-management, admin staff, the Navigator position and the CoCPM project manager position have been updated or created.
- 2) At points, staffing has been full recently. There should be a clear understanding that there is far more staff than we should need when the master initiative outcomes are met, but we need them now to get the situation to our preferred outcomes levels.

After 3 years, it is time for a review as to whether what we put in place to motivate landlords and protect tenants is working.

Reports we could use

- HCCI (via Carrie) - how many requests for service we have had, how many provided, subject matter and status? – of those, how many were Code and/or Retaliation – of those, how many were referred to KLS or City of Topeka or others (and if so, whom) and what, if any, follow-up results have been reported? Update: HCCI reports 450 reached in counseling and education in 2024, 147 cases of retaliation and maintenance. Nicole is following up on referred to and detail.
- KLS (via Carrie) - how many requests for service we have had, how many provided, subject matter and status? In particular, how many were retaliation cases and how many were eviction only? Update: 36 cases; unclear how many maintenance related, follow-up under way. If the cases handled would have been handled by KLS anyway, and most were not maintenance related, perhaps the grant can be reconsidered/redirected
- City Legal/Retaliation (via Kelly) - how many requests for service we have had, how many provided, subject matter and status? Update: 14 filled out the form, only 1 eligible, was settled
- Fire/PMU Partnership outreach (Alan and John) – Fire reports completing 405 apartment building inspections, but it turns out that they did not hand out PMU materials when PMU was not along, and, except for White Lakes Plaza, we don't have data for how many PMU calls resulted from the outreach. Supervisory staff is not aware that inspectors visited directly with any tenants. Nicole will follow up to pull data by address. We still need a master plan
- In first three – How many steps it takes to get to a live counsel, how many are seeking assistance and how many get it, and what the range and average is from when a request for service comes in and when the service is provided. We need to consider why people may NOT be getting what they need

Escrow – There had been discussion that the KRLTA does not address escrow. It turns out it does, but only when tied to an eviction action by the landlord. If we are wanting more, perhaps here is where our new language would go... simply adding that a similar procedure can be followed where the tenant is affirmatively seeking compensation and/or action by the landlord in relation to documented substandard maintenance issues? Such language is not needed to ask the court for this, but perhaps it could help? Staff is working with Judicial Council to consider authorization language, if needed.

Text from 58-2561. Action for possession for nonpayment of rent; counterclaim, waiver; accrued rent, payment into court; disposition; when judgment for tenant. (a) In an action for possession based upon nonpayment of the rent, or in an action for rent where the tenant is in possession, the tenant shall counterclaim for any amount which such tenant may recover under the rental agreement or this act or such counterclaim shall be deemed to have been waived. In that event, the court from time to time may order the tenant to pay into court all or part of the rent accrued and thereafter accruing and shall determine the amount due to each party. The party to whom a net amount is owed shall be paid first from the money paid into court, and the balance shall be paid by the other party. If no rent remains due after application of this section, judgment may be entered for the tenant in the action for possession. (b) In an action for rent where the tenant is not in possession, the tenant may counterclaim as provided in subsection (a), but the tenant shall not be required to pay any rent into court. History: L. 1975, ch. 290, § 22; July 1.

Interesting development with Lew McGinnis- Fascinating that Frederick Redwine for Lew McGinnis is now offering rent offsets equivalent to the tenant's monthly share of the trash bill, to those who didn't have their trash picked up. Is now the time to organize some educating and backup, then start a letter-of-request campaign for all McGinnis tenants asking for cash or credit for the diminution in rental value that they suffered due to his various delays and/or failures to perform? Letter-of-request campaigns backed up with education and assistance, then assistance with Small Claims Court filings and/or perhaps a threat of lawsuits or a class-action suit might really be what we have been missing? The same could be copied for Timberlee....really any other tenants who have been aggrieved. These actions are already provided for by state law and courts. The cash needed might be only filing fees for Small Claims, identification of

paid or pro bono attorneys who would be willing to file and carry lawsuits. As with other strategies, what we DON'T want is to have tenants have to go to court and go through months, maybe years, of waiting, all without their money. Still....especially for the current situations....so that irresponsible landlords are aware? And, yes, escrow could be included in such suits.... depending.

Legislature Staff is pursuing additional authority from the state to inspect government-subsidized properties that appear to be distressed.

