

Clean Up Topeka Task Force Report

Presented to

William W. Bunten
Mayor, City of Topeka

December 13, 2005

CLEAN UP TOPEKA TASK FORCE MEMBERS

Sam Carkhuff, Chair
Chiquita Cornelius, Co-Chair; Keep America Beautiful-Topeka/Shawnee County
Darrel Eklund, Shawnee County Landlords' Association
Marge Heeney, Keep America Beautiful-Topeka/Shawnee County
Lorraine Jessepe, Volunteer
Bill Leifer, Volunteer
Robb McDowell, Coldwell Banker
JoAnn Peavler, East Topeka
Mark Saylor, Volunteer
Hi Stockwell, Old Town NIA
Joe Swalwell, Volunteer
Donna Freel, Mayor's Office

The Clean Up Topeka Task Force wishes to thank the following individuals for making presentations to the committee:

Mayor Bill Buntin
Terry Bertels, Topeka Parks and Recreation
Steve Bolton, Shawnee County Refuse
Darrel Eklund, Shawnee County Landlords' Association
Angel Fitzgerald, Kansas Department of Transportation
Randy Speaker, Housing and Neighborhood Development
Miriam Berke, Sandra Cline, Don Carey, Code Compliance
Jewell Welch, Community Action Agency
Mike Teply, Public Works

TABLE OF CONTENTS

1. INTRODUCTION	3
2. PROBLEM IDENTIFICATION AND TASK FORCE FINDINGS	6
<i>a. Housing and Property Maintenance</i>	
<i>b. Infrastructure Maintenance and Improvement</i>	
<i>c. Litter and Illegal Dumping</i>	
3. RECOMMENDATIONS	10
<i>a. Housing and Property Maintenance</i>	
<i>b. Infrastructure Maintenance and Improvement</i>	
<i>c. Litter and Illegal Dumping</i>	
<i>d. Raising Public Awareness</i>	
<i>e. Beautification</i>	
4. MEASUREMENT TOOLS, FOLLOW-UP AND DOCUMENTATION	19
5. CONCLUSION	20

INTRODUCTION

In the spring of 2005, Topeka mayoral candidate Bill Bunten ran for office on a pledge to have the cleanest capital city, make our City safer, encourage a more business-friendly environment and improve our schools. Shortly after winning election in April, Mayor Bunten formed the Clean Up Topeka Task Force and charged it with identifying problems and making recommendations to him for further action.

Mayor Bunten appointed former Topeka City councilman, Sam Carkhuff, to chair the Task Force and meetings began in early May. Mr. Carkhuff named Chiquita Cornelius, who has 20 years of experience as former Executive Director of Keep America Beautiful Topeka/Shawnee County, as co-chair. The Task Force is comprised of 12 dedicated members who have met weekly over the past 5 months.

As the Task Force meetings progressed, it became clear that there were many elements besides litter that contribute to the overall appearance of our City. Each Task Force member has contributed greatly to our group's collective knowledge and we have learned a lot from each other. We have heard from a broad cross section of people from both the public and private sectors, some as individuals and some representing neighborhood groups. We also have heard from small and large businesses and each has helped point out their problems and concerns and more importantly, most have made excellent suggestions as how to solve them.

For years, Topeka Neighborhood Associations (NAs), Neighborhood Improvement Associations (NIAs), Topeka Beautification Association, Keep America Beautiful-Topeka/Shawnee County and others have worked with local government entities, businesses, civic and philanthropic organizations and other volunteers to improve the appearance of Topeka and Shawnee County. In spite of great strides and hard work by these groups and others, litter, illegal dumping, dilapidated, condemned and unsafe structures and deteriorated infrastructure continue to be problems throughout the City. Topeka is perceived by many citizens that it is a "paper tiger" when it comes to enforcing its own ordinances and policies.

Topeka is not an unattractive city but it is not a particularly attractive one either. There are many beautiful areas throughout Greater Topeka but there are areas that need constant attention and follow through. A clean, well maintained city is an economic and quality of life issue for its citizens. The Task Force found that some of our areas of concern had no easy answers or solutions. Some of the City's enforcement power has eroded in some instances as the state and federal governments have taken over what used to be local, jurisdictional issues.

Old tires is one issue that we know is a problem with their disposal and recycling but the rules, regulations and the cost make it difficult for local government to impact that particular problem. Most other problems the Task Force has identified would be quite

manageable if the resources, most notably appropriate funding and will power were brought to bear.

In their groundbreaking book on crime prevention, “Fixing Broken Windows”, George Kelling and Catherine Coles write that small public disorders such as litter accumulation, vandalism and graffiti lead to greater social pathology if left unattended: “Small disorders lead to larger and larger ones, and perhaps even to crime.”

