

**Tennessee Town NIA General Membership Meeting**  
**6:30 p.m., Monday, May 9, 2016, Buchanan Center Conference Room, 1195 SW Buchanan**

TENTATIVE AGENDA:

- I. Welcome
- II. Adoption of Agenda
- IV. Approval of March 14, 2016 General Membership Meeting Minutes (pgs. 2 - 3 of meeting packet)
- V. Reading and Acceptance of Treasurer's Report
- VI. Reports of Officers, Committees (pg. 4-?)
- VII. Community Policing Report: TPD Officer Michael Diehl
- VIII. Property Maintenance Report: Dennis Boyles
- IX. Citizens Advisory Council (CAC) Report: Donald Fortin
- X. City Council Report: Karen Hiller
- XI. Old Business:
  - A. Huntoon Dillon's Closure
  - B. NIA Bank Account Update
  - C. Lane Garden, Habitat Housing Updates
  - D. Health and Wellness Programming at Tennessee Town Plaza Apartments Update
  - E. International Academy Update: Sandy Lassiter
  - F. 2016 NIA Goals Discussion
- XII. New Business:
  - A. 2017 Neighborhood Empowerment Grant Application
  - B. Buchanan Center Parking Proposal
  - C. District One Crime Summit Follow-Up Meeting Report
  - D. Consolidated Plan Pubic Comment
  - E. 2016 National Night Out: Emma Ray
  - F. 2016 Basketball Tournament: Sandy Lassiter
  - G. Gov. Brownback's Veto of Senate Bill Regarding Abandoned Structures, Housing Rehab Funds
- XIII. Kudos: Recognizing the Good News and Deeds of Our Neighbors and Friends:
  - A. Recognizing Those Who Have Helped the NIA Maintain Lane Garden
  - B. Other Recognitions from Attendees
- XIV. Announcements:
  - A. Community Resources Council, Harvesters mobile food pantry, every third Friday of the month at Avondale East NET Center, 455 SE Golf Park Blvd.
  - B. Neighborhood Relations Programs: (1) *Emergency Program*: Intended to help homeowners make repairs to immediate health or safety hazards, (2) *Accessibility Program*: Provides modifications to residential homes for owners or tenants with disabilities. For more info. or to apply, please call 785-368-3711
  - C. Next Meeting: 6:30 p.m., Mon., July 11, 2016, Buchanan Center, 1195 SW Buchanan
- XV. Adjournment

Tennessee Town on the Internet! Website: <http://tenntownnia.weebly.com> (all NIA meetings, activities posted)

Nextdoor Tennessee Town: [https://tennesseetown.nextdoor.com/news\\_feed/](https://tennesseetown.nextdoor.com/news_feed/)

E-Mail: [tenntown@yahoo.com](mailto:tenntown@yahoo.com) ● Twitter: [@tenntown](https://twitter.com/tenntown)

Tennessee Town NIA General Membership Meeting  
6:30 p.m., Monday, May 9, 2016  
Buchanan Center Conference Room, 1195 SW Buchanan

Minutes of March 14, 2016 General Membership Meeting:

Attendees: President Michael Bell, Vice President Pat DeLapp, Secretary -Treasurer Sandra Lassiter, Emma Ray, Marge Heeney, Phyllis Phelps, Barbara Scott, Zach Scott, Philicia McKee, Dennis Boyles, Raymond Perrett, Spencer Lindsay, Linda Kidd, John Williams, Carol Ann Westfall, L. Kind; Topeka Police Dept. Officers Matthew Blassingame, Hershberger, McCluskey, and Supervisor Sturgeon.

Bell called the meeting to order at 6:35 p.m.

Marge Heeney addressed the group and once again congratulated the NIA for its care of and progress on expanding the Lane Garden.

Presentation by Philicia McKee, Topeka and Shawnee County Keep America Beautiful. She shared about upcoming clean-up on Saturday, April 16. Also discussed Advantage Metals Aluminum can bonus program (Advantage Metals Recycling ,1628 NW Gordon) and how it will pay market price plus a \$.05 bonus for each pound collected. Materials were distributed including the Recycling Directory 2016. Information was given on A Great American Cleanup Project, May 21, 2016.

