

Notes

TLNA Steering Committee Meeting for the Dane County Proposal to Create a Day Shelter and Resource Center for the Homeless at the Messner site, 1326 E. Washington

20 Jan. 2016, Christ Presbyterian Church, 944 E. Gorham St.

Attendees -

TLNA Representatives, City and County Staff, Contractors, Elected Officials:

Patty Prime, TLNA President
Patrick Heck, TLNA Development Chair
Heidi Wegleitner, District 2, Dane County Supervisor
Ledell Zellers, District 2 City of Madison Alder
Todd Violante, Director, Planning and Development, Dane County
Lynn Green, Director Human Services, Dane County
Dawn O'Kroley, Dorchner Associates

Neighbors and Interested Parties:

Richard Linster, Bob Klebba, Deborah Boehm, Oscar Daley, Garrett Grainger, Jeremy Cesarec, Bob Holz, Patrick Grillot, Brenda Konkel, Michael Ryanjoy, Susan Springman, Jon Becker, Richard Freihoefer, Steve Wilke, Marsha Cannon, David Staple, Shawn Kapper, Joe Hoey, Pat Kelly, Karla Handel, Tom Kapper, Cameron Field, Glen Reichelderfer

Meeting Introduction:

After introductions, Patty Prime referred to the meeting ground rules that should be observed to keep the meeting running smoothly. She also asked the County representatives to verify that the committee should still focus on the City's Conditional Use (CU) process, which they did. Patty also said that she wanted attendees to list concerns and issues with the Day Resource Center (DRC) and location as proposed and that we would capture those and any recommended solutions. She then invited the County representatives to give an update on the County's proposal.

Update and Discussion:

Lynn Green said that the County's Request for Proposals (RFP) for DRC operations had closed in December according to plan, but only one operator responded and their bid was over budget. She thinks this was actually a good outcome because they can now shift the focus to the fact that the DRC is to be jointly and equally funded by the County, the City and United Way. Those funders agreed not to proceed with the RFP responder, so United Way will now focus on running

some short-term sessions with all stakeholders and funders to see if the model that the RFP was written from still works. They will take joint ownership and make it clear that it is a community/joint project. Several donor organizations have also expressed interested in participating and she hopes they will play a major role. She added that David Staple from Tenney-Lapham is on the RFP review panel per Supervisor Wegleitner's request and despite the failure of the RFP process, his input will be needed in the future. Patty asked if there were timing changes due to the RFP process not succeeding. Lynn said they were just now starting to talk with United Way about how the process will work; it needs to be focused, but thorough – it could take a couple of months. David Staple asked if after that couple of months would we be where we were back in December. Lynn said she was not really sure - two other funders might want to be involved and it is now to be a joint process so might not be a traditional county RFP. Brenda Konkel asked if the meetings would be publicly noticed. Lynn said she didn't know. Brenda said that if United Way is the organizer of the meetings the meetings become proprietary and private. Lynn said that United Way is used to handling facilitation of these types of multi-stakeholder meetings. Heidi said that there could be a quorum of a County committee at the meetings, so in that case they must be publicly noticed.

Patty Prime asked again if the Steering Committee's focus should stay the same given the change of process and additional stakeholders. Lynn said yes, the partners' vision is not substantially different from the County's vision; the other funders want to end homelessness and to end the cycle of homelessness.

Sue Springman asked if this new approach changes the timetable for going to the City; will the operator still be chosen before submittal to the City? Heidi said that previously they were under the impression that an operator would be chosen before the CU permit application was filed and that was advantageous. Heidi doesn't understand what the position of the administration is, but she thinks the timeline will go forward even if no operator has been chosen. She wants Dawn O'Kroley (representing the County's architectural and engineering contractor) to have good input on operations, so they have convened some service providers to give Dawn input on an early design. Heidi thinks it is unwise for the County to say that X is the day they will submit – they need input and to know who is accountable for the pieces of the conditions in the CU process. Lynn Green says that she understands that the neighborhood wants to know, but the operator will be under contract and monitored so it is possible to move forward with knowing who it is. Joe Hoey expressed dismay that now they were saying the operator will not be chosen before they go to the City. He asked how the DRC will center operate. Will it be wet or dry? Who will be there? Will there be criminal background checks? Weapons or alcohol allowed in storage? Heidi said that those things will be subject to conditions. Joe asked how is the neighborhood expected to know what to ask about as possible issues/conditions if we don't know the operator or everything about the operations. He reiterated that the County representatives earlier said that they wouldn't have these answers until they have an operator.