Therefore, the Clean Up Topeka Task Force agrees on these points:

- **The task of cleaning up Topeka essentially involves four major areas: Housing and Property Maintenance, Infrastructure Maintenance and Improvement, Litter and Trash Remediation and a concerted Beautification effort.**
- **The City through its elected leaders and departments must take the lead in the clean up effort by properly maintaining its own infrastructure, including real estate, streets, rights-of-way, streetlights, parks, trails, waterways and signage. By thus setting a good example, the City can encourage the private sector to improve its efforts as well.**
- **The City must take a more consistent, systematic and pro-active approach to litter and infrastructure issues in addition to the current reactive, complaint-driven one. Enforcement of our current laws and ordinances is essential to the success of this initiative.**
- **The City should encourage landlords and property managers to follow newly developed Best Property Management Practices that are required for designation as a Blue Ribbon Landlord/Property Manager. The City should help ensure that landlords and property managers with the Blue Ribbon status strive to keep their properties free from nuisance and housing code violations.**
- **The City should implement a central phone number (311 has been mentioned) within a clearinghouse office to address code compliance and public works-related issues called or e-mailed in. This office should be staffed during normal business hours whenever possible.**
- **The clean up effort must be a community-wide on-going one with public/private partnerships involving government, business, civic, youth and faith-based organizations, individuals and schools.**
- **Keeping Topeka clean and orderly must be an ongoing endeavor, subject to constant renewal and appropriate annual funding. It must be publicized, coordinated and constantly evaluated for effectiveness in 2006 and each year thereafter.**

- **The scope of the clean-up effort should be city-wide. If decay and neglect are permitted in any area or neighborhood, the entire City and surrounding area will suffer the consequences. The problems will spread and become more burdensome and expensive to combat.**
- **The Task Force acknowledges the Mayor's Women Inmate Program and the immediate, positive, impact it has had on Topeka's appearance. The Task Force recognizes that creative solutions such as this solve problems and save the taxpayers' money and should be encouraged at all levels of local government.**
- **The Task Force acknowledges the value of the Mayor providing the leadership in this endeavor and recommends the Mayor should continue to take the lead in raising public awareness of these problems and their solutions.**
- **Topeka, as the capital of Kansas, should make a good first impression on our visitors and a lasting one on our citizens. The Task Force recommends that the Mayor should lead a beautification effort in partnership with the county and state to achieve this both on the approaches into and throughout the City.**
- **The Task Force also believes that efforts by individuals, businesses, civic and service groups and local neighborhoods are key to making Topeka a cleaner and tidier place to live.**
- **The Task Force recognizes that there is always an initial surge of energy and enthusiasm for new and renewed initiatives in any endeavor. One major challenge will be to keep this effort viable and visible for an extended period of time to give it the opportunity to succeed and become the norm and not the exception.**

For the above reasons, the importance of a clean up initiative in Topeka cannot be trivialized or diminished. Clean, well-maintained public spaces will set the foundation for Mayor Buntent's vision of an attractive, safe, economically vibrant community where people want to live, work, play and raise their families.

PROBLEM IDENTIFICATION AND TASK FORCE FINDINGS

PROPERTY MAINTENANCE

The Task Force acknowledges the difficult challenges faced by City departments in enforcing the Property Maintenance Ordinance, which addresses general nuisances, weeds and grasses, inoperative vehicles and residential and commercial structures; including unsafe, structures. It has identified several major problems that need to be addressed to assist City departments to more effectively enforce this ordinance.

One of the most glaring problems identified was the lack of adequate funding for the demolition of unsafe structures. As of July, 2005, approximately 50 structures are on the Code Compliance demolition list. Many of the structures initially placed on the demolition list are removed from the list because the case is closed, the structure is repaired or the structure is demolished by the owner. However, if the property owner does not abate the problem, it becomes the City's responsibility to demolish the structure. It costs approximately \$7,000 to demolish a house and less for a garage. With limited funds available, a dilapidated, unsafe structure can languish for years awaiting demolition, and some structures have been on the demolition list since 2001. The presence of these structures invites arson, criminal and drug activity, vandalism and general blight into the community.

The Task Force found that the Code Compliance Demolition List is not updated on a regular basis and structures on the demolition list are not ranked on the basis of their need for demolition. The Task Force learned that some structures placed on the Code Compliance demolition lists are economically viable for rehabilitation and some have been rehabilitated. However, the public is generally not aware of the addresses of structures that have been put on the demolition list. They have little or no opportunity to purchase these structures, rehabilitate them and save the City and taxpayers the expense of demolishing them.

The Task Force also found there is no comprehensive city-wide demolition list and that other City agencies select and fund the demolition of structures for various purposes; such as infill housing and park and green space development.

Many examples exist of empty lots where structures had been demolished and no attempt was made to maintain the lots in a decent manner. This is a frequent unintended consequence of demolishing structures without making any provision for the empty lot to be given to or purchased by a responsible owner.

One of the deficiencies of the City's Property Maintenance Ordinance is that it does not address the problem of abandoned and boarded up houses. There are many

houses in the City of Topeka that are abandoned and boarded up to protect them from vandalism and deterioration from the weather.

The Task Force learned that the City's housing agencies/entities provide very significant amounts of rental funds and some rehabilitation funds to property owners, regardless of whether the landlords/property managers are following good property management practices or respond in a timely and responsible manner to property maintenance violation citations. This problem has been a long-standing concern to residents in our local neighborhoods.