TPD Officer Blassingame was a stand in for Ofc. Diehl. He introduced Officers Hershberger, McCluskey, and Supervisor Sgt. Sturgeon. He stated that Chief James Brown introduced Sgt. Sturgeon as the second in command for Tennessee Town. Officer Blassingame is the THA community officer, including the Tennessee Town Plaza Apartments. Blassingame gave the community policing report and shared crime stats report. The stats showed 29 crime reported during the last counting period (January 11 - March 14, 2016), with 11 of those occurring at Dillon's.

*Phyllis Phelps moved adoption of the meeting agenda. Emma Ray seconded the motion. The motion was approved.*

*Pat DeLapp moved approval of the January 11, 2016 NIA meeting minutes. Zachary Scott seconded the motion. The motion was approved.*

There was no treasurer's report given as the City's Department of Neighborhood Relations is still calculating each NIA's operations and communications budget due to a reduction in funds provided this year by HUD. When a figure is known, the January and March 2016 meeting notice cards will be deducted.

Attendees were referred to the Reports of Officers and Committee in their meeting packets.

Property Maintenance report was given by Dennis Boyles. He encouraged people to report graffiti, vacant houses and trash to his department (dboyles@topeka.org or 368-3166). He also stated he has not retired as has been reported at the NIA's January meeting.

There was not Citizens Advisory Council report.

City Council Karen Hiller was unable to attend.

Bell discussed the properties on Lane Street. The City, after understanding that the NIA had no funds to pay for closing costs on the property transfers from the private owner, Andrene Scott, to the NIA, told the NIA that it would need to pay the costs (estimated at the time to be \$608). Bell said if the NIA could identify a way to pay the costs, then the City is on the record as agreeing to have the properties put in its name with the NIA responsible for maintaining them. DeLapp said he had met with Lawyers' Title, who had done the title work on the Lane properties and was owed the closing costs. He said Lawyers' Title would settle with the NIA for about \$300. DeLapp mentioned ways to raise the funds. Working Men of Christ's Spencer Lindsay said his group would be willing to pay the closing costs of \$300 in exchange for furniture that DeLapp has available. *Ray moved approval of Lindsay's offer. DeLapp seconded the motion. The motion was approved.*

Lindsay spoke on the new plans developed by the City's Planning Department to establish a PUD-Planned Unit of Development to address the zoning at 1175 SW Clay to enable the establishment of WMOC's discipleship house there.

Regarding the NIA's minor housing exterior rehabilitation program, Bell said the Dillon's closure had moved back action on this item but that it was still on the NIA's to-do list.

Bell provided a report on the second Neighborhood Leaders' Roundtable, held on January 23, as part of the Reports of Officers and Committees in the meeting packet.

Information on the Huntoon Dillon's closure was included in the Reports of Officers and Committees in the meeting packet.

Discussion occurred on the NIA opening a bank account for free-will donations. *Ray moved that the NIA establish the bank account. DeLapp seconded the motion. The motion was approved.*

Bell said the NIA is continuing to have discussions with the Topeka Housing Authority on a Health and Wellness program.

DeLapp said he had spoken with the owner of the former Ice House about historic preservation opportunities.

Ray said this year's National Night Out activities will be held from 1 - 4 p.m. on Saturday, August 6th at Asbury-Mt. Olive Church, 1196 SW Buchanan. Also, she said a food bank would be available at Asbury on March 22 and 24 and those interested only need to provide a picture ID.

Bell extended kudos to various supporters of the NIA.

An announcement was made that former Tennessee Town resident Barbara Leal and former Shiloh Baptist Church Rev. Augustus Pearson had passed away.

Announcements on the meeting agenda were referred to.

Next meeting at 6:30 p.m. on Monday, May 9, 2016, at the Buchanan Center.