Deborah Boehm asked that the visit to the warming shelter at Bethel be discussed to help inform everyone what went on there. Patty Prime reported that Alder Ledell Zellers, Deborah Boehm, Richard Linster, Jon Becker, and she visited Bethel Lutheran on Dec. 22, at 1:30pm. There was a special Christmas celebration going on with a movie, treats, and at least 100, maybe closer to 150, visitors. It was a moderately cold outside that day. There was a large room where people

were enjoying themselves watching the movie, eating treats, etc. There was a smaller room with about 10 computers, all in use. At the other end of the large room was a small office and small storage area. Clothes could be borrowed from one area. There were basic supplies, e.g., toothpaste and personal care items. The group got a history from Mark Wilson, the head staff member - they started about 7 years ago. It was then open only very limited hours and has expanded to 5 days a week. Lynn Green added that they are not open on holidays. Patty said they had hired 2 additional people, Connor and Skyler, who were working ~30 hours per week each and were providing a lot of the services. They had no clothes washing facilities or clothing storage capabilities. It is mostly a shelter. Deborah added that the day after their visit, it was announced that Bethel was shutting down the shelter at the end of January, but that it has since been extended to April. Lynn Green said that the Bethel shelter was very limited, but in 2013 the County asked them to expand to 5 days per week from 8am to 4pm. The County contracted with them and gave them a funding increase last year, about \$80k, that allowed Skyler to come onboard. After the County's budget process was almost complete, the church's trustees asked for an additional \$20k per month for the shelter. Lynn said that the County had added \$30k to the annual budget, but the trustees were unwilling to negotiate. A major donor then came forward to work with Bethel, so it will be open until the end of April. Hospitality House is open 365 days per year and they have a now enhanced shuttle service. Jon Becker added that 75-100 clients is a closer number during their visit. It was mentioned that none of the staff has a Masters degree. Lynn says Connor and Skyler have bachelors in human psychology or semi-related fields. Jon said it wasn't necessarily bad that their degrees were not directly related. Patty said that the staff said nothing bad has happened there - no complaints to police. Jon said they mentioned that there is a little violence sometimes, but those involved are kicked out. He thinks there was less internal violence than at schools. Ledell said it would be worthwhile to talk directly to nearby neighbors to get their impressions. Deborah said that the disturbances they are competing with in that part of town probably makes the shelter seem good.

Lynn reiterated that Bethel is not a DRC – it is a warming shelter. The DRC will be that and a lot more. She thinks Bethel's role has been important, but it is only basic needs – no employment training resources, etc.

Cameron Field asked what resources would be provided at the DRC – clothes washing? Referrals? Lynn said that she didn't ignore the earlier request to put things on paper (a 1-page summary), but she now wants the group facilitated by United Way to work through this. She mentioned that Bethel does have a County-provided on-call person who will do referrals.

Dawn O'Kroley then presented their initial concept for the DRC. They will complete their site survey in the next couple of days, so the architect can then move forward. She said it is still very early in terms of landscaping, courtyard design, etc. They will continue to meet with Tenney Nursery, police, city staff, forestry, fire dept, etc., as the design work moves forward.