Adding to the difficulty of enforcement, especially with housing code violations is that a significant number of property owners have low to moderate income and lack the resources necessary to properly maintain their property. Furthermore, the Task Force found that the city ordinances pertaining to housing code violations do not address how to deal with the elderly, the disabled or those with mental health issues.

The Task Force believes that Code Compliance has inadequate staff resources and training. It receives thousands of complaints a year about inoperative vehicles, nuisance code, housing code and weed/grass code violations. But for the entire City, only ten employees are available to address property maintenance: four address nuisance code violations; five address housing codes: one addresses both codes. Only two staff members inspect grass and weeds for the entire City and only two staff are assigned to abatement of nuisance code violations that are not corrected by the property owner.

There is also a safety issue for Code Compliance staff. Code enforcement is a hazardous job. Code officers are routinely confronted by angry, abusive citizens. They have been threatened, intimidated and attacked by dogs and citizens.

The Task Force also identified three obstacles that inhibit the effectiveness of Code Compliance for code violations that are taken to Municipal Court. First, if a property owner fails to appear in court, Code Compliance must provide the date of birth for the property owners before the bench warrant can be issued. Second, if a bench warrant is issued, the chances that it will be served are slim unless Code Compliance notifies the City Attorney's office and requests that the warrant be served. Due to budget cuts in a previous year, the two police officer positions that were assigned the duty of serving bench warrants was eliminated. Third, Code Compliance currently has only one dump truck to use on abatement calls which combined with only two abatement staff, makes it very difficult to handle several large nuisance code abatements within the 72 hours allowed by the court.

INFRASTRUCTURE MAINTENANCE AND IMPROVEMENT

Curbs, gutters, sidewalks, medians, alleys, streetlights, striping and crosswalks

One of Mayor Bunten's concerns during his campaign centered on the overall condition of Topeka's streets. Specifically, he is concerned about broken and collapsed

curbs and gutters in many areas of the City. Left unattended, they will only get worse and may require replacement sooner and at a much higher cost to the taxpayers. Curbs, gutters streets and alleys do play an important role in the perception that Topeka is a clean and orderly place to live and work.

In 2005, Public Works received \$85,000 toward their repair and replacement which amounts to 3,400 linear feet or about 2/3 of a mile. In the midst of the Task Force's deliberations, the City Council voted to increase this funding by \$500,000 in 2006 that will allow the repair/replacement of approximately 20,000 linear feet; a six-fold increase. Mike Teply, Interim Director of Public Works told the Task Force that his department estimates that this is only one-fourth of the funds needed and that the level of funding for 2006 needs to be in place for a minimum of 3 years to catch up to the present need.

Mr. Teply also indicated that due to inadequate funds, there is a backlog of streets and alleys needing repair. Generally, the Task Force believes that the street repair fund is under funded and will require an increase similar to the curb and gutter repair fund at least for the next 3 years to catch up to current need.

The Task Force learned that there is no street and alley maintenance funding from the City's general fund and that the State cut back their share 10% three years ago and has not replaced it. The street fund is in danger of receiving even less from the Motor Fuels Tax in 2006, its primary funding source, due to an expected decrease in motor fuel sales due to high prices. This funding is not tied to the dollar amounts collected from fuel sales but rather as a tax per gallon. Less demand will result in lower tax revenues in 2006.

- **Cluttered and damaged Signage**

A major component that distracts from a cleaner appearing Topeka are the number and condition of traffic, directional and informational signs in the City's right-of-ways. On some major arterial and feeder streets there are instances of three identical signs in less than a half block. There are innumerable signposts throughout the City that are crooked, twisted or otherwise in poor repair and signs that are simply worn out or irrelevant in nature. In some cases, tree branches obscure signs and a number of other signs are poorly placed.

- **Inadequate enforcement of the current sign ordinance**

The City of Topeka still has a problem with signs placed illegally in the right of way. As an example, this past Labor Day weekend a local company selling roof gutter guards managed to illegally place several hundred advertising signs at many major intersections throughout the City. The Task Force Chairman and the Mayor called the number on the sign and was told by a company representative that their marketing company out of Kansas City was responsible for their placement but since it was a holiday weekend they could not be removed until the following Tuesday or Wednesday.

Obviously the visual damage was done and it is likely the company had the best weekend of sales in its history.

It is the Task Force's hope that some of the signs were confiscated and the responsible party was cited and fined an appropriate amount to send the message that their behavior was unacceptable in this incident. It also points out that this problem will likely occur again in a similar form. The City needs to be prepared to take action if not to stop it before it happens; at least send a message after the fact that it will be an expensive undertaking for the person or company responsible.

- **Utility Poles**

A contributing factor to the appearance of Topeka and the image it presents to visitors is the utility poles and wires that drape the City. When compared with beautiful, modern cities that we must compete with for businesses and growth, Topeka lags somewhat behind in this regard. This unsightly maze of poles and drooping wires is made worse by the heaving and swelling of the ground with the marked seasonal temperature changes. Over time these conditions cause them to lean from the vertical in random directions producing a disheveled appearance. When the leaves are off the trees, the appearance is made even worse.