*Phelps moved adjournment. Ray seconded the motion. The motion was approved.*

Meeting adjourned at 8:03 p.m.

Tennessee Town NIA General Membership Meeting  
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Treasurer's Report for May 9, 2016 General Membership Meeting:

There is no treasurer's report for this NIA meeting. The City's Department of Neighborhood Relations is still calculating each NIA's operations and communications budget due to an apparent across-the-board 2 percent reduction in funds provided this year by HUD.

When a figure is known, the January, March and May 2016 meeting notice cards will be deducted.

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Reports of Officers:

There are no reports for this NIA meeting.

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Draft Dillon's Letter to City's Governing Body, City Manager:

Topeka Mayor Larry Wolgast  
Topeka City Council Members Karen Hiller, Sandra Clear, Sylvia Ortiz, Michelle de la Isla, Brendan Jensen,  
Elaine Schwartz, Jeff Coen, and Richard Harmon  
Topeka City Manager Jim Colson  
City Hall  
215 SE 7th  
Topeka, KS 66603

To the City of Topeka's Governing Body and City Manager Jim Colson:

This letter comes to you all with a great deal of concern. The undersigned represent the Tennessee Town Neighborhood Improvement Association, the city's first NIA, located in Central Topeka. Tennessee Town is the neighborhood in which the recently closed Dillon's Store #58 is located. After 40 years of being a neighborhood anchor the Dillon's corporation, with only two weeks notice, closed said location on February 13 of this year. This corporate decision has made Tennessee Town revitalization efforts more difficult, removed the option of healthy food options from its residents; made residents who walked to the store find other more expensive and less convenient options; and removed jobs from the neighborhood, among other harms.

The Tennessee Town NIA is very concerned about what will happen to the former Dillon's at 1400 SW Huntoon, particularly as it has sat vacant for nearly three months and has forced NIA residents, as well as those living in other Central Topeka neighborhoods, to find other, less convenient, alternatives for food, medicine, and financial services. At the first community meeting held on this topic Mayor Wolgast and various city council members promised to make finding another grocer at 1400 SW Huntoon a *City priority*. Now, nearly three months after the closure, we've seen little from the City that would indicate that finding another grocer for 1400 SW Huntoon is a City priority (or, in the alternative, we've been told little about how it is a City priority).

This has to change. Tennessee Town residents will be most affected by a building that remains vacant, the abandonment of which has created a food desert in the middle of our city, and have been excluded from what will happen in our own neighborhood.

This has to change. I sent an e-mail to Mayor Wolgast shortly after his February 5 letter that appeared on Nextdoor asking him to at least keep us in the loop regarding what was happening at 1400 SW Huntoon. To my knowledge, that hasn't happened, either.

This has to change. Paternalistic decision making, a.k.a. top-to-bottom planning, is doomed to fail if there's no buy-in from the people who historically have been patted on the head and "there, there'd." The best way to get that buy-in is to involve those who are directly affected, and to involve them from planning through implementation and assessment.

All of that has to change because after decisions have been made and implemented and the City has moved on to other issues, it will be *us* who are left to deal with the consequences of said decisions.

At the May 9 Tennessee Town NIA general membership meeting the body voted to draft and send this letter to the City's governing body and to City Manager Jim Colson. We hope to receive a response from you all soon and we hope that you take seriously the concerns raised in this letter.

We stand ready to be involved. We stand ready to make a difference not only for Tennessee Town but for all of Central Topeka. We stand and await the City's response.

Please let us know if you have any questions moving forward.

Thank you for your time and consideration.

Michael Bell

Patrick DeLapp

Sandra Lassiter

*Michael Bell*

*Patrick DeLapp*

*Sandra Lassiter*

Tennessee Town NIA President

Tennessee Town NIA Vice-President

Tennessee Town NIA Secretary-  
Treasurer

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2017 Neighborhood Empowerment Grant Application Details:

Available Funds and Areas of Emphasis:

The City will make approximately \$120,000 of Community Development Block Grant (CDBG) funding available for Neighborhood Empowerment Grants to be used to make Public Facilities improvement such as: sidewalks and park equipment within the LMI neighborhoods in the 2016 fiscal year. Please be advised funding source amounts have not been determined or allocated. Therefore, any estimated sums discussed are subject to change based on the final funding source provided by HUD. Any grants awarded through this RFP must be designed and procured by December 31, 2016.

