

Governing Body Minutes – April 4, 2023

CYRUS K. HOLLIDAY BUILDING, Topeka, Kansas, Tuesday, April 4, 2023.

The Governing Body members of the City of Topeka met in regular session at 6:00 P.M. with the following Councilmembers present: Councilmembers Hiller, Kell, Duncan, Valdivia- Alcala, and Hoferer -5. Councilmembers Ortiz, Naeger, and Dobler participated remotely -3. Mayor Padilla presided -1. Councilmember Emerson was absent -1.

Public comment for the meeting was available via Zoom or in-person. Individuals were required to contact the City Clerk's Office at 785-368-3940 or via email at cclerk@topeka.org by no later than 5:00 p.m. on April 4, 2023, after which the City Clerk's Office provided the Zoom link information and protocols prior to the meeting start time. Written public comment was also considered to the extent it was personally submitted at the meeting or to the City Clerk's Office located at 215 SE 7th Street, Room 166, Topeka, Kansas, 66603 or via email at cclerk@topeka.org on or before April 4, 2023, for attachment to the meeting minutes.

AFTER THE MEETING was called to order Councilmember Kell, provided the invocation. He asked for a moment of silent meditation to honor the victims of The Covenant School mass shooting on March 27, 2023, in Nashville, Tennessee; as well as the lives lost in recent tornados across the Midwest and the South on March 31 and April 1, 2023.

THE PLEDGE OF ALLEGIANCE was recited by meeting participants.

BOARD APPOINTMENT recommending the reappointment of Jim Edwards to the Topeka-Shawnee County Public Library Board of Trustees for a term ending April 30, 2027, was presented. (*Council District No. 7*)

BOARD APPOINTMENT recommending the reappointment of Joan Hicks to the Topeka-Shawnee County Public Library Board of Trustees for a term ending April 30, 2027, was presented, was presented. (*Council District No. 6*)

Councilmember Hoferer moved to approve the appointments. The motion seconded by Councilmember Kell carried unanimously on roll call vote. The Mayor does not vote. (8-0-0)

Joe Charey, ADA Advisory Council Vice-Chair introduced Ernestor De la Rosa, City of Topeka Chief Diversity Equity and Inclusion Officer, to provide the ANNUAL UPDATE on the City of Topeka Americans with Disabilities Act (ADA) Advisory Council. Steve Schoenberg, ADA Advisory Council Chair was present for questions.

Councilmember Valdivia-Alcala asked who investigates complaints concerning reasonable accommodation requests. She stated she wants to make sure the Governing Body was aware of the proper investigative entity to address fair housing complaints.

Chief DEI Officer De La Rosa reported the routine action would include the City working with Code Enforcement and other departments to help find a resolution. He asked the City Attorney to comment on any additional procedures that should be followed.

Amanda Stanley, City Attorney, reported complaints would be handled by a State of Kansas agency; however, she would have to report back on the specific branch.

Councilmember Hiller stated she believes this has been the first time the 2006 Transition Plan has been mentioned in the ADA Advisory Annual Report. She asked Staff to provide an overview of the size and scope of the Plan as well as an update on issues being considered.

Councilmember Duncan referenced Shawnee County Parks & Recreation facilities and parks located in city limits. He asked if Shawnee County has a similar ADA Advisory Council in place and how does the City address accommodation issues that need to be addressed in parks

and community centers; and does the City's process identify more important issues to fast track community needs. He recognized any type of sidewalk issue creates a hazard for those with a mobility issue; however, when the City receives a complaint about a sidewalk how is that complaint analyzed and is there a fast track process in place if needed.

Councilmember Kell asked what steps have BIRD Scooter taken to ensure sidewalks are accessible as well as the safety issues associated with roadways. He stated he believes BIRD Scooter representatives need to be patrolling the city to make sure scooters are not blocking accessibility for all levels of mobility.

In response, Chief DEI Officer De La Rosa reported the following:

- Updates and revisions have been made to the Plan since 2006, and public entities with 50 or more employees are required to have a transition plan. He stated after a self-evaluation of City facilities, it is part of the role of the ADA Council to make sure they are following the plan and making any necessary accommodations.
- The City communicates with Shawnee County to ensure there is an assessment and a recommendation made to address any issues.
- In regards to sidewalks, they would work with the appropriate Staff and consulting services and take action.
- In regards to BIRD scooters, he reported occasionally the visually impaired encounter mobility access due to scooters blocking access; however, the City will have to continue to work with BIRD on this issue.

Councilmember Valdivia-Alcala stated sidewalk access is an equity issue specifically in the Oakland area, and noted there are people who cannot maneuver walkers and wheelchairs safely on sidewalks. She recognized the sidewalk programs available through the City; however, from an ADA perspective how can the ADA Advisory Council begin looking at the issue.