The County did do a Phase I environmental assessment. They found that there was an underground fuel tank removed in the 1990s; DNR contained it. There is an abandoned fuel tank in the basement. The County followed up on that tank – it is structurally sound, there is no contamination and should be easily removable. Her firm wants to stay in touch with neighbors as the design work continues. Shawn Kapper said that Dawn had earlier said that stuff wouldn't

come out of the site without first talking to neighbors; they have violated trust on that by doing some demolition. Heidi said that Ledell had forwarded her the concerns that she had received from neighbors about the demolition work. Carlos Pabellon from the Dept. of Administration told her that there was public work staff in there, they had removed ceiling tiles and paneling. He was apologetic that they had not followed the protocol on such a high profile project and he will make sure it doesn't happen again. She added that Dawn is informed and all necessary permits are in place and communication will not be a problem in the future. Joe Hoey asked if Dawn knew about the demolition work before it happened. Dawn said she told County staff about which part of the structure was the 1928 building and they were investigating that when they tore down the panels and tiles. Dawn added that she was not aware that the results were dumped in our neighborhood. Joey asked what if there had been asbestos? Dawn said that she asked building inspection if interior deconstruction needs to be permitted - the work was to view the original facility - the permit was then pulled. Bob Klebba asked if it is the County's responsibility or the County contractor's responsibility to pull proper permits. Dawn answered that in previous projects she's worked on, it can be both.

Sue Springman said that the workers should be protected from possible asbestos - maybe DNR should be involved. Dawn says that in previous projects, she has seen that County Works is well aware that they don't touch asbestos. This was 1980s ceiling tile, so no asbestos was suspected. Joey said that they are ignoring what they previously said, yet the County says trust us - you've failed. Dawn says the architect is not responsible for permits. She did talk to the County. Sue Springman added that they might want to take down the paper window covering - it would be more transparent to the neighborhood. Heidi interjected that everyone should treat our guests respect.

Jon Becker talked about a nurses' dorm project that had \$1 million of asbestos work done. The County eventually removed it. The DRC is a great opportunity for the County to work with the architect in a manner that is transparent and it can be done properly. Brenda Konkel asked for clarification on why the demo work was done. Dawn said it was to remove paneling and ceiling tiles, etc., in order to check out the condition of the original Coca-Cola bottling plant's brick walls. This is the main structure they want to save.

Dawn was asked if it would be cost effective to clear the existing buildings and rebuild from scratch. Dawn said they did an initial cost estimate of about \$250 per square foot with an additional \$20 per sq ft for deconstruction for a total of about \$270 per sq ft for a new building. This project they are now planning is about \$180 per sq ft, although the plan is conceptual and not final. So, a new building would be about 1.5 times more. Additionally, it should take about 6 months to reconstruct, while a new project, including demolition, would take 10-12 months. Lynn Green added that the original building is historic with original brick and original windows that add an exciting prospect - restoring some of the historic features. Deborah Boehm questioned the reconstruction costs - what did the last historic renovation cost at Fyfe's? What about the wet basement (mold, etc.)? Dawn said she did not identify mold, but it would be remediated appropriately. Deborah asked if that remediation was in the budget? Dawn said it would be in both options' budgets - the reconstruction and a new building. Bob Klebba asked if the \$180 per square foot estimate includes everything beyond the purchase? Yes. Marsha Cannon asked what the total square footage of the DRC is planned. Answer - about 9k for program

useable space but with mechanical space it would be about 10k to 11k square feet.