Eligible Applicants: Neighborhood Improvement Associations, Neighborhood Associations, groups, organizations, and non-profit corporations acting alone or in partnership with neighborhoods will be eligible applicants for these funds. Hi-Crest NIA and North Topeka West NIA are the 2015- 2017 Target Areas and therefore are not eligible for Empowerment Funds in 2016. Religious organizations may apply only for activities that benefit and are available to the entire low/mod (L/M) area residents. Taxing authorities may not apply.

Eligible Activities: Eligible Neighborhood Empowerment Grant activities include the following Public Facilities Improvements:

- Low/Mod Income Area Benefit: Neighborhood: Senior Centers, Handicapped Centers, Youth Centers, Parks, Recreations Centers, Sidewalks, Tree Planting, Health Facilities, Water or Sewer Improvements and Clearance and Demolition. (Low/Mod Income Area, as defined by HUD, is a Census Tract/Block Group where at least 51% of the residents are L/M income persons)
- Activities that exclusively serve a group of persons in any one or a combination of the following Presumed Benefit categories: Abused Children, Battered Spouses, Elderly Persons, Adults meeting the definition of "Severely Disabled", Homeless Persons, Illiterate Adults and Persons Living with Aids. All Activities must meet one of these two HUD national objectives:
  - Activity benefiting Low/Mod Income Persons (L/M Income Person is a member of a family having an income equal to or less than 80% of medium income).
  - Activity Preventing Slum or Blight (Rehabilitation to the extent necessary to eliminate conditions detrimental to public health and safety)

Only projects that will make actual physical improvements will be funded. No funds will be available for maintenance, services or assistance for single-family housing units with this grant. If you are awarded funding for any of your projects, be advised that your NIA or Shawnee County Parks and Recreation is responsible for the repairs and maintenance of what was awarded.

Improvements in County Parks: Any application that involves such improvements must be accompanied by a letter from the Director of the Department of Shawnee County Parks and Recreation that certifies that Shawnee County Parks and Recreation Department has reviewed the proposed project and is consistent with applicable City policies and neighborhood development plans/objectives. All park sidewalks must be located in a low and moderate income neighborhood as determined by the US Department of Housing & Urban Development, meaning at least 51% of the residents are at or below 80% of the Topeka area median income.



Infrastructure improvements (streets, sidewalks, curbs and gutters, etc.) Any application that involves such improvements must be accompanied by a letter from the City Engineer that certifies that the proposed project has been reviewed by Public Works Department and is consistent with applicable City policies and neighborhood development plans/objectives. No infrastructure improvements for other taxing authorities can be funded.

All sidewalks must be located in a low and moderate income neighborhood as determined by the US Department of Housing & Urban Development, meaning at least 51% of the residents are at or below 80% of the Topeka area median income. If the option exists to place a sidewalk on either side of the street it shall be placed on the side of street that is most economically feasible. Other considerations would be a person with a disability resides on one side of the street and needs access to a good sidewalk. Also, a sidewalk may be placed on the most direct route to an important point of destination such as school, park, community center or other public facility. It is recommended the NIA speak with or send a letter to all property owners on both sides of a street where it is anticipated to receive a sidewalk in order to solicit input before a recommendation is made. Please submit evidence or neighborhood contact and all responses with your proposal.

Public facilities and improvements. This includes acquisition, construction, reconstruction, rehabilitation or installation of public facilities and improvements, except as provided in 570.207(a).

Non-Eligible Activities: Taxing authorities such as 501 School, Topeka Public Library, Housing Activities, and Public Service Activities as defined by HUD.