Councilmember Ortiz asked Staff to provide information on any funding that was available for ADA accessibility and provide the information to Governing Body members to pass along to constituents.

Braxton Copley, Public Works Director, reported there were different funding sources available through the 50/50 Sidewalk Program for qualifying low to moderate income families to have their portion of the cost waived; between \$600,000 - \$700,000 of funding has been set aside for the In-fill Sidewalk Program annually and the Oakland area is targeted for 2024; and additional funding is available for ADA curb cuts that works in conjunction with the In-Fill Sidewalk Program for neighborhoods.

Mayor Padilla asked what recommendations are being considered or being put in place specifically to address fire safety of residential homes; and if this need would be addressed by the Topeka Fire Department.

Councilmember Kell asked if the Topeka Fire Department offers and installs ADA accessible fire alarms by request.

Councilmember Ortiz commented on current Topeka Fire Department programs that address hearing and visual impaired citizens through an application process.

Randy Phillips, Topeka Fire Chief, confirmed there were programs already in place; however, he would have to report back to the Governing Body in regards to the specialized smoke alarms to address ADA needs.

Chief DEI Officer De La Rosa state they would have more detailed conversations related to sidewalk access; and they would continue to work in collaboration with Topeka public safety personnel as it relates to training initiatives.

CONSENT AGENDA was presented as follows:

RESOLUTION No. 9397 introduced by Councilmember Sylvia Ortiz, granting Leonard Gonzales an exception to the provisions of City of Topeka Code Section 9.45.150, et seq., concerning noise prohibitions, was presented. (*Council District No. 3*)

APPROVAL of a Utilities Engineering Design Contract No. 51200 between the City of Topeka and PEC, PA, in the amount of \$102,500 for the purpose of providing engineering design services for waterline replacement, was presented.

APPROVAL of a Utilities Engineering Design Contract No. 51201 between the City of Topeka and PEC, PA, in the amount of \$102,500 for the purpose of providing engineering design services for waterline replacement, was presented.

MINUTES of the regular meeting of March 21, 2023, was presented.

Councilmember Duncan moved to approve the consent agenda. The motion seconded by Councilmember Kell carried unanimously on roll call vote. (8-0-1)

RESOLUTION No. 9398 introduced by City Manager Stephen Wade making certain findings pursuant to the Kansas Rural Housing Incentive District Act with regard to an application submitted by A & P Property Management LLC to establish a Rural Housing Incentive District and requesting that the Secretary of Commerce review the Resolution and advise the Governing Body, was presented.

Stephen Wade, City Manager, reported the application proposes to construct 23 duplexes with 46 units for affordable housing or rental in East Topeka near E. 7th Street and Hackberry Drive. He stated approval of the proposed resolution was the first step in the process of establishing a district and adopting a plan. State law requires review of the resolution by the Kansas Secretary of Commerce and any suggestions by the Secretary would be incorporated into a final application presented to an internal RHID review panel. Upon approval by the Review Panel, the application will be presented to the Governing Body for final consideration.

Councilmember Valdivia-Alcala stated she initially did not support this type of development concept; however, since that time she has learned a great deal about it and believes

the incentive is an excellent economic tool. She spoke in support of the application and noted she would support the proposed resolution.

Councilmember Ortiz suggested this incentive be expanded to area townhomes.

Councilmember Dobler spoke to the need of housing in all areas of the city and noted the City's Housing Study states the city of Topeka lacks over 3,000 housing units at this time. He expressed his support of the application and stated he was pleased that it was taking place in east Topeka.

Mayor Padilla spoke in support of the application and stated he believes it was a great location to expand the city's housing inventory.

Councilmember Ortiz moved to approve the resolution. The motion seconded by Councilmember Dobler carried unanimously on roll call vote. (9-0-0)

DISCUSSION concerning the Topeka Land Bank Pilot Program, was presented.

Stephen Wade, City Manager, stated Councilmember Duncan approached Staff in February 2023, to assist in creating an ordinance to establish the Topeka Land Bank Pilot Program.

