



CITY OF TOPEKA

CITY COUNCIL COMMITTEE
MEETING MINUTES

PUBLIC HEALTH AND SAFETY COMMITTEE

CITY COUNCIL
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Date: July 20, 2018
Time: 3:00 p.m.
Location: LEC, Classroom A; 320 S. Kansas Ave Ste 100

Committee members present: Councilmembers Sandra Clear, Sylvia Ortiz (Chair) and Mike Padilla

City staff present: Brenda Younger, City Clerk; Luther Ganieany, Topeka Police Legal Advisor; Lisa Robertson, City Attorney; Brent Trout, City Manager; Sergeant Joshua Klamm, Topeka Police Department; Sasha Haehn, Director of Department of Neighborhood Relations; and Corrie Wright, Division Director of Housing Services.

Call to Order

Councilmember Ortiz called the meeting to order.

Approve Minutes from June 15, 2019 meeting

Councilmember Clear moved to approve the minutes. The motion seconded by Councilmember Padilla carried unanimously. (3-0-0)

Presentations

Luther Ganieany showed a TED Talks video to the committee. The link to that video is provided below.

Councilmember Ortiz inquired with SGT Joshua Klamm about an upcoming program that is similar to the one introduced in the video. SGT Klamm confirmed that the Homeless Outreach Taskforce (HOT) program is in the finishing stages of completion and requires approval of Police Chief Bill Cochran.

Public Input

- Frank Anderson, Director of Homeless Services at the Topeka Rescue Mission (TRM), noted that TRM has a Street Reach program, however would be interested in partnering with the City of Topeka in an alternative program such as the one presented in the video. Mr. Anderson noted that TRM would have resources to assist with providing a staff member to drive a van and to provide sack lunches. Councilmember Ortiz inquired with Mr. Anderson about the requirement of having a place for individuals to sleep for the evening after completing a day's work. Mr. Anderson noted that he was aware of the regulations at TRM and that although TRM is not a public shelter, TRM would be willing to provide a bed for individuals who were within compliance of TRM's policies. Councilmember Sandra Clear referred to the letter provided to the committee by Barry Feaker, Director of TRM, and inquired if the Homeless Service Work Program (HSWP) is something that could be done in addition to the ordinance. Councilmember Clear also inquired if the ordinance could be in effect with the program coming into action

at a later time if it was not ready at the same time. Mr. Anderson noted that the program is not currently in place, but is a proposal of something to go in tandem with the ordinance. Lisa Robertson, City Attorney, commented that there are elements of the ordinance that would have to be met, however the entire plan would not have to happen at the time the ordinance would go into effect.

- Corrie Wright, Division Director of Housing Services with the City of Topeka and member of the Homeless Task Force, commented that she had been in attendance of recent Homeless Task Force meetings. Carrie Allen, Vice-Chair of the Homeless Task Force, read a letter to the committee introducing the organization and possible ways in which they could be of assistance. Ms. Allen also noted that there are questions that the task force had which were not currently being addressed by the proposed ordinance. Ms. Allen asked for a delay in voting on the ordinance, however noted that the request was not a dismissal of the ordinance altogether. Ms. Allen provided committee members a letter and asked that the decision of the ordinance be delayed an additional three (3) months to allow for more discussion to be had concerning feasibility issues. Councilmembers Clear and Padilla had a few inquiries but both shared a feeling of wanting to move the ordinance forward sooner rather than later.
- Tawny Stottlemire, with Community Action, provided Committee members with a letter that listed commends from Community Action members. Ms. Stottlemire stated that Community Action also supported the Homeless Task Force and requested more time to put a program in place prior to passing the ordinance. Community Action is working toward the same goal as the Governing Body is hoping to accomplish with this ordinance.
- Councilmember Clear inquired as to how past ordinances with public assistance has been handled, specifically to define what the roll of the City government is. Doug Gerber, Deputy City Manager, noted that there are many rolls in which the City could and should be involved with partnering to address this issue. Mr. Gerber noted that the Governing Body are the policy makers, and that the topic of public camping is at the forefront of being addressed in many cities. Many of the City's departments are directly effected by this issue as well as by the requirements listed in the ordinance. Mr. Gerber felt that input and participation from the committee as well as from the organizations that are in attendance are critical for this ordinance to be successful. Councilmember Clear inquired as to the depth of research that needed to be done prior to passing the ordinance. Deputy City Manager Gerber felt that once the major topics had been discussed, the ordinance could be passed. There will always be a potential for a lawsuit, however if circumstances can be mitigated to reduce the frequency and likeliness of this occurring, the Governing Body could feel comfortable passing the ordinance.
- Ximena Garcia inquired with committee members about the type of community they wanted Topeka to be. Ms. Garcia expressed disapproval of the ordinance as well as the tax increase. Councilmember Clear acknowledged Ms. Garcia's remarks and noted that there have been a number of businesses within the City that are being hurt by individuals who are camping on public property. There is a cost of cleaning up past campsites as well as health issues occurring within the sites.
- Councilmember Padilla inquired with City staff about the difference of private and public property, specifically wanting to address enforcing current ordinances that cover trespassing. Councilmember Padilla inquired if the trespass ordinance will be different from the proposed camping ordinance. Luther Ganieany noted that because it is public property, it would be interfering on the individual's Constitutional right to be in that space. Lisa Robertson noted that the trespassing ordinance could be enforced on private property, however unless there was an immediate danger, the trespass ordinance would not be able to be enforced on public property.
- Steve Schiffelbein, with Topeka JUMP, addressed the committee and advocated for a homeless employment program. Mr. Schiffelbein also suggested that the committee clearly state the intent of the ordinance.

- Councilmember Ortiz inquired about an update on a current permit process for camping on the river. Lisa provided committee members with an email as well as with a verbal update.
- Councilmember Ortiz felt that another public meeting should be held to develop a team to work on this camping ordinance.
- Councilmember Ortiz noted that anyone wishing to be on the committee to provide input should call the Liz Toyne in the Council Office at 785-368-1670. The following list are items to be reported on at the next Public Health and Safety Committee meeting:
 - Homeless Task Force to reach out to the residents who are currently camping under the Kansas Ave Bridge in North Topeka.
 - TPD report update on Homeless Outreach program
 - City Legal update or report on anything they may deem necessary
 - Topeka Rescue Mission report any detail of proposed program
 - Corrie Wright, meet with the Homeless Task Force President and bring back ideas about a sub-committee
 - Invitation for Community Action and Ms. Ximena Garcia to be at the next meeting.
 - Homeless Task Force to provide the number of beds and “Caring Shelters” that could be committed by agencies on the task force.
 - Doug Gerber and the City’s Finance Department follow up if an account could be set up to receive donations. If that is not a possibility, other ideas that could be done.
 - JUMP to follow up with definition of what specifically “affordable housing” means
 - SGT Klamm to report about the issue of storage
 - Homeless Task Force to provide update on what organization would provide medical assistance as needed and the round the clock supervision
- Lisa Robertson and Luther Ganieany expanded on the research that had been completed regarding the wording of the ordinance.
- Reverend Sarah Oglesby-Dungan provided a departing prayer

Set Next Meeting

Within a month

Adjourn

Councilmember Ortiz adjourned the meeting.

Meeting video can be viewed at: <https://youtu.be/VcY8vGAZe7A>

TED Talks Presentation can be viewed at:

https://www.ted.com/talks/richard_j_berry_a_practical_way_to_help_the_homeless_find_work_and_safety#t-728108