LITTER AND ILLEGAL DUMPING

Keep America Beautiful-Topeka/Shawnee County has assessed litter in the community since 1977. The annual Litter Index Survey recently completed by the organization revealed that Topeka has a Litter Index of 1.19, on a scale of 1 to 4, with 4 being the worst. This survey indicates that most of Topeka's neighborhoods have a low and manageable amount of litter, but that several are problematic and contribute to a poor image of the City.

The 2005 Keep America Beautiful-Topeka/Shawnee County litter index survey reveals that litter has increased over the 2004 index of 1.15. The past year litter along I-470 between Fairlawn and Gage Boulevard increased. Other problem areas identified by the study are SW 29th and SW21st Streets, again between Fairlawn and Gage. Individual Task Force members have also expressed concerns about the whole I-470 interchange/intersection of SW 29th and Fairlawn among other locations in the City, which appear to have chronic litter problems of their own. In evaluating the cause for increased litter, the Task Force found that less than half of all available highway areas in KDOT's Adopt-a-Highway program in Shawnee County are currently adopted.

Terry Bertels, of Topeka Parks and Recreation, estimated that less than 25 percent of the City's 101 parks and green spaces are currently adopted through the department's Adopt-a-Park program. There is generally a lack of follow-up and documentation on volunteer work performed at parks that are officially adopted. A park may officially be adopted but may receive inconsistent, if any volunteer attention.

The Task Force also found that street sweeper use has had a dramatic decline recently and the Street Department indicates each street may be swept once a year.

Illegal dumping is also a concern of the Task Force. One reason is related to restrictions and costs that trash removal services have on certain items, e.g., yard debris, “white items” such as appliances, tires and large furniture pieces. There also appears to be a lack of public awareness and education regarding the availability of services for these items that contribute to the problem of illegal dumping.

Discarded tires are still an issue in many neighborhoods where they are disposed of irresponsibly in creek beds, alleys and sometimes kept in back yards for long periods of time. The accumulation of tires is unsightly and may become a health hazard.

The Task Force found that many citizens are not aware of the state law regarding the proper disposal of tires, the reason for the disposal charges and the consequences of trying to defer the cost of disposal at the time of the purchase of new tires. Studies show that nationally we generate one tire per capita per year indicating that this will be an ongoing challenge in our community until a suitable alternative can be found for the reuse of the old tires.

TASK FORCE RECOMMENDATIONS

HOUSING AND PROPERTY MAINTENANCE

The Task Force agrees that the Code Compliance staff must be provided the funds and the tools they need in order to perform their jobs safely and effectively. The following recommendations are made:

#1 Increase funding for the demolition of unsafe structures.

The Task Force strongly endorses the increase in demolition funding for the Code Compliance Division from \$70,000 during 2005 to \$250,000 for 2006. The City needs to provide adequate ongoing funding to abate the backlog of court-ordered, unsafe structures scheduled for demolition.

The Code Compliance Division prepared cost estimates for 87 unsafe structures in 2004 and another 29 unsafe structures through July 22, 2005; hence additional structures are added to the demolition list on a frequent basis. From January 1, 2004 through July 22, 2005 approximately 60 structures, placed on the demolition list via Code Compliance efforts, have been demolished. Additional structures are removed from the demolition list as they are repaired. In regard to the demolition list of July 22, 2005; approximately 40 of the 45 structures that are ready to demolish do not appear to have any rehabilitation work progressing. The increased funding is needed to reduce the current number of structures that are ready to demolish and for which no rehabilitation work is ongoing.

#2 Update the Code Compliance Demolition List and prioritize the order of structures for demolition.

Code Compliance should implement a process for updating the unsafe structure demolition list on a monthly basis and should prioritize the order of the structures for demolition. The highest priority should be for structures that are close to schools or other locations where large numbers of children are exposed to the danger. The remainder of the structures on the list should be ranked in order from the highest estimated cost of repair to the lowest estimated cost of repair, using cost estimates already developed by Code Compliance. .

The unsafe structure demolition list does not appear to have been updated on a regular basis and the actual number of structures that are ready to demolish is usually not known at any given point in time. When a house is demolished under Code Compliance supervision, it does not appear to be chosen on the basis of severity of public health and safety concerns. Prioritizing the order of demolition of houses by the estimated cost of repair should be a reasonably objective measure of the condition of the house. This recommendation should ensure that a severely fire-damaged house, such as 1526 SW Harrison, which has been on the demolition list since 2001, would be demolished prior to houses recently placed on the list that have less serious damage.

#3 Develop and maintain a comprehensive city-wide demolition list.

The Topeka City Manager should develop and maintain a city-wide list of structures that are scheduled for demolition, which would include the court-ordered structures on the Code Compliance demolition list.

The City has a number of different funding sources and agencies involved in selecting the demolishing structures in addition to Code Compliance. No master list of structures to be demolished by the City exists and the total amount of funding used by the City for demolishing structures is not easily identified.