Councilmember Duncan, provided an overview of the Land Bank proposal and highlighted the following:

- In 2020, a Citywide Housing Market Study and Strategy was adopted. Strategy 2 of that Study was to "Address Abandoned and Vacant Properties." One of the consultant's recommendations of that Study was to create a Land Bank.
- In 2021 as a response to that Study, Staff organized a Community Committee for the purpose of considering the feasibility of a Land Bank, how a Land Bank could serve the citizens of Topeka as well as how a Land Bank would operate in Topeka. The recommendation of the Committee was to create a Topeka Land Bank.
- In 2022, the Strategic Equitable City Enforcement of Property Maintenance Standards Assessment was conducted by May 8 Consulting (Karen Black). A suggested action item from the Assessment was to "Identify, Register and take Action to Reactive Long-Term Vacant Problem Properties." An additional comment of the consultant was, "The City should also continue to explore whether the creation of a Land Bank is needed to

reactivate vacant and abandoned properties.” He stated this was not the primary recommendation of the consultant as it followed a few other steps the City could take prior to considering a Land Bank and he would be happy to discuss the other steps at the conclusion of the presentation.

- He stated the proposal has been considered by many community members for almost two years including citizens, community groups, landlords, realtors, city staff, police, bankers, foundations, contractors, etc. as well as they have reviewed other successful city models. He stated they also incorporated the questions and concerns of Governing Body members raised in 2021, and tried to build those in without sacrificing the viability of the program.
- He provided an overview of the purpose of a Land Bank, funding mechanisms and structure. He stated the Kansas Land Bank Program was established in 1996 resulting in 27 cities and 20 counties having established Land Bank programs including Olathe, Wichita, Pittsburg, Atchison, Hutchinson, McPherson, Salina and Junction City. Land Bank decisions are a collaborative effort between members of the community and the City through the creation of a Board of Trustees.
- The Mission of the Topeka Land Bank proposal is to efficiently acquire, manage, and transform vacant, abandoned, blighted and/or foreclosed properties into productive use benefitting the Community.
- Some of the Goals the Land Bank proposal include to expand and grow the tax base, support home ownership, operate in an effective and efficient manner as stewards of the public trust.
- The proposal is a 3-Year Pilot Land Bank Program set to expire on December 31, 2026, and be Governed by a 5-member Board of Trustees appointed by Mayor/Council with annual reports made to the Governing Body, the annual budget being approved by the Governing Body He was proposing a one-time allocation of funds in the amount of \$500,000 to fund the operations of the Topeka Land Bank.
- The method to acquire property includes a variety by means of market purchases, tax foreclosure sales, donations, transfers from other entities as well as release to the Land Bank from the property owner. It must support the mission and goals of the program, residential (no commercial) and located in city limits, vacant non-conforming blight nuisance dangerous and/or underdeveloped, and must support a plan the City has in place for reuse, rehabilitation or redevelopment within the community.
- The method of conveyance of property includes by selling on the market, donation, or transfer to an entity or individual. All must be approved by the Governing Body, plans must be submitted for intended use, and property cannot be sold/transferred to individuals that are tax delinquent or have property code violations. It must meet the mission and goals of the program as well as the applicant must live in the property for five-years, unless donated by a public entity.

In summary, he stated the Land Bank proposal could not use eminent domain to acquire properties, the Land Bank could not exceed 100 properties during the pilot program period, the City of Topeka has not ever implemented this type of structured Land Bank Program, the City will never be required to acquire a property, and the program will not sell to for-profit entities. He

reported the purpose of the Land Bank is to acquire property for people in need that are in programs such as Topeka Habitat for Humanity, Cornerstone of Topeka etc. or homeowners that want to participate in the programs and be a member of neighborhoods.

Councilmember Kell asked if home remodels would be an option in the proposed Land Bank program.

Councilmember Naeger expressed her support of the proposal and stated she looks forward to utilizing the program in District 6. She asked if this program would apply to historic districts as it relates to historic standards of HOAs or NIAs; and if it applied to only certain size homes.

Councilmember Duncan confirmed home remodel was a program option as well as the program supports in-fill housing, complying with neighborhood plans and character requirements.

Councilmember Valdivia-Alcala expressed concern with her name being listed on the implementation plan committee as she does not recall participating in any of the meetings other than the subject matter being briefly discussed in the Policy & Finance Committee in 2022. She stated she believes the proposal should have been discussed in Council committee before being presented to the Governing Body as it would have a huge impact on District 3.

Councilmember Duncan stated he could not speak directly to Councilmember Valdivia-Alcala's concern as he was not a part of the 21 meetings lead by former City Planning Director Bill Fiander. He reported the group met multiple times and was listed in the report approved by the Governing Body. He stated they read through the recommendations and the work that was provided to them in the report.