Dawn O’Kroley then showed drawings of the initial DRC plan (see images on TLNA website). There were outlines of the current building. The front is currently a 2-stories addition that would be removed and the long metal lean-to along the west side would go away. The 15’ setback from the sidewalk meets UDD-8 requirements. The blue areas in the image are DRC spaces, the green areas are daily needs areas. The 1000 sq ft original 2nd story will remain but be mostly mechanical – not program space. The front door would remain where it is with a check-in area just inside. There will be a large meeting room facing E. Washington, some staff and resource meeting rooms, some private meeting space (Lynn adds those can be for confidential meetings between service providers and clients), 3 to 4 phone booth areas and some laptop checkout areas. In the middle toward the back there are resource staff offices, the children’s area (perhaps enclosed in glass), a commissary for donated items and a family area on the side. They could have a family courtyard adjacent to the Tenney Nursery courtyard, which would be no smoking. The kitchenette would be in the back of the large open area. Lynn said they won’t have large meal service – mostly things like leftover donut donations, PBJ sandwiches, etc. Showers and restrooms will be both in the main area and the family area with about 100 linear feet for lockers/storage (form of the lockers/storage is TBD). There will be washers and dryers (maybe 6 of each). The main area will have a clear, open site line through the facility and there will be staff at the entry and in the daily needs area. A second courtyard where the lean-to currently is could include a designated smoking area, vegetable gardens, etc.). Joey Hoey expressed his disagreement with the location of a smoking area near his home and near Tenney Nursery. They hope to have a double row of trees at front and a driveway turnaround area for a 16-person van. They will need a dumpster enclosure. They want a fence to keep people from walking between the DRC and adjacent properties and will want input on those options. Because they will be removing the primary façade, the City said the County will need a demolition permit. Patty Prime asked if this design is conceptually what will be the DRC? Lynn said it is very consistent with the floor plan for Martin Steet; it contains the components for a DRC. They have tweaked it a bit, e.g., the family area is safer and healthier - they will have their own shower and bathroom. Dawn mentioned that there would be a small piece in the front that is new and some new window openings in the rear to ad light back there, but otherwise it would be using the cold bottling plant building and features. Jeremy Cesarec asked how the included services were chosen. Was it United Way who chose? Not really, said Lynn, but United Way is aware. United Way sits on the City County Homeless Issues Committee and the report came out of that, so they are aware. Brenda Konkel asked for clarification on the storage facilities –how much? Lynn says they can’t be all things so she doubts there will be major storage capabilities, but Heidi is working on dispersed models for storage.

Patty Prime then asked attendees to focus on listing issue/concerns and possible recommendations for addressing them.

Issues/Concerns:

2nd floor Possibilities -

Jon Becker asked about the possibility of having a 2nd floor. Dawn O’Kroley said that the building could handle a 2nd floor, but the 2nd floor space that will remain is for mechanicals. The

goal is not to have a 2nd floor for programming space or storage. Heidi added that storage is a big issue for homeless advocates; there will be more discussion. Lynn said that storage is very complicated – need a hot room for bedbug treatment, it needs supervision and management. They want to stay within their budget and do quality work, so some things may not be included.

Smoking –

Some said that allowing smoking outside is a concern. Lynn Green said that similar programs have found that an attached, contained smoking facility keeps them the clients out of the neighborhood. People will leave and smoke in the neighborhood if not allowed to smoke onsite.

Security –

Joey Hoey said that he is concerned about chronic alcoholics, drug usage, clients with criminal backgrounds, disruptive behavior, etc. How will the DRC deal with those issues?

Funding -

Karla Handel said that funding is her concern. If there is a lack of proper funding, there won't be enough staff, the staff will feel insecure, staff could not be stable and of good quality. She worries about the reliance on soft money fundraising.

Hours of Operation -

Sue Springman is worried that people won't have a place to go when the DRC closes. She thinks the doors should remain open until all have somewhere to go. Heidi added that opening hours might see similar issues, not only closing time.

Transportation -

Richard Linster is concerned about transportation issues. They will need many trips during the day to get people where they need to go to and to prevent loitering. Deborah Boehm added that they will need a bus stop and should have free bus passes available.

Impact on Tenney Nursery -

David Staple, a Nursery board member. listed their concerns: security (back fence is not high or dense enough or resistant to being knocked over), smoking, noise (language and activities that kids shouldn't be exposed to), locking capabilities (currently there is no buzz-in feature – the door is either unlocked or locked), lighting is not designed for security (especially in carport). They don't know what to demand – they are a small co-op. No matter what is done to address these issues, they will have decreased attendance; there is a perception that it will not be somewhere parents will want to send their kids to school. They think they won't be able to operate. Also, County funding is year-to-year so they wonder where this will go later – how do they maintain the conditions and recommendations over the long-term? How does the DRC maintain appropriate staffing ratios (paid staff) to assure the Nursery is not impacted?

