

**Mapleton-Fall Creek Neighborhood Association**  
**Minutes for January 14, 2016**

*Approved*

**6:38 p.m. – Meeting called to order by President, Ryan Funk**

**Moment of Silence**

**Introductions**

President Remarks

- We are a unique neighborhood association in that we meet every month. It gives us the power to take care of many issues that are happening in our neighborhood boundaries.
- Multiple ways of communicating and finding out what's happening — website, Twitter, NextDoor, but our main mode of communication is this old school, face to face mode of communication. Thank you all for being here. I hope we can all keep it that way.

6:42 p.m. - Presentation and review of the December Minutes

**6:46 p.m. - Minutes approved**

Board Officer introductions: Two vice presidents — Vice President of Neighborhood Affairs, Nate Rush; Vice President of Environmental Affairs, Keith Cruz; Secretary, Rachel Nelson; Treasurer, Gerald Dupree; President, Ryan Funk

6:49 p.m. - Treasurer Report

Chase: \$5,849.44, Prudential: \$6,121.50,

**Presentations**

**Wendy Noe, Dove Recovery House for Women**

- This is not a halfway house. We provide wrap around services for our women.
- We house 23 women a night. Our wait list right now is about 3 months.
- The house we're currently located at is right by Angie's House, it's an old house and very costly. We have been looking for opportunities to expand and The Sutherland family provided that by giving us a house. It needs renovations and we have raised 1 million. Our total expenses are 1.2 million.
- The renovations will allow us to house 38 women.
- We do face to face assessments with the women to make sure they are serious about their recovery. There is a 30 day "still period" initially - they can only leave with a resident who has been there for 30 days and only for medical appointments.
- We do not do detox. The majority of them do come to us by their own referrals. We have a 60% success rate. It is a 90 day commitment - we are not a locked facility.
- We are very structured in our program. They can stay with us for up to 2 years.
- There is a lot of accountability with our program. We are not a free-go do as you wish. They fill out weekly agendas and they have to be approved. Depending on levels they are only allowed so much time out of the house. Everything they do has to be approved by their case manager. If they do not do what is expected of them they do have consequences. We are very structured.
- We do random drug testing. Everyone gets a baseline screening. We have case managers who are on staff. We are nightly 24/7 staffed - staff does not sleep there, but it is constantly staffed.
- On site therapy. Many of our women have had significant trauma. They are dealing with a lot of other issues other than substance. Substance abuse has been a way they have found to self-medicate. We work with them through those traumas to get them to a healthy place. We have a very holistic program to help them.
- We are developing an outreach program for these women. We work with people who are on our wait list too. Many women look at Dove House as their home. We are a family, we take care of these women and they give back as much as they get.

Questions

**Q** - Visitation? **A** - Yes, on weekends and the visitor has to be approved. Kids can visit, if approved they can spend the night on the weekend.

**Q** - Are visitors men and are they searched? **A** - we don't screen but they are not allowed to leave public areas. The women are always supervised. Case managers know everything about these women. They are cautious when it comes to any visitors.

**Q** - What happens with a transitional woman who has children? **A** - many of these women do not have custody. If unification is important w/ them we help them with that process

**Q** - where is the location - it's by 3 schools, have you done outreach with those schools? **A** - we have, but we've not heard anything back yet. We've presented to several neighborhood groups, and others. We have tried to reach out and want to be good neighbors.

**Q** - Do you need a rezoning **A** - we will need a rezoning

You are more than welcome to visit our current house to know who we are and what these houses are like. We are doing something about the heroin epidemic and we are making progress.

Comment - I've done a lot of work w/ the dove house and have made and gotten referrals w/ them and I'm happy w/ what you've been doing.

The rezoning is going on, in case there are deadlines and hearings coming up. Let's see if we can give support or against. Just to take temperature, how many support rezoning request for Dove Recovery House? I'll call for a motion, if we get a second we can have a discussion

**7:03 PM** - motion made to take a vote on supporting the rezoning of the Dove Recovery House.

**7:04 PM** - membership voted to support the rezoning

### **Community partners**

#### **Brittanie Redd, Mapleton Fall Creek Development Corporation**

- January announcements - [ flyer ]
- Gas Station - Very disappointing news, of course. We did manage to stop this gas station for over a year. We were able to use it as a case study and in some ways was successful when it comes to helping other neighborhoods and protecting ours in the future.
  - **Q** - any design criteria? With light pollution there is some concern of the neighbors. **A** - we have expressed things to the gas station managers but unfortunately this lack of response has been an ongoing problem. They aren't willing to be at the table.
  - **Q** - there wasn't any OK for alcoholic bev was there? **A** - no that wasn't with the zoning
- Food access - community meetings - [ flyer ]

#### **Robert Real, Prosecutor's office**

- One week from tomorrow there will be a blood drive at the city market.
- Pending cases are on a printout [view here]

#### **Announcement**

Beatrice Thomas will be turning 90. She was one of the original founders of MFCNA. She still drives, volunteers, does canning classes. Her birthday is actually today but we will be celebrating it on Sunday. One of the most valuable things this organization has is its history.