Councilmember Valdivia-Alcala clarified she was not invited to attend any of the Land Bank meetings. She referenced the City's Changing Our Culture of Property Maintenance initiative and expressed her appreciation to Councilmember Duncan for including the May 8 Consulting (Karen Black) Study recommendations related to Land Banks. She spoke to the many Changing Our Culture of Property Maintenance initiatives across all Council Districts in the works that have not yet been implemented. She spoke to the tremendous efforts of City Staff, Councilmember Hiller and herself, in working to effectively execute the \$84,000 Study. She noted a Land Bank may be useful, however, as a Governing Body they may not understand the details of being a part of a Land Bank. She stated she feels strongly about this proposal being considered at a committee level while taking the May 8 Consulting Study seriously to understand the depth, gravity and scope of the Change Our Culture initiative.

Councilmember Ortiz inquired on duplexes and apartment buildings and suggested townhomes be included as part of the program as it would be beneficial.

Councilmember Duncan stated duplexes and apartment buildings were not discussed because those are typically rentals, which would violate the policy.

Mayor Padilla asked what legal recourse the City would have if the policy was violated through the establishment of rental property.

City Attorney Stanley reported the City would draft the contract to ensure the property would revert back to the Land Bank as well as it may involve litigation to regain possession of the property.

Councilmember Hiller expressed her frustration with the proposal and stated over time, she has been involved in many discussions where she has expressed her disapproval of creating a Land Bank because the City of Topeka already has similar tools/programs in place to do most of

the actions being proposed as it relates to acquisition and conveyance of property, 5-year residency requirements, clearing taxes owed on property, rehabbed and new built houses, and the demolition of properties. She stated she believes the proposal has been drafted in a manner that a 5-member board of appointees has a \$500,000 “blank check” with almost unlimited authority provided to them with only the requirement to report to the Governing Body on an annual basis. She stated the framework of the proposal has a wide range of authority including urban renewal, redevelopment agencies as well as agencies that purchase only parcels; however, she was glad Councilmember Duncan’s proposal addressed rehabilitation and in-fill housing. She stated as she continued to review the proposal as well as all the comments that have been made regarding this proposal or the examples provided by the City Manager which has been done before through the City’s budget, the help of Staff along with grant funding. She referenced Tennessee Town Plaza as an example of how a Land Bank can be used to accumulate properties. She stated a lot of Land Banks fail or remain almost inactive; however, the Land Banks that are successful have considered overall housing needs, and then directly target federal and/or local funds to address the housing gaps. She suggested if they consider implementing a Land Bank that it includes a specific program or strategy that addresses why it is needed and where to target it. She also suggested an outside Board of Trustees was not needed based on her experience as well as the Housing Trust Fund being stalled due to third-party management. She stated she believes \$500,000 is not enough as it would only allow for 2-3 new construction homes or only 6-8 complete home rehabs. She spoke to the need of updating the strategy of the City’s consolidated plan and fixing the staff structure of the City’s Housing and Neighborhood Department. She asked if they should challenge the City Manager to look at what the best structure of the

Department would be as he forms the new overall City staff structure and develop a comprehensive plan to address all the items discussed and assign those duties appropriately.

Councilmember Duncan reported the proposal is a strategy that has been considered by a lot of individuals including the City Manager for over a year that could be utilized immediately. He challenged Councilmember Hiller's comment that all Land Banks fail, and noted, there are successful Land Bank programs throughout the state of Kansas, and this proposal is modeled after those successes. He reported the County currently has over 290 properties on the tax sale registry located throughout the city and this new Land Bank proposal would give the City a mechanism to expedite and streamline that process while filling gaps in current City programs and addressing needs.

Councilmember Valdivia-Alcala again referenced the current 5-Year Changing Our Culture initiative and the amount of work required by all involved and questioned if they have the capacity for the amount of work that would be involved in implementing this proposal. She also questioned why some of the outside agencies that have a history of providing these types of services have not been part of the dialog. She stated she believes the Governing Body views items in such broad terms that sometimes they do not fully understand the amount of details that go into the multiple initiatives needed to successfully implement the City of Topeka Changing Our Culture initiative.

Councilmember Hiller stated she does not want her comments to be misunderstood, because what she sees is a need for the City to commit to doing more by being specific and strategic in how they want to use \$500,000 to make a targeted impact on housing and redevelopment.

Councilmember Duncan stated the City has paid almost \$200,000 for two studies that have recommended the City of Topeka pursue the option of a Land Bank as well as provide another tool for the community to address gaps in housing needs. He spoke in support of the proposal and stated it should be viewed as an accompaniment to the tools already in place.

Mayor Padilla thanked Councilmember Duncan for presenting the proposal and noted there will be more opportunities to revise and make adjustments to the proposal. He commended the City Manager for his work and stated he believes Staff has the ability to handle multiple initiatives at one time.