For example, Park Acquisition funds and general obligation bonds were used to demolish structures for the development of Highland Crest Park. Housing and Neighborhood Development (HND) has funds to demolish structures for infill housing and to demolish structures for property owners on a voluntary basis. HND also has funds or uses general obligation bonds to purchase and demolish structures for green space development related to implementation of neighborhood plans.

This list should be shared with the Mayor, City Council, City Manager, City Attorney, and department heads. It should be made available to the public in the City Clerk's Office.

#4 Maintain empty lots after structures have been demolished.

If the structure that has been demolished is a house, the City should contract with a mowing/maintenance person or entity to maintain the vacant lot in a clean and attractive, manner until the property is deeded to a new owner.

Vacant lots, where houses have been demolished by Code Compliance due to a court order, are frequently very poorly maintained with tall grass/weeds prevalent and/or various nuisance code violations existing on the property. The property owners for these vacant lots appear to have little incentive to maintain the empty lots and the resulting fines are often not paid.

The above recommendation is stated in a HND document as the procedure that they follow when a property owner authorizes a voluntary demolition of a house by HND. This recommendation, if implemented, should greatly reduce the problem of unsightly vacant lots for properties that have had structures demolished by Code Compliance.

#5 Provide an opportunity for the public to purchase property with structures that qualify for the Code Compliance demolition list.

Allow investors and homeowners the opportunity to purchase property with structures that are on the Code Compliance demolition list or would qualify to be placed on this list.

The demolition list should be made available to investors and homeowners on a regular basis, along with a list of structures that are in the process of being placed on the demolition list. Information should be provided about the ownership status of the property and Code Compliance requirements for rehabilitation of the property.

In addition, if property on the demolition list or being considered for demolition has three or more years of delinquent taxes, then the County Counselor should be notified about such properties and Code Compliance should make a request that these properties be processed for a Shawnee County Tax Sale. This action would spare taxpayers the potential cost of demolishing the house, which averages \$7,000 and the property owner may benefit by receiving any portion of the sale proceeds that exceeds the County's tax lien on the property. The county, city, schools, etc. also benefit by receiving higher property taxes in future years after the property is rehabilitated.

#6 Limit the length of time a structure can be boarded up.

Revise the City of Topeka's Property Maintenance Standards to limit to three years the period of time allowed for an abandoned structure to be boarded up. Exceptions for special circumstances should be spelled out and penalties for failure to comply should be specified and enforced.

Vandalism can cause thousands of dollars of damage to a home. There is a need to allow property owners the right to board up their houses and thereby to protect them from such needless and senseless damage being inflicted. However, it is also important to ensure that these houses are not allowed to deteriorate over the long periods of time and make the neighborhood less desirable to live in.

#7 Allow rental and rehabilitation payments of federal, state or local funds to Shawnee County Blue Ribbon Landlords only.

One of the criteria required for the City of Topeka to sign agreements with rental property owners to authorize the payment of federal, state or local funds for rental dwelling units or to subsidize tenant rent, should be that the landlord/property manager must currently be approved as a Shawnee County Blue Ribbon Landlord/Property Manager.

The 2000 U.S. Census Bureau data showed that there are 20,505 occupied rental dwelling units in the City of Topeka, which represented 39.3% of the 52,190 occupied dwelling units in Topeka. Many of these rentals are in areas of Topeka that have the biggest problems with trash in the yards and with housing code violations. One of the 10 requirements to be listed as a Shawnee County Blue Ribbon Landlord/Property Manager is that Code Compliance will be provided with a list of addresses of rental properties that they own or manage, a phone number and they agree to correct city code violations (including nuisance and housing codes) promptly or they will be removed from the Blue Ribbon list. This would be a powerful tool to encourage some of the City's largest landlords and property managers to help Topeka to be a model city for cleanliness and for the care of our older housing stock.

#8 Sufficient funds should be allocated by Housing and Neighborhood Development which shall be utilized to provide emergency rehabilitation assistance to low-income owner occupants cited by Code Compliance for housing code violations.

Sufficient funds should be allocated by the Housing and Neighborhood Development Department (HND) to provide customer-friendly emergency rehabilitation assistance to low-income owner occupants throughout the City of Topeka whose homes have been cited by Code Compliance for code violations such as those involving a safe and operating furnace, hot and cold running water, sewer service, bathroom or kitchen plumbing or significant roof leaks. A HND employee should be designated to follow up on all requests for such assistance and should meet with the owner occupants to assist them in filling out the necessary paperwork to determine if they qualify for emergency rehabilitation assistance.

Housing Violations Notices sent by Code Compliance to property owners contain the statement: "Failure to comply with this Notice may result in an order to vacate the structure until repairs are completed." This language is very threatening to the elderly, disabled or very low-income property owners who are struggling to make ends meet and

may have a significant impact on their physical and mental health, as well as create ill will toward City officials. This language is too strong for notices that are restricted to garages, sheds or very minor housing code violations.