#### **Andy Minton, VP Director of Operations, HCO, Inc. -- Rezoning for the Trustee**

Aerial view of the site [ view flyer ] | Trustee is trying to build a new 4 story building on this parking lot. There is currently a fence around it. There is a requirement for a buffer to the res. That's why there is fence and landscaping around the parking lot.

next page - zoning map | For some reason they did the looping around - there used to be houses there. We're trying to get the highlighted rectangle rezoned so we can build on that parking lot.

**Q** - if that is currently a parking lot that one peice is zoned D5? **A** - it is

I'm thinking when it was rezoned it was....There was a house there a lot longer - that house came down in 85.

Next page - zoning map | In the plan that was approved by the CDC the whole corridor here is for commercial/office use. We did some preliminary drawings for the trustee and we got to the point where we saw this issue and told them they needed to rezone this before proceeding. I apologize for not advising him to let the neighborhood association know. I didn't think it would be an issue for what it was. So, thank you for letting me come back.

Next page - conceptual site plan | House is currently to the north. We're not taking that away. We're keeping the fence and landscaping. We're proposing 20' so we're increasing the setback by five. These are currently located on

Mass Ave. He can't move forward with this until that property is sold. I have no time line as far as that would happen. The quickest we could move along w/ this would be 6-9 months. The design is to have the main entrance off of NJ and 28. There is already existing parking and the staff could park in already placed lots. Keeping as much landscaping and fencing as possible.

Next page - one of the concepts we've come up with. The trustee has not approved yet, but just to give a general idea of what we're conceptualizing. Keeping the brick facade to coordinate with the residential area.

Ryan additions - the Trustee plans to close the Mass Ave. building, sell it and maintain offices here. 30 is people working there also maintain offices in the Carson center. Long term plan is to have all his offices here and keep the existing parking lots, lots to provide for these buildings. The design you have for the building would not require any variance - it's designed to meet C1 standards. Practically for the neighborhood association we could oppose the zoning request but we don't have a formal method for opposition.

There are rules the city has for how things are going to be built - zoning codes (height, use, setback, lot taking up) all issues that you can stray away for those rules but you have to apply for a variance request. The other channel is a rezoning petition which says this piece of land is designated for one thing and we want to change it that is only allowed if the "rule" is changed - it's more of a legislative process. The city county council is the one who would change it. So, that is something that the ccc has to decide. We have a chance to be heard whether or not we support the proposal.

**Q** - so we can say we do like the design or if we have concerns **A** - commitments, essentially we can propose commitments to the trustee to give a list of things and if he agrees we can then support or oppose  
The height of the building is proposed to be 50' high (4 stories)

**A** - I need a minimum of 40' but about 42' - we're thinking the tallest would be 48'. I can't go over 42' if it's zoned commercial. The back side is more for storage and attic type space. Corridor down the middle w/ offices on both sides.

The land use plan is in place for this area, it does call for rezoning of that particular parcel from D5 to zoned for commercial use for that part of 28th street.

Opening this up for some discussion with the idea that at the end of this month 1/28 at 1pm. If we want to be involved we need to make those decision tonight.

**Q** - Any consideration to if it's going to block sunlight and cast shadow? **A** - that's the reason for the height differences and standards with setbacks. During the middle of the day it would shine on that house there (right next to)

**Q** - The right of way is into that property line. Is there a front setback along New Jersey? **A** - 10' and 20' on the north side we're doing the additional 5 due to the height

**Q** - How much land measurement wise are we talking about in this approval **A** - I've not been able to find exactly how much but approx. 20' - actual legal part of that describes the whole piece

**Q** - Construction time table - there is going to be another apt going in at 28 and Talbot and the other is can you come back to this group and bring interior renderings? **A** - Yes I think we could share final renderings and interior -we do have to go through the formal process.

**Q** - Timeline **A** - soonest would be spring of next year and that's only if he sells his building right away. He couldn't move forward until the sell of his building

**Q** - Is the neighbor right by the building are they in agreement **A** - I have not had any feedback, the trustee knows them

**A** - The tenant on the N side is a truck driver so he's never there, the next one is a long time tenant. I've not had a direct conversation if they support it or not. We (residents) saw the signs and received the notice.

**Q** - Would this bring outside people into the neighborhood? **A** - There would be a lot of people riding the bus to come, I don't know where his employees live. With increased change or pattern they would look to identify pedestrian walk there and keep that intersection updated.

**Q** - Would there be preference for employees from this neighborhood? **A** - I'm sure he would advertise to the area - i don't know how his staff comes from.