Councilmember Valdivia-Alcala clarified that her comments about the ability of managing multiple initiatives were not meant to be pejorative towards the City Manager. She stated she fully supports the City Manager and the remarkable job he is doing. She also clarified that the May 8 Consulting (Karen Black) Study recommends that the City should determine whether a Land Bank is needed to reactive vacant properties. She stated she believes they will lose momentum with what they are trying to establish in the Changing Our Culture of Property Maintenance initiative if this proposal is approved.

ShaMecha King Simms spoke to a personal experience in regards to how difficult it was to apply for funds to help revitalize her neighborhood. She stated if the current tools available were working a Land Bank would not be needed. She spoke in support of 5-year Land Bank Pilot Program to help them fully understand how the process works.

Michael Bell, Tennessee Town NIA President, spoke in support of formalizing the Topeka Land Bank process as opposed to what the City has been doing over the past several years. He requested community members be allowed to serve as a member of the Trustee Board. He

thanked Councilmember Duncan for proposing the creation of Land Bank and thanked the Governing Body for considering the proposal.

DISCUSSION concerning potential utility rate changes for infrastructure maintenance and investment, was presented.

Stephen Wade, City Manager, reported there was no new information to present, and Staff would stand for questions.

No follow-up questions were asked by Governing Body members.

PUBLIC COMMENT was submitted by ShaMecha Sims and Michael Bell (*Attachment A*) and provided by the following individuals:

Sandra Lassiter spoke on behalf of Community First, Inc. She announced the International Academy fundraising meal April 22, 2023 5:00-7:00 p.m. benefiting three educational programs. There will also be an introductory program for the Bridging the Gap; helping individuals with mental health; and addressing law enforcement in the community. There is an aviation program available with Joyce Parker, Certified Private pilot. The Heritage House in Tennessee Town Neighborhood will be having learning programs specific to history and heritage.

Melissa Weikel spoke on behalf of the JUMP. She thanked the Governing Body for discussing the establishing a Land Bank. She also asked the Governing Body to consider funding an affordable housing trust fund in the amount of \$250,000 on April 11, 2023, with 2022 excess funds from the General Fund.

Jenny Stowers, Top to Bottom Management, spoke in reference to the 4 tenants that will be transferred out of their leases. She questioned the criteria used to determine how tenants are allowed to transfer out of leases. She stated she received an email today, April 4 2023, at 5:00

p.m. noting that the Department of Housing and Urban Development (HUD) requires a 12 month lease; however, it does not require with the same landlord.

Domnic Ford, former lease tenant with Top to Bottom Management stated he does not understand why there were changes in his landlord as he did not sign a lease with the new management company. He stated he does not meet the criteria of the new ownership. He expressed his concern with trying to figure out the lease issues or he will likely be homeless.

ANNOUNCEMENT BY THE CITY MANAGER, MAYOR AND MEMBERS OF
THE COUNCIL;

Brenda Younger, City Clerk, provided an overview of the April 11, 2023 Governing Body meeting agenda.

Stephen Wade, City Manager, stated they continue to monitor Senate Bill 169 concerning State sales tax on food and if passed, will cause the City to lose approximately \$10 million of sales tax revenue. He announced Topeka Fire Department Camp Courage was still accepting applications and Topeka asphalt plants opened April 4, 2023.

Councilmember Kell encouraged citizens to have an emergency plan in preparation of the tornado season and suggested to have window stickers for tornados similar to the Firefighter Rescue Alert stickers be made available to the public. He expressed the importance to have a plan for your children when it comes to emergency situations when at school. He announced April is Military Child Month underscoring the importance of military families and their children.

Councilmember Duncan announced Bobby Parkhurst, Topeka Kansas resident broke the nearly 60 year crappie record with a 4.07 pound fish caught at Pottawatomie State Fishing Lake No. 2. He congratulated Treva Sykes, facility manager, of Brown v. Board of Education

National Historical Park for receiving the Midwest Region's 2022 Facility Manager of the Year award. He requested an update from City Manager Wade regarding Shawnee County Department of Corrections future plans to address mental health services. He also thanked Councilmember Valdivia-Alcala for inviting him to the Oakland community meeting on March 29, 2023 at 6:00 pm at the Lundgren Elementary School located at 1020 NE Forest Avenue Topeka, Kansas, to discuss the chronic unsheltered and those suffering from mental illness.

Councilmember Hiller expressed her appreciation for the upcoming City of Topeka Homelessness Summit being held Wednesday April 5, 2023, at Bishop Professional Development Center located at 3601 SW 31st Street, Topeka, Kansas, with 45 plus agencies in attendance.