Case status for 2022 and 2024 Big Cases

- Lew McGinnis case - filed June 2022....now set for hearings May 2025
- White Lakes Plaza Case - filed June 2022.... settled in July 2024 for \$89,000 to tenant
- Timberlee – Summer/Fall 2024... with congressional intervention, set to be shut down March 2025

What we thought we did have for tenants so far –

- Good law in KRLTA and MHRLTA
- Annual inspections on all government rent-assisted properties
- LLC ordinance created to ensure corporate owners responsive and responsible
- Fines set to increase for repeat offenders
- All offenders were not to be treated the same administratively and in court, those with means and rent coming in to have higher performance expectations
- No more requirement for written consent to enter for tenants, replaced with Axon video recording and handouts about tenants' rights
- Cases no longer closed when tenants move, immediately reopened in new owner's name
- Training for inspectors on interior inspections
- City retaliation ordinance upgraded to have major penalties, intended to encourage tenants to report
- City repeat offender upgraded to have major penalties
- Educational materials for reference
- A website for reference
- Educated inspectors who could provide information in writing or consults, and an accessible supervisor to back up or problem-solve
- A partnership whereby PMU and Fire would jointly go out and make affirmative inspections and contacts in all rental complexes in town on a rotating basis, making contacts and leaving educational/referral materials at all units at all stops
- A "Navigator"
- Resources through the Housing Department to assist tenants in need with finding affordable housing
- Counsel and backup support on legal and practical rights and responsibilities
- Defense representation in maintenance-related eviction cases
- Consequences from the City and otherwise that would deter landlords from poor maintenance and retaliatory evictions (constructive or via the legal system)

What we have been missing so far, as far as tenant assistance

- It seems we have needed a person (or people) who can....
 - get out live into communities to establish trust and relationships (door knocking, etc.)
 - actively help support and prep in documenting issues and making requests for repairs or inspections, including going with people to hearings (Admin, Muni Court, Small Claims, perhaps also District Court, other venues, perhaps claims against the city itself)
 - support people actively as they go about securing any collateral help that they need
 - actively provide a listening ear, counsel and assistance when the concern is about the inspector or other PMU or City staff, interpretations of the Code, fairness and so on
 - With that, should we refresh the Navigator position, and should it be in Code or Housing.... or third-party placement outside of the City?

- Referral resources for legal representation in the above (both civil and criminal) ...or any civil action and case for affirmative collection of damages is needed
- We dropped the warning that the city would intervene if a landlord tried to evict in a retaliatory fashion when we changed our Topeka retaliatory eviction ordinance, though by all reports that strategy worked. (See experience with the new ordinance above.) Perhaps we should reinstate the original, with the same procedure that was used in the past.
- Perhaps we should drop the "big stick" penalty for landlords who retaliate, as it duplicates the repeat offender penalties and many tenants, for various reasons, have turned out not to be eligible; the communication that the City would testify at any attempted eviction was more successful (see immediately above)
- Until recently, we did not have a track record of big settlements
- We have learned that fees and penalties have not been charged, much less collected, as expected; address this with 2025 review and updates to Property Maintenance Code
- Axon video for all interactions by inspectors was added in 2024. Probably via inquiring with inspectors, we need to know if this change has deterred any tenants from allowing inspections
- Still need "objective response times" for time-sensitive and high-risk issues; also, still need as policy a standard practice to give no more than 30 days for health and safety for tenant-occupied.
- The Fire/PMU affirmative inspection partnership needs to be fully matured. Visiting with tenants needs to happen. PMU referral materials need to be delivered no matter who is inspecting. A reasonable master rotation plan with numbers and goals needs to be set.

[Notes: Bander Almohamaddi, Ahmir Kenyatta, HCCI, KLS, WU, City Court-appointed attorneys for indigent representation, Soc Serv network, disability and other networks for disadvantaged groups, Amanda, Christina, Nicole, John, Robert, Chloe Davis; outreach/counsel/backup needs to always be available...all could be resources]

Yard of the Month Program Plan

Program Overview:

The Yard of the Month program will celebrate neighbors who exemplify exceptional landscaping, property upkeep, and creativity in enhancing the curb appeal of their homes. Winners will receive public recognition, a certificate or prize, and the honor of a “Yard of the Month” sign displayed on their property.

Goals of the Program:

1. Promote Property Maintenance:

Encourage neighbors to maintain and beautify their homes and yards.

2. Inspire Neighborly Pride:

Set a positive example for others in the community.

3. Enhance the Neighborhood’s Appearance:

Improve overall curb appeal and create a welcoming atmosphere.

4. Build Community Engagement:

Strengthen relationships and connections among neighbors.

How the Program Works:

1. Eligibility Criteria

- The program is open to all residential properties within the city limits.
- Yards must comply with property maintenance codes.
- Properties with significant improvements will be considered, even if they are still in progress.

2. Judging Criteria

Judging will be based on:

- **Overall Appearance:** Neatness, cleanliness, and curb appeal.
- **Creativity:** Use of flowers, plants, or unique landscaping elements.
- **Seasonal Themes (Optional):** Decorations or landscaping aligned with the current season or holidays.
- **Sustainability:** Use of eco-friendly practices, such as native plants or water-efficient landscaping.

3. Selection Process

- **Nominations:** Neighbors can nominate themselves or neighbors via an online form, email, or paper submission.
- **Judging Panel:** A small committee of community leaders, volunteers, or neighbors will evaluate nominations.
- **Frequency:** Winners will be selected monthly with special recognition for seasonal or holiday-themed months.