If HND assistance for emergency rehabilitation is not made available, many low income owner occupants will not be able to make the required repairs to their homes and their homes may become viewed as unsightly blight in the neighborhood. Consequently, within a few short years the home may be written up as an unsafe structure, the owner(s) forced to move and the City will spend tax dollars demolishing the house, rather than repairing it when it had the opportunity to do so at a lesser cost.

#9 The City Manager should initiate a thorough review of Code Compliance to enhance its ability to carry out its mission for the City of Topeka.

The Task Force believes that an in depth review of Code Compliance shall include a determination of the need for additional funding, cross training of inspectors, safety for inspectors, serving of bench warrants, increased accountability to the local community by providing monthly code violation reports and additional abatement equipment. We recommend a review should be undertaken including a recommendation to determine the most effective location in the City's organizational structure.

As an example of the need for a review of Code Compliance, many individuals have indicated that cross training of inspectors should be a high priority objective. Currently if a specific property has a weed/grass violation, a nuisance code violation and a housing code violation, three different inspectors may be sent to the property to photograph the violations and each inspector may contact the property owner. It seems likely that the efficiency of Code Compliance could be increased a considerable amount by having one inspector handle all three code violations at that property. On a related note, it should **not** be necessary for three different inspectors to tour the same area of Topeka to look for three different code violations.

INFRASTRUCTURE MAINTENANCE AND IMPROVEMENT

Curb, Gutter, Street and Alley Maintenance

The Task Force recommends that the City Council should consider a major funding increase, from the general fund by ordinance if necessary, to remediate the problem of neglected and crumbling infrastructure. Perhaps even reopening the 2006 budget and enacting a fund transfer to bolster the fund would be in order in the short term. The 2007 and out years' budgets for street and alley repairs should be given an increase on the order of what curbs and gutters received for 2006.

Cluttered and Damaged Signage

Thinning out the number of traffic control signs does entail conforming both to state law and city ordinances that may require the placement and/or removal of them. Many traffic and directional signs do serve a valid purpose but some are clearly unnecessary or unneeded.

The Task Force recommends that a proposed sign inventory by Public Works be completed and that a plan of action be prepared and implemented as soon as possible

Inadequate Enforcement of the Current Sign Ordinance

The Task Force recommends continuing the policy of City crews picking up signs illegally placed in the right-of-way and stringent enforcement of the relevant ordinances and fines. The Task Force believes that this will send the message that the City is serious about its sign ordinances and will take appropriate action when necessary. The City Council need not pass any additional ordinances; it needs to ensure that the ones currently in place are being enforced AND properly funded.

Utility Poles

Utility companies should be encouraged to place their infrastructure components underground. This would eliminate the current practice of maintaining overhead service lines that has the unfortunate consequence of requiring many of our beautiful and mature trees to be trimmed in a very dramatic and unattractive manner.

The Task Force believes that placing conduit and maintaining underground wires, which are not susceptible to outages from ice storms and lightning, high winds and fallen branches during thunderstorms is another great public benefit. For example, the opportunity to place underground conduit during widening of Wanamaker Road was ignored, and new, unsightly poles were placed alongside the old poles being removed.

Streetlights

Streetlights are an important component of the City's infrastructure and should be encouraged as a safety issue and a crime reduction measure. Currently, the City has a contract with Westar to install and maintain streetlights throughout Topeka. Several years ago the City did a study to determine if it was cost-effective for the City to acquire the streetlight system from Westar. The study indicated that it was not.

The Task Force notes there needs to be a more proactive approach with regard to burned out or non-functioning streetlights. Citizen reports of individual outages are important and should be encouraged. The City might consider doing a quarterly or semi-annual nighttime inventory of major arterials and feeder streets to check for inoperative streetlights. Since the City is paying for street lighting it only makes sense that all streetlights should be in working order.

LITTER AND ILLEGAL DUMPING

The Task Force agrees that a systematic, proactive approach to de-littering that prioritizes city-owned, public spaces would be more efficient than a complaint-driven approach to litter. Emphasis should be given to “Topeka approaches,” such as South Topeka Boulevard, Kansas Avenue, East 6th Street, I-70, I-470, US-75, US-24 etc., major intersections, parks and green spaces, vacant lots, parking lots, bridge underpasses, creeks and streams.

Using Inmate Labor

Mayor Bunten’s Women’s Inmate Labor program to help clean up Topeka got underway in the summer of 2005. The official kick-off for the program was August 15 in Wren Park at Huntoon and Topeka Boulevard. The Task Force recommends that the use of inmate labor eventually be expanded, at the appropriate time, to include all “minimum security” inmates as well as community service individuals.

Encourage and increase participation in existing on-going clean up programs

The Task Force recommends the Park Department and KDOT implement a concerted, volunteer recruitment effort as well as a follow-up system or database to track activity. The City should increase frequency and use of street sweeping machines especially at major arterials and feeders and heavily used intersections.

Address Illegal Dumping Complaints within 48 Hours

The City has enjoyed great success with its graffiti hotline number in which complaints are addressed within 48 hours. The Task Force recommends that a centralized reporting system be established for use by all local government entities and the public. It further recommends that illegal dump sites be addressed within 48 hours. Physical barriers such as chains and other blockades should be used at known sites to discourage further illegal dumping and should be monitored frequently.