Councilmember Valdivia-Alcala spoke in opposition of creating a Land Bank; however, if it does happen, she would like to see a third party help with the initiative. She thanked the community that came to the Oakland meeting on March 29, 2023, to discuss the unsheltered and mental health issues. She expressed her appreciation for the attendance and believes the voices of the community were heard. She noted Shawnee County District Attorney Michael Kagay was not in attendance, and thanked City Manager Wade for listening and helping with the Homelessness Summit scheduled on April 5, 2023.

Councilmember Kell moved to recess into executive session not to exceed 30 minutes to discuss employer/employee negotiations relating to one or more unions as justified by KSA 75-4319(b)(3). The open meeting will resume in the Cyrus K. Holliday Building, First Floor Conference Room. The following staff assisted the Governing Body in its deliberations: City Manager Wade and any other staff he deemed necessary. The motion was seconded by Councilmember Hoferer. Councilmember Ortiz voted no. (8-1-0).

Mayor Padilla asked all those in favor of recessing into executive session to indicate so verbally by saying “yea” and those opposing to indicate so verbally by saying “no.” The motion carried on voice vote. Councilmember Valdivia voted “no.” (8-1-0)

Amanda Stanley, City Attorney, announced due to severe weather the Governing Body would immediately reconvene into open session without holding the executive session.

NO FURTHER BUSINESS appearing the meeting adjourned at 8:05 p.m.

(SEAL)

Brenda Younger City Clerk

Tonya L. Bailey

From: ShaMecha Simms <sl.simms@yahoo.com>
Sent: Monday, April 3, 2023 9:55 AM
To: City Clerk
Subject: Signing Up For In-Person Public Comment 4/4: Land Bank Ordinance
Attachments: Old Town Vacant Parcels.pdf

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Greetings!

I am signing up to speak, in person, in favor of the Land Bank Ordinance on April 4th.

I would, if possible, like to include as either part of my comment or in advance of it -- the following map of empty lots within my neighborhood -- Historic Old Town. This map was provided to our NIA in June 2022.

Thank you!

--ShaMecha King Simms



Tonya L. Bailey

From: Michael Bell <theanticj@yahoo.com>
Sent: Wednesday, April 5, 2023 1:58 PM
To: Sandy Lassiter; Pat DeLapp; donald fortin nia; Tennessee Town -DonnaRae Pearson; marge ahrens; pastor harry christian a-mo church; Clark Trammell; Ann Marshall; marc galbraith elmhurst; janet cathcart; ShaMecha King Simms; TIMOTHY LEFFERT; mary thomas crc; LeRoy Younger; Stephen M. Wade; Dan Warner; Monique Glaude; Braxton Copley; John Schardine; Shane M. Hoven; desiree lyons; rev dc clark shiloh church; john lewis nia; mark gibbs nia; Zachary Scott; natalie oylar nia; jocelyn lyons.home; Danielle Twemlow; emma ray; katie divel ks children's svc league; victoria reyes nia; christine allen ttnia; John Williams NIA; La Zoneg; doorstep inc; redmonb2002@gmail.com; Jill Rice; H.O.T. Mike; Carl Frazier; janice watkins top habitat exec dir; Johnathan Sublet; rev rodney mcduffie lane chapel; bob cockerham nia; Valerie Mendoza; glenda overstreet; Glenda Washington; Devon M. Long; Bryan Wheelles; Matthew Wilson; Matt Pivarnik; al goodwin; annie kuether home; anthony hensley home; belinda phelps booker; betty phillips; bill fiander; bobby wilkerson; channel 13; Darrell Stewart CHP NIA; duane pomeroy; karl fundenberger; leroy wedeking; linda jeffrey; Loren albright east end nia prez; lynne leiferKEC; WIBW Melissa Bruner; news@cjonline.com; pamela johnson-betts; Phil Anderson; shanae elem; Teresa Baker HCCI Exec Dir; Teresa Baker HCCI Exec Dir; Deborah Dawkins; 27news channel; Timothy Hrenchir; Brett Martin; City Council; Elizabeth Toyne; Mayor; Jane M. Murray; City Clerk; katrina bayless cac
Subject: Re: IMPORTANT, URGENT: City Council to Discuss the Establishment of a Land Bank at its April 4, 2023 Governing Body Meeting Agenda Notice
Attachments: Top CJ Could a 'land bank' help solve Topeka's abandoned property problem Some city leaders think so 4-5-23.pdf

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Hi, all!

Please find attached a PDF of the April 5, 2023, CJonline.com on the city's land bank proposal and discussion of same at the Tue., April 4, 2023, city council meeting. Please feel free to share the PDF. Thanks, Tim Hrenchir, for an outstanding article including using the pic I took of the Habitat for Humanity housing on the west side of the first 1200 block of SW Lincoln Street in Tennessee Town.