Increased Police and Fire Calls -

Karla Handel is concerned about these who will pay for them. She's concerned about kids hearing sirens and what ever else they will hear. She's concerned about her property value due to increased police calls, available through the crime maps. She's concerned about people on the sidewalk making people, kids and patrons of businesses uncomfortable. O'Keefe starts at

7:35am, prior to the DRC opening, so people will be around. Her kid walks right by there before opening time. There is a potential increase of problems in the neighborhood (trespassing in yards and garages, sleeping outside, sleeping on the bike path, under the bike path bridge and in the carport at Tenney Nursery).

Ongoing Communication with Neighborhood -

Bob Klebba is concerned that the RFP has no mechanism for the operator to interact with the neighborhood. An information feedback mechanism is lacking - the RFP doesn't require the operator to engage with the neighborhood. Heidi said that the new RFP will include that concern, but added that what is in the RFP is not necessarily what is in the contract – the contract can have much more so some items can be addressed there. It was asked if the neighborhood will be notified of the future RFP meetings? Yes, Heidi said that you are a stakeholder.

Public Restrooms -

Richard Linster said he thinks we need secure public restrooms in the neighborhood, available particularly outside of DRC operating hours. These would not be meant for sleeping or other activities.

Lack of Trust -

Richard Freihoefer said he doesn't trust what he hears – the proposal keeps morphing. He thinks it has changed each time they have presented.

Impact on Businesses –

Richard Linster is also concerned about the impact on businesses. For example, Cork and Bottle was negatively impacted by the earlier warming shelter on E. Washington.

Services Too Limited -

Brenda Konkel agrees with most of the neighborhood's concerns, but some of those could be addressed by making it a comprehensive DRC. If the clients have to go elsewhere for laundry or food, it adds to the problems (transportation, etc). She's also worried about food safety – if there is no real kitchen and food serving capabilities, food safety is compromised. She also thinks the provider needs to be on board before the CU process begins. If services were all in one place, it would cut down on problems. She's also concerned about United Way taking control and not being transparent – there will be less chance of open meetings.

Alcohol/Drugs

Joe Hoey is still concerned about alcohol and drugs usage and whether or not the DRC will be wet or dry. Lynn Green says it will be dry. Joey asked if there would be no alcohol or drug use allowed in the shelter. Lynn said that behavior determines entrance. Joey asked what if they are under the influence upon entrance? Also, what is the protocol to keep those denied entrance out of the neighborhood? Heidi said that Captain Gloede and the police had figured out how to deal with these situations with prior day shelters. The DRC and police will often involve service providers in these circumstances. Patty Prime summarized by saying that yes, there will be plan for these circumstances. Lynn added that people do have civil liberties, so you can't compel people to do certain things. There could be law enforcement involved, but will be something else too.

Background Checks -

Lynn Green said there won't be background checks for clients. Dave Staple added that they don't do background checks at Tenney Nursery – it isn't reasonable. Lynn added that they are meeting with police on procedures for handling troubles.

Off Hours Impact/Security for the Neighborhood -

Steve Wilke asked who is responsible for security in the neighborhood? If we can't force them to go somewhere against their will, what will the County/City do to provide extra security if they stay in the neighborhood? Also, who is going to clean up in the morning? Fecal matter, waste, etc. - he has to do it now near his place and is not keen on it.

Capacity -

Marsha Cannon asks how many clients there will be – there needs to be a maximum number allowed. She thinks it will be overrun. The Dorothy Day Center in St. Paul and another shelter in Minneapolis just keep growing. There is a need and she gets that, but she worries about capacity at this facility. She thinks they need housing somewhere – even a single room. The CU should specifically say no overnight housing allowed, ever - no mission creep. Marsha also wants all activities indoors – we have enough outdoor activities in the neighborhood, so no garage sales, etc.