Other recommendations to address litter:

- Tires—Several years ago a test program was run by a partnership with the City of Topeka and the Keep America Beautiful-Topeka/Shawnee County Program. Following several amnesty days for the collection of tires, the tires were shipped to a company in Nebraska, refined into a crumb rubber, the product returned to the Park Department and City personnel then made mats for use around playground equipment. This effort was funded by a grant from the state of Kansas. The end result proved to be successful but due to the cost has not been repeated.

Therefore, the Task Force encourages the City of Topeka to take a position to the State Legislature regarding the current state tire grant program. The current competitive grant program restricts the use of the funds for efforts that prepare the used tires for reuse in some other product. The Task Force recommends expanding eligibility for grant applications to support the using of products made from recycled tires. This will help establish a market and a value for the old tires.

The Task Force also encourages the City to utilize its resources to expand educational efforts about the proper disposal of tires, i.e. through information in water bills, utilization of Cable Channel 4 and asks that Code Compliance strictly enforce current ordinances.

- Increase number of trash receptacles in high-pedestrian traffic areas such as bus stops, picnic areas, parks and trails and other public gathering areas. Encourage businesses to offer “car-friendly” receptacles at fast food establishments before and after drive-up windows on driver’s side and encourage retailers to limit litter output such as receipts, unnecessary packaging, etc.

RAISING PUBLIC AWARENESS

“The idea that you need years and years and years to change a culture...has been shown to be a lie.” –George Kelling, Fixing Broken Windows

Begin a Public Awareness Campaign

Cultural change begins with education and consciousness raising. It begins with the “small” acts of citizens. The Task Force supports the initiation of a concerted public awareness campaign to educate the public and to keep the issue fresh in the public conscious.

The campaign should emphasize the benefits of clean-up initiatives to the community. Cities that have undertaken clean-up initiatives have reaped the benefits in the form of:

- Decreased criminal activity
- Enhanced property values
- Encouragement of economic development
- Cost effectiveness
- Improved quality of living
- Community pride of ownership

Publicize parks available for adoption in the City’s Adopt-a-Park program and KDOT’s Adopt-a-Highway program in print and broadcast media.

Establish a Central Hotline Number for Problems

The current 2005 SBC Yellow Pages lists one number for Code Compliance (368-3161) to address dilapidated structures, graffiti, inoperable vehicles, mowing, weeds, trash and debris complaints. A second number for a Public Works Customer Service Call Center (368-3111), addresses potholes, street and alley repair, traffic signals, signs, pavement markings, and street lighting.

There should be a coordinated effort between the divisions of Public Works which includes Code Compliance, Transportation Operations (Traffic, Street Repair, Street Lighting); Water Pollution Control and Water to ease and facilitate the reporting of citizen complaints. The Task Force recommends establishing a “one-stop” central hotline number to be answered by an employee.

This number should be listed prominently and frequently in telephone directories, print and broadcast media, neighborhood newsletters and publications.

Increase Funding for Keep America-BeautifulTopeka/Shawnee County for Education and Outreach Programs

The Task Force recommends the City Council increase the City’s funding for Keep America Beautiful-Topeka/Shawnee County. This organization has not had a funding increase from the City for almost 10 years. They are an organization that deserves the City’s increased support to expand their cleanup and environmental education efforts. They have the leadership, organization and know-how to work with both the public and private sectors in these areas. We believe that through their efforts all of us will see a marked improvement in our City’s appearance. Keep America Beautiful-Topeka/Shawnee County has an excellent record given their current level of funding but they could do so much more.

Budget priorities tend to set the tone for what the City Council feels are important endeavors throughout our community. Outside of basic city services, there is not a more important priority than presenting our City in the most favorable light possible. The Task Force submits that the visual appearance of Topeka has a huge impact on our citizens and businesses and tells outsiders volumes about what we value in our community.

BEAUTIFICATION

The Task Force recommends that the Mayor should lead a beautification effort in partnership with the County and State beginning with the approaches into the City. The Task Force recommends that present beautification efforts such as parks, City’s right-of-ways and other City owned properties be continued and budgeted for annually.

The Task Force supports the Capital Improvement Program (CIP) increase requested by the Park Department. The Task Force believes that beautification is an important component of a successful clean-up initiative. The visual appearance of the

City has a significant impact on the first impressions of visitors and the community pride of residents. Beautification—creating places that are well-maintained and aesthetically pleasing—encourages people to respect the landscape and not to litter.

The Park Department’s 7-day turn-around time in grass mowing has made a big improvement in the appearance of City parks. The Task Force recommends that the City Manager evaluate the current City-owned property management process including a set mowing schedule for weeds and grass at least every 21 days on a rotating basis.

Utilization of Inmate Labor

Beautification is more detail-oriented and labor-intensive than mere clean up or general maintenance. The Task Force is very supportive of the City using inmate labor to fill the gap in the Park Department staff and Public Works staff to work on beautification details—the trimming of grass and weeds (especially around street signs, medians, utility poles and guard rails), shrub and tree trimming, watering, planting and landscaping.