**Comment** - We're big fans of appropriate development. When you look at the other developments that will occur to the west there is the next house to the left - the risk of it being 4 stories is really overshadowing the homes right next to it. There isn't much of a space for transition. That's a residential block all the way up. We're supportive of the building and the trustee - I like that there is development that will be our neighbors, but we have concerns about the height -if it could be 3 stories we'd have much less concern. The entrance if it isn't on 29th st. Folks will be pulling up and running in - we'd feel better if it could move to 28th street (more corridor and less residential)

**Response** - The entrance - I don't think that would be a problem.

What about the dumpsters? It would need to be located along the back, probably in line with where your trash gets picked up. We'd need to keep that in mind - the window of service since it's butting up to residential areas. You have to have it enclosed per the city and visually cut off.

I'd like to see how people are thinking about it - we could just oppose or we could just support or we could support it with commitment. We'll ask the voting members which camp you fit in. Who just outright opposes - who outright supports it - who supports it with commitments.

Majority supports with commitments, no outright opposition.

**7:43 PM** I'd like to call for a motion to wk w the neighbors who live in that immediate area to work w the officers to draft up some commitments and negotiate those commitments w/ the trustee and vesting the authority into the officers since it's happening so quickly (before we meet again). If it requires a continuance we go that way

**7:44 PM** motion made to have officers involved with neighbors in the area to help make commitments in exchange for the rezoning of the area.

motion seconded. Discussion:

- Do you have a plan B? anything else in mind?
  - No, not really

**7:45 PM** motion approved

### **Bylaws Discussion, Ryan Funk**

At the December meeting we discussed a draft of bylaws the board members had voted. They were distributed by mail and posted on the web. - new members okay. What I'd like to do is - those bylaws were approved by the board but they were never put to the membership to approve or reject - since it's still early in the year and people haven't all paid their dues yet. We'd like to have a straw poll vote - nothing formal, just soliciting feedback on which way they think they would vote. We can talk about this...

Point of Order raised by Al Polin - there was a movement in November we allowed voting and feedback and the secretary sent out the bylaws to the membership. There was 14 paid members who were at that meeting and we only got 6 feedback the committee took all that information and there was opportunity to get voting on those bylaws. I did the research to see if we were out of order. Not everything was in there that I wanted, but I want to explain that we did go through the process. We allow people to give feedback and at the board mtg the committee put in numerous hours. The bylaws were properly presented and approved on a 5 to 2 vote. The secretary signed them. Any anyone who wants to read this can. After that approval the bylaws that we currently have the bylaws that we have - we are supposed to be presenting them to the organization. We have so much to do, we shouldn't be focusing on the itty-bitty stuff.

I'll respond to the point of order - what the member handed me is from the Robert's Rules of Order [RRO] from when the bylaws take effect. RRO - the bylaws trump RRO if they are ever in conflict. I agree that there was good and a lot of work put into it, and I agree that it isn't a sexy process. However, I think they are not in effect yet because our governing bylaws said that our members need to take a vote on that.

That's why I'm trying to point out to you and I'm going to read out to you from the minutes - instructions to the members - reading note from Al's email. Our rules and bylaws does not cover what this cover based on fact that we gave the option to vote.

I'll respond again - there is no provision for voting by feedback. You need an actual vote for approval.

We'll put the point of order to the body. Whether is it appropriate to move forward to gage support of the draft bylaws - we are just seeing if the members are interested in moving forward with bylaws discussion.

Motion made to see if it's appropriate to see if we continue the process for bylaws - saying the members have not yet had a chance to vote

**7:49 PM** - Motion is to decide that it is appropriate for this body to move forward with the agenda item at 7:35 - the straw poll vote on bylaws not a formal vote

Discussion:

I would like to say I took quite a few evenings at the library working on these bylaws. I was one of the members to get them in order. I don't appreciate the rehashing. We were working for the whole board. there seems to be a controversy on the whole thing.

I would echo your comments about how much work were put into that and I respect that but out of respect for the work that was done I do believe we should finish the process and allow the members to vote on the document that was administered honoring the work that was already that was done. The problem is that they have not been adopted by the members.

**Q** - I'm trying to get a clear, clear understanding. A lot of people who have put a foot into this and I understand that people want to make changes plane and clear. I'm not getting a plain understanding. What is it with these bylaws? I always knew that once you put them in place that everyone had come into agreement.

**A** - I would say that I am too interested in knowing what people think about the bylaws - you have to put a motion on the floor to vote in favor or against something before you can discuss. Because the bylaws were never put in a vote we never had an official discussion.

Any additional discussion

**Q** - if we vote in favor of what you're proposing what does that mean, does that mean we work on them more?

**A** - if you vote in favor of this current motion, it means we move forward with the agenda item on 7:35 to actually see if people vote for the bylaws or if they oppose it. Then we would discuss how we move forward with the agenda item at 745 .

All in favor with moving forward? Call for show of hands

- 12 in favor
- 5 against

**8:02 PM** approved to move forward with the discussion

First I'll ask, who generally supports the current bylaws draft and then I'll ask who is not willing to vote in favor of that draft.

Supportive of the bylaws and would adopt them as they are - 10

Opposed - 8

Supportive has it. We won't move forward with the next process.

Since this was a straw poll vote..

- Was everyone who was voting a paid member?
- A Member roster can be available at the next meeting.

**8:07 PM** Adjourned