Attitudes -

Patrick Grillot says that he's concerned with the framework of the discussion. He'd also like to talk about the potential benefits of a DRC. Is there any version of a DRC for people experiencing homelessness that you would support? He may not have the same concerns as everyone, but these people are already in our city and neighborhood – they are here. The DRC is not a new cost – it is cost shifting. We need to understand what it means to turn our backs on a DRC and those experiencing homelessness.

Parking and Adjacent House –

It was asked if the house next door to the DRC (also purchased by the County) is going to be part of the CU. What is the plan? The County needs to let us know. Dawn O'Kroley said that a parking plan is coming after site survey, but she expects some parking spaces to be near the van drop off area. Lynn Green said there has been no discussion about the house – there is no plan for it yet.

More Input Opportunities -

Richard Linster asked if further input can be made after this meeting. Patty says it can come in, sure. Ledell thinks it is a good question – if ideas come up, we need them for the CU. Heidi wants them too – she will pass any she gets on to those who are working on the process. Patty agrees that she will continue to solicit for input from the neighborhood.

Recommendations:

Addressing Trust and Authority -

Jon Becker said that trust is really important. One entity needs to be in charge and answerable

with a clear line of authority so neighborhood knows where to go with problems. We need metrics, particularly baseline metrics so we know how things change after the DRC opens. There should be a proactive method of securing reports from neighbors, schools, the private sector, users of public facilities, etc. There should be monthly or quarterly reports to help program evaluation.

Metrics -

Bob Holz asked if metrics could be used in the CU process. Ledell said that Plan Commission retains continuing jurisdiction over permitted CUs, so validated complaints can come back to Plan Commission. It would be unusual to revoke a CU approval, but there could be additional requirements added based on post-approval issues that arise. Bob said that the Plan Commission Standards of Approval for CUs say it cannot impact existing uses. If the Tenney Nursery's business were to drop by 50%, can they go to Plan Commission and say this is the impact? Can that impact be detailed in the CU? Ledell said she has not seen anything along those lines and not sure how it could be done, but that said, there should be a lot of thought about impacts. City staff should be brought into the loop – they construct most of these conditions. Todd Violante confirms that Ledell is correct – with any CU, there is a list of conditions and they serve as the basis of enforcement for city staff. If those conditions are violated you have a basis for enforcement. He has never seen benchmarks built in, but they could be a basis for a permit to be brought back in, so if a strong case is made it could hypothetically be a violation of the standards of approval rather than a violation of the CU itself. Ledell says the baseline that Jon Becker suggested is a very good idea. If we don't know the current condition, it will be difficult to say what caused changes. Deborah Boehm suggested that County should pay for any changes required to address the Nursery's concerns.

Funding for Parks and Police -

Karla Handel thinks there should be extra funding for Parks staff and police in the neighborhood.

Note that other recommendations are embedded in the Issues/Concerns comments above.

Patty thanks all for coming and reiterates that we will be focusing on the City Conditional Use process at the next meeting. That meeting is set for **February 9, 2016, 7pm** at Christ Presbyterian Church.

Below are some of the pertinent standards that will be used by the Plan Commission, extracted from "City of Madison Standards for Review of Certain Types of Development Proposals", available here:

<http://www.cityofmadison.com/council/documents/StandardsReviewDevProposals.pdf>

As the Steering Committee considers recommending certain conditions to the Plan Commission, they will keep these standards in mind.

-- Some key excerpts ---

Conditional Uses

(6) Approval Standards.

(a) ... No application for a conditional use shall be granted by Plan Commission unless it finds that all of the following conditions are present:

1. The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, or general welfare.
3. The uses, values and enjoyment of the other property in the neighborhood for purposes already established will not be substantially impaired or diminished in any foreseeable manner.
4. The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

(b) Conditions.

1. Before granting a conditional use, the Plan Commission may stipulate conditions and restrictions on the establishment, location, construction, maintenance and operation of the conditional use...

(9) Scope of Approval.

(c) Continuing Jurisdiction

1. The Plan Commission retains continuing jurisdiction over all conditional uses for the purpose of resolving complaints against all previously approved conditional uses...
2. Any citizen, the Zoning Administrator, or ot