Ladies and gentlemen, it's all-hands-on-deck time regarding establishing a Topeka land bank.

If you support having a mechanism that can bring together the City of Topeka, low- to moderate-income neighborhoods, housing providers and financial institutions/developers *at the same time and at the same table* as all of the players *simultaneously* address deteriorated or deteriorating housing in our city's most challenged neighborhoods, then let the mayor, city council and city manager know.

If you support attacking challenges in a coordinated way and not piecemeal and seeing those challenges from the perspective of the forest and not just its trees, then let the mayor, city council and city manager know.

If you support the 2020 Housing Study, which listed creating a land bank as a Topeka priority (emailed to you all under separate cover), then let the mayor, city council and city manager know.

If you support, *at long last*, Topeka moving forward with establishing a land bank after nearly 20 years of intermittent discussions on doing it, then please let the mayor, city council and city manager know.

Special kudos go out to District 7 City Council Member Spencer Duncan, in collaboration with Topeka City Manager Stephen Wade, for committing the time and effort to creating a Topeka land bank proposal that can move our city forward; and to Historic Old Town NIA President, Citizen Advisory Council Chair and Central Topeka Grocery Oasis Group Board Member ShaMecha King Simms for her testimony in favor of the land bank at the April 4, 2023, city council meeting. ShaMecha and I were the two community conferees at that city council meeting.

Thank you all for your time and consideration.

Onward and upward!

Michael Bell

Tennessee Town NIA President

Citizen Advisory Council At-Large Member

Central Topeka Grocery Oasis Group (CTGO) Founding and Board Member

Topeka Alliance for Good Government (TAGG) Facebook Group Founding Member

Topeka Housing and Racial Equity Planning Facebook Group Member

"The hope of a secure and livable world lies with disciplined nonconformists who are dedicated to justice, peace and brotherhood" -- *Martin Luther King, Jr., "Strength to Love," 1963*

On Monday, April 3, 2023 at 02:46:42 PM CDT, Michael Bell <theanticj@yahoo.com> wrote:

To the Governing Body of the City of Topeka (and all):

Please find attached a PDF of the comments I will offer at the Tue., April 4, 2023, Topeka City Council meeting in favor of the land bank proposal.

Please let me know if you have any questions. Please feel free to share with others.

Thanks!

Mike Bell

"The hope of a secure and livable world lies with disciplined nonconformists who are dedicated to justice, peace and brotherhood" -- *Martin Luther King, Jr., "Strength to Love," 1963*

On Sunday, April 2, 2023 at 11:47:20 AM CDT, Michael Bell <theanticj@yahoo.com> wrote:

To the Members of Topeka's Governing Body (and all):

Please also see and consider the attached PDF of the 2020 Topeka Housing Study Executive Summary as you deliberate on establishing a Topeka Land Bank (and please reference the May 4, 2022, CAC work group report that I emailed to you all previous to this email).

Onward and upward!

Mike Bell

"The hope of a secure and livable world lies with disciplined nonconformists who are dedicated to justice, peace and brotherhood" -- *Martin Luther King, Jr., "Strength to Love," 1963*

On Sunday, April 2, 2023 at 11:33:31 AM CDT, Michael Bell <theanticj@yahoo.com> wrote:

Topeka City Council Member Spencer Duncan (and all):

Please see the attached PDF of the Citizen Advisory Council (CAC) Affordable Housing and Food Desert/Food and Nutrition Insecurity Work Group's report from May 4, 2022. Hi-Crest NIA CAC representative and Fellowship Hi-Crest Director of Ministries Jill Rice and I were the Work Group members. Land banking is the first recommendation contained in the report.

Onward and upward!

Mike Bell

"The hope of a secure and livable world lies with disciplined nonconformists who are dedicated to justice, peace and brotherhood" -- *Martin Luther King, Jr., "Strength to Love," 1963*



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Could a 'land bank' help solve Topeka's abandoned property problem? Some city leaders think so.

Tim Hrenchir
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The Tennessee Town Neighborhood Improvement Association and Topeka's city government between 2001 and 2004 teamed up to use a version of land banking to improve the 1200 block of SW Lincoln, including these houses. The program turned the worst block in that NIA into one of its best. Topeka's mayor and city council learned in a recent email from Michael Bell, president of that NIA.
Michael Bell/Special to The Capital-Journal

Topeka City Council members Hannah Naeger and Neil Dobler voiced support Tuesday evening for establishing a city "land bank," for which \$500,000 would be set aside.

"This is awesome," Naeger said of the proposed land bank, a public authority that would acquire distressed properties and hold them tax-free while they are upgraded, then resold and returned to the tax rolls.