General rule of ineligible activities, carried out by the recipient or other public or private nonprofit entities. (However, activities under this paragraph may be directed to the removal of material and architectural barriers that restrict the mobility and accessibility of elderly or severely disabled persons to public facilities and improvements, including those provided for in 570.207(a)(1) Buildings or portions thereof, used for the general conduct of government. In undertaking such activities, design features and improvements, which promote energy efficiency, may be included. Such activities may also include the execution of architectural design features, and similar treatments intended to enhance the aesthetic quality of facilities and improvements receiving CDBG assistance, such as decorative pavements, railings, sculptures, pools of water and fountains, and other works of art. Facilities designed for use in providing shelter for persons having special needs are considered public facilities and not subject to the prohibition of new housing construction described in 570.207(b)(3). Such facilities include shelters for the homeless; convalescent homes; hospitals; nursing homes; battered spouse shelters; halfway houses for run-away children, drug offenders or parolees; group homes for mentally retarded persons and temporary housing for disaster victims.

In certain cases, nonprofit entities and sub recipients including those specified in 570.204 special activities by Community-Based Development Organizations (CBDO) may acquire title to public facilities. When nonprofit entities or sub recipients own such facilities, the public shall operate them to be open for use during all normal hours of operation. Public facilities and improvements eligible for assistance under this paragraph are subject to the policies in 570.200(b) Special policies governing facilities.

Target populations: In general, the intended beneficiaries of activities funded under this Request for Proposals (RFP) are low and moderate-income residents of Topeka.

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Buchanan Center Parking Proposal:

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Consolidated Plan Public Comment Information:

The Department of Neighborhood Relations needs your assistance in the discussion on options for the creation of priorities for the Consolidated Plan.

The Consolidated Plan is a planning and resource allocation document required by the U.S. Department of Housing and Urban Development (HUD) in order for the City of Topeka to receive certain federal grant funds. The funding sources are Community Development Block Grant (CDBG), Emergency Shelter Grant (ESG), and HOME Investment Partnerships (HOME) programs.

The City also produces the Consolidated Plan in order to ensure its eligibility for Supportive Housing, Shelter Plus-Care, and other federal housing funds. The 2017 budget will be presented at the citizen participation meeting with options to discuss priorities.

The meeting dates are as follows:

- Public Hearing:** 5 year Consolidated Plan – PY2017  
When: **Thursday, May 5, 6:00 – 7:00 PM**  
Where: 620 SE Madison, 1<sup>st</sup> Floor
- Public Hearing:** 5 year Consolidated Plan – PY 2017  
When: **Monday, May 9<sup>th</sup> 9:30 – 10:30 AM**  
Where: 620 SE Madison, 1<sup>st</sup> Floor
- Service Provider Meetings:** 5 year Consolidated Plan – PY2017  
When: **Tuesday, May 16<sup>th</sup> 5:30 – 6:30 pm and  
Thursday, May 19<sup>th</sup> 1:30-2:30 pm**  
Where: 620 SE Madison, 1<sup>st</sup> Floor
- 30-Day Comment Period:** When: **July 1st through Aug 1st**  
Where: Deliver comments to 620 SE Madison, 1<sup>st</sup> Floor

**Draft Consolidated Plan may be examined at:**

- Department of Neighborhood Relations, 620 SE Madison, 1st Floor
- City Clerk's Office, 1<sup>st</sup> Floor City Hall

**Final Public Hearing:** Held at the regularly scheduled City Council Meeting  
When: **Tuesday, August 9<sup>th</sup>, 6:00 PM**  
Where: City Council chambers, 215 SE 8th

For more information please contact Division Director Corrie Wright at 785-368-3711 or [cwright@topeka.org](mailto:cwright@topeka.org).