MEASUREMENT TOOLS, FOLLOW-UP AND DOCUMENTATION

The Mayor’s clean-up initiative must be able to show results and quantify success. This is especially important when future funding issues arise. Topeka is fortunate that Keep America Beautiful’s Litter Index is already in operation, providing valuable documentation to identify, assess and follow-up on litter problems in the community. The Task Force recommends that the clean-up initiative coordinate its efforts with the studies conducted by Keep America Beautiful-Topeka/Shawnee County.

Monthly Reports from Code Compliance

The Task Force also recommends that The City of Topeka’s Code Compliance Division provide monthly and year-to-date reports of property maintenance code violations by property address and by type of violation for each Code Compliance District within the City and distribute them to the City Manager, Mayor, City Council, NIAs, NAs, Shawnee County Landlords’ Association and other interested parties.

The report will include: a) the date the violation was reported, b) address of the violation, c) type of violation, d) whether the violation was reported by a property maintenance inspector or other party, e) the date the violation was declared to be corrected by the Code Compliance Division and f) the number of days from the time the violation was reported to the time it was declared to be corrected.

The City of Topeka Police Department has a long history of providing monthly summaries of criminal activity to NIAs and NAs and these reports are beneficial to the local neighborhoods. Many NIA and NA representatives have questioned whether property maintenance code violations that they have reported are being addressed by the Code Compliance Division and wondered about the current status of the violation.

The development of monthly and year-to-date reports of property maintenance code violations by the Code Compliance Division would be very helpful in documenting that local code violations are being addressed and monitored in a timely manner. For each Code Compliance District, the average number of days from the time the violation was reported to the time it was declared to be corrected, will be a very useful measurement statistic to monitor progress in correcting code violations. This statistic can be used as a management tool to compare differences between Code Compliance Districts and to compare differences from one year to another

CONCLUSIONS

The Task Force believes that Topeka, as the Capital City of Kansas, should strive to be the cleanest and tidiest city in Kansas. We are setting an example for the entire state by our look and appearance. Our appearance should tell our citizens and those who visit us that we care about our community and what it looks like. Ultimately, our collective attitude about our appearance and cleanup issues will drive the search for solutions and actions.

For us to maintain and improve our appearance, it will take a joint effort between the City, the County and the State. It will take the political will of our elected officials along with an appropriate level of consistent funding from the City. It will take the efforts of local organizations such as Keep America Beautiful Topeka/Shawnee County and their programs. It will take the efforts of community groups, service organizations, NIAs, other neighborhood groups, businesses, government and private individuals.

The Task Force believes that Housing and Property Management issues should initially be given top priority in this cleanup effort. The lack of funding and willpower to see these issues through has landed us in the position we find ourselves in. It is high time that the City recognizes these problems and take them seriously. The City Council does not need to pass one more ordinance nor conduct another study to effect change; funding and willpower will. The City needs to restore its credibility in this area with consistent application of its own existing ordinances and policies currently in place.

The Task Force strongly recommends that the Topeka City Council stop decreasing the infrastructure maintenance budget each year in the name of political expediency at budget time. The scheduled outlays for Capital Improvement Projects should stop being pushed back year after year. The City cannot afford to continue ducking these important decisions as they have in the past. We are at a point where many delayed projects and scheduled maintenance issues from past years are resulting in having to make much more expensive repairs and replacements than originally estimated. The Council and the City Manager should come up with an outright action plan that ensure that critical infrastructure issues are consistently completed on their intended schedule.

The Task Force believes that the Mayor's proposed Clean Up Topeka Month slated for April 2006 is the vehicle to begin to change people's minds about the power of teamwork to improve the appearance of Topeka. It must have the support of the City Council, the City Manager and the affected City departments. The City should take the lead in publicizing the need for clean up and renewal on a consistent basis.

The Task Force understands that for a clean up program to succeed over the long term it will likely require expansion of the City's manpower and equipment within several departments. The required budget increase will be to mainly fund additional personnel positions to carry out these tasks and some for equipment maintenance and purchase. The Task Force understands it may be politically unpopular to raise taxes to fund this endeavor. However, without an increase in resources it will continue to be physically impossible to make a marked improvement in the appearance of the City.

No matter the results of the upcoming City-County consolidation vote, the issues and concerns cited in this report will still be with us. It is imperative that the perception that the City somehow does not measure up to the level of service provided by the County be erased. Every City employee should be empowered to find ways to improve the level of service they provide. They should be recognized and rewarded for creative solutions to these problems. The mindset of continually doing things a certain way needs to be rethought and changed. The City's frontline employees in the field are the best window on some of the clean up problems we face throughout the City and their efforts and ideas for improvement should be encouraged.

The Mayor's Clean Up Topeka Task Force wishes to thank the many people and organizations who contributed their time and expertise to our efforts. We especially thank Mayor Bill Bunten for his vision and support to improve the appearance of Topeka.