But Councilwomen Karen Hiller and Christina Valdivia-Alcala voiced concerns, with both questioning how far the \$500,000 would go.

Valdivia-Alcala said she supports having a land bank operate in Topeka but wants to see it run by some entity other than the city government.

Hiller said the city needs to get its strategy and programs together before it proceeds with something like a land bank.

Topeka land bank pilot would run through end of 2026

Councilman Spencer Duncan made a presentation Tuesday to his fellow council members and Mayor Mike Padilla about the proposed land bank ordinance they're tentatively set to consider at their April 11 meeting.

The proposal would establish a Topeka Land Bank Pilot Program, which would remain in effect through Dec. 31, 2026.

Land banks are created to acquire and repurpose vacant, abandoned and foreclosed properties, Duncan said. The programs then return those properties to good and productive use.

Kansas law spells out statewide rules regarding land banks, which are maintained by 27 other cities and 20 counties in this state, Duncan said.

Topeka program would be modeled after successful land banks

Land banks traditionally focus on helping low-income areas where blight is a concern and tax-delinquent properties are present, Duncan said.

Purchasers of properties that have been improved as a result of Topeka's land bank program would be required to live there at least five years.

Topeka's land bank would be governed by a five-member Board of Trustees, who would be appointed by the mayor and council, he said. All would have to live in Shawnee County, which includes the city of Topeka.

Duncan stressed that the plan before the mayor and council is a "community plan" that has been created over the past two years by many different people who live here.

In response to concerns expressed Tuesday evening that land bank programs sometimes fail, Duncan said the land bank proposal the mayor and council will consider is modeled after land bank programs that worked.

'The worst block in the NIA had become one of its best'

Two members of the public addressed the land bank proposal at Tuesday's meeting, with both expressing support for it.

Those included Michael Bell, president since 2014 of the Tennessee Town Neighborhood Improvement Association and a member of that organization since 1996.

Bell had earlier sent the mayor and council an email telling about how the Tennessee Town NIA and Topeka's city government teamed up to use "a version of land banking" to significantly improve the 1200 block of S.W. Lincoln after it was identified in 2001 as being the "worst block" in that neighborhood.

"By 2004, the worst block in the NIA had become one of its best," Bell wrote.

Contact Tim Hrenchir at threnchir@gannett.com or 785-213-5934.

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My Comments on the Land Bank Ordinance, City Council Meeting, 6 p.m., Tue., April 4, 2023:

Good evening. My name is Michael Bell. I have been the president of the Tennessee Town NIA since 2014, and I have been formally involved in the NIA for 27 years.

I am an at-large member of the Citizen Advisory Council, Topeka's association of NIAs with 3 at-large members. On the CAC I represent low- to moderate-income people and neighborhoods throughout Topeka.

I am a founding board member of the Central Topeka Grocery Oasis Group, the grassroots, citizen-based organization that will build a new, full-service grocery store primarily for Central Topekans at SW 12th and Washburn.

I am a founding member of the Topeka Alliance for Good Government Facebook group. TAGG's three major areas of concern regarding how local government works for its constituents are (1) keeping government decision making transparent and ethical for Topeka residents, (2) holding elected and appointed leaders accountable to their constituents and (3) ensuring the inclusiveness of Topeka's communities of color in governmental decision making.

And I am a member of the Topeka Housing and Racial Equity Facebook Planning Group.

I am here tonight to speak in favor of this body adopting a land bank ordinance. I am in favor because of my 27 years of experience of being knee-deep in the challenges facing low-income people and neighborhoods. I am also a low-income person. Topeka should stand for the fair and equal access of all its residents to the mechanisms that can improve their lives, particularly our low-income neighbors. Those mechanisms should be transparent, and those who are involved in the creation, implementation and assessment of those mechanisms, which necessarily includes low-income Topekans, need to be accountable for what they do. And finally, those mechanisms need to be free of racism, classism and any other exclusionary practices.

I've already been in touch with the governing body and about 80 other people about why I support the land bank ordinance. The shorter version of those contacts is that land banking is the practice of aggregating parcels of vacant land for future sale or development. It allows cities to move in on multiple parcels of vacant land or to acquire vacant housing that then can be assessed for rehabilitation appropriateness. If houses, using objective measures like Housing Quality Standards, are deemed to be beyond rehabilitation, then those houses can be demolished and combined with adjacent properties for housing or other development.

To make this land bank proposal work, Topeka's residents must be at the same table at the same time with the City of Topeka and developers to ensure that residents' interests are represented from the drawing board through creation, implementation and assessment.

To the members of our governing body, please vote for the creation of a land bank in Topeka.

Thank you for your time and consideration.