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Gov. Brownback's Veto of Senate Bill Regarding Abandoned Structures:

Capitol Building  
Room 241-South  
300 SW 10th Street  
Topeka, KS 66612



Phone: (785) 296-3232  
Fax: (785) 368-8788  
governor@ks.gov

Sam Brownback, Governor

**MESSAGE FROM THE GOVERNOR  
REGARDING Senate Bill 338**

The right to private property serves as a central pillar of the American constitutional tradition. It has long been considered essential to our basic understanding of civil and political rights. Property rights serve as a foundation to our most basic personal liberties. One of government's primary purposes is to protect the property rights of individuals.

The purpose of Senate Bill 338, to help create safer communities, is laudable. However, in this noble attempt, the statute as written takes a step too far. The broad definition of blighted or abandoned property would grant a nearly unrestrained power to municipalities to craft zoning laws and codes that could unjustly deprive citizens of their property rights. The process of granting private organizations the ability to petition the courts for temporary and then permanent ownership of the property of another is rife with potential problems.

Throughout the country, we have seen serious abuse where government has broadened the scope of eminent domain, especially when private development is involved. The use of eminent domain for private economic development should be limited in use, not expanded. Senate Bill 338 opens the door for serious abuse in Kansas. Governmental authority to take property from one private citizen and give it to another private citizen should be limited, but this bill would have the effect of expanding such authority without adequate safeguards.

Kansans from across the political spectrum contacted me to discuss their concerns that this bill will disparately impact low income and minority neighborhoods. The potential for abuse of this new statutory process cannot be ignored. Government should protect property rights and ensure that the less advantaged are not denied the liberty to which every citizen is entitled.

There is a need to address the ability of municipalities and local communities to effectively maintain neighborhoods for public safety. However, Senate Bill 338 does much more. Though I am vetoing this bill, I would welcome legislation that empowers local communities to respond to blight and abandoned property that does not open the door to abuse of the fundamental rights of free people.

Dated: April 11, 2016

A handwritten signature in black ink that reads "Sam Brownback". The signature is written in a cursive style and is positioned above a horizontal line.

Sam Brownback  
Governor of Kansas

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Response to Gov. Brownback's Veto of Senate Bill Regarding Abandoned Structures:

1. Extend the minimum time of abandonment from 12 months to 15 months. This timeline effectively includes two weather cycles. A property abandoned much longer than that period of time becomes difficult, if not impossible to save through rehabilitation.

Page 1, Line 18

2. Amend the bill to limit the use of authority contained in SB 338 for housing only by deleting the words, "including infrastructure, parks and parking facilities." As passed by the Legislature, uses other than housing were allowed due to the inclusion of this language, which was added to the 2015 version of the bill. By deleting this language in two places, rehabilitation of housing is the sole purpose of the Act.

Page 2, lines 26-27 and lines 42-43 and Page 3, line 1.

3. SB 338 requires a vote of the governing body of a city by a simple majority in order to proceed with the filing of a petition for transfer of possession and a rehabilitation plan in district court. We would not object to the requirement of a super majority vote (2/3 vote).

Page 3, lines 9-10

4. We would not object to language in the Act that precluded a city from utilizing the authority contained in SB 338 to demolish or remove an abandoned house. We suggest this language as some have inferred this legislation would make it easier for a city to demolish a home. We do not agree and that is not our intent, so we do not object to clarifying this issue.
5. We would not oppose requiring any city that utilizes this authority to file an annual report with a designated state agency not later than December 31 of the year in which a petition for temporary possession is approved by a district court. In addition or in the alternative, the Kansas Legislative Post Audit Committee could be requested to provide a report to the Kansas Legislature on the historical use of this authority by a date certain (e.g., January 10, 2019). The legislation as drafted is scheduled to sunset June 30, 2020. That would provide a comprehensive report to the Kansas Legislature in advance of any consideration to extend or remove the sunset provision.

On behalf of the City of Topeka, we look forward to the comments of the Governor and his staff to our suggested amendments and welcome any suggestions the Administration might have as well. We believe there is interest in reworking this legislation among the leading proponents yet this year if there is room for compromise acceptable to the parties of interest.

I look forward to hearing back from you at your earliest convenience.

Sincerely,



Whitney Damron

Attachment: SB 338 As Amended by Senate Committee