4. Recognition and Prizes

- A “Yard of the Month” sign will be placed in the winner’s yard for the month.
- Winners will receive:
 - A certificate of recognition.
 - A small prize, such as a gift card, gardening tools, or a local business discount.

- Recognition in city weekly report, community newsletters, social media, and at community events.
- **Potential Options: Monthly City Manager/Mayor press conference and city council meeting, local media spotlight.**

Implementation Plan

1. Program Launch

- Announce the program through:
 - Social media posts.
 - City weekly report, community newsletters and email blasts.
 - Flyers at local businesses and community centers.
 - Mass media interviews (Councilmember Valdivia-Alcala & Councilmember Hiller)
 - T.V.
 - Radio

2. Monthly Timeline

- Week 1: Open nominations.
- Week 2: Close nominations and review submissions.
- Week 3: Judges evaluate and select the winner.
- Week 4: Announce the winner, place the sign, and recognize them publicly.

3. Promotion and Engagement

- Share before-and-after photos of winners' yards on social media and in newsletters.
- Encourage neighbors to participate by offering tips on yard maintenance or showcasing outstanding features from previous winners.
- Partner with local businesses for prize sponsorship or discounts.

Sustainability and Growth

- Expand the program to include categories like:
 - **"Most Improved Yard"**
 - **"Best Seasonal Display"**
 - **"Youth-Led Landscaping"**
- Organize an annual event to honor all monthly winners with a "Yard of the Year" award.

Measuring Success

- Number of nominations and community participation.
- Feedback from neighbors about the program.
- Observable improvements in neighborhood curb appeal over time.

The Yard of the Month program is an effective way to inspire pride and ownership in property maintenance while building a stronger, more connected community.

Community Clean-Up Day Program Plan

Program Overview:

Community Clean-Up Days aim to promote pride in our neighborhoods and encourage shared responsibility for property and public space maintenance. By working together, neighbors can enhance the beauty and functionality of our community while fostering connections and collaboration.

Goals of the Program:

1. **Beautify the Community:** Improve the appearance of public spaces and residential areas.
2. **Foster Community Engagement:** Create opportunities for neighbors to meet, collaborate, and build stronger relationships.
3. **Educate on Maintenance Practices:** Provide tools and tips for ongoing property and public space upkeep.
4. **Promote Environmental Responsibility:** Encourage recycling, waste management, and eco-friendly habits.

Program Details:

1. Event Structure

- **Frequency:** Monthly or quarterly (e.g., the first Saturday of each month or seasonal clean-ups.)
- **Duration:** 3-4 hours (e.g., 9 AM – 12 PM).
- **Location:** Rotating focus areas, including:
 - Sidewalks and public pathways
 - Residential streets

2. Supplies & Equipment

- Garbage bags (separate for recycling and trash)
- Gloves
- Rakes, shovels, and brooms
- Trash grabbers/pickers
- Safety vests
- Water bottles
- First aid kits

3. Partnerships

- **Local/County Government:** For waste collection and permitting.
- **Businesses:** Seek donations of supplies or sponsorships.
- **Community Organizations:** Collaborate with colleges, schools, churches, civic groups, and local and county government community service hours participants for volunteers.

4. Marketing and Promotion

- **Flyers and Posters:** Display at community centers, colleges, schools, and local businesses.
- **Social Media Campaigns:** Use engaging posts, hashtags, and stories to spread the word.
- **Email and Text Alerts:** Inform neighbors through newsletters and community alert systems.
- **Word of Mouth:** Encourage neighbors to invite friends and neighbors.

Event Day Agenda

1. **Check-In** (30 minutes)
 - Registration table with sign-in sheets.
 - Provide safety instructions, distribute supplies, water, and assign tasks.
2. **Kick-Off Speech** (5 minutes)
 - Brief welcome and explanation of the event's purpose.
 - Recognize sponsors and community leaders.
3. **Clean-Up** (2-3 hours)
 - Volunteers focus on assigned areas.
 - Use designated bins for trash and recycling.
 - Report any hazardous materials to local authorities.
4. **Wrap-Up Celebration** (30 minutes)
 - Light refreshments (e.g., water, snacks, or coffee.)
 - Group photo and acknowledgment of volunteer efforts.
 - Share next event dates and encourage ongoing participation.

Post-Event Follow-Up

1. **Trash Disposal:** Arrange for with COT Street Dept or SNCO waste to pick up collected materials.
2. **Thank You Notes:** Send messages or social media posts acknowledging volunteers and sponsors.
3. **Results Sharing:** Share photos, stats (e.g., pounds of trash collected) and impact stories to inspire future participation.
4. **Feedback Collection:** Use surveys to gather input for improvement.

Measuring Success

- Number of participants.
- Amount of trash or recyclable collected.
- Improvement in the visual appearance of targeted areas.
- Engagement on social media or follow-up events.

With this professional structure, **Community Clean-Up Days** will be organized, impactful, and a source of pride for all involved!