



City of Madison

Meeting Minutes - Draft

HOUSING COMMITTEE

City of Madison
Madison, WI 53703
www.cityofmadison.com

Wednesday, October 24, 2007

5:00 PM

215 Martin Luther King, Jr. Blvd.
Room LL-120 (Madison Municipal Building)

1. CALL TO ORDER / ROLL CALL

The meeting was called to order at 5:10 p.m. by Chair Hirsch.

Present: 8 - Konkell, Day, Ejercito, Hirsch, Rutten, Brink, Hassel and Sparer

Excused: 5 - Mandeville, Villacrez, Wilcox, LeTourneau and Judge

2. APPROVAL OF MINUTES

The minutes were approved.

3. PUBLIC COMMENT

Cheryl Elkinton appeared. She stated that she was at the Hill Farms State Office building and was told they were demolishing the building due to mold. She had a possible solution to the mold problem by decreasing the humidity percentage allowed in the City ordinance. The Dane County Jail uses a genetically altered bug spray that she got nasal sinus pain and headache pain from, and her hearing was affected. She wrote more than once to the Sheriff regarding the conditions of the jail but she heard nothing back. Hirsch noted that we do not have any jurisdiction over the jail correction facilities. We can forward her concerns to the appropriate people but we can't take any action tonight. She would like to be put on a future agenda for her situation with her landlord. What she would like to accomplish from this is she would like money from her landlord in full that he owes her. Hirsch noted we will be in touch with her.

4. NEW BUSINESS

07788

Authorizing representatives of the Office of the Mayor, Office of the City Attorney, and Comptroller's Office to negotiate a Cooperation Agreement with the CDA and authorizing the CDA to enter into contracts for outside services.

Attachments: [File No. 07788](#)
[07788 Registration Stmt.pdf](#)
[07788 Registration Stmts.pdf](#)

Mark Olinger and Stu Levitan appeared. Levitan noted the CDA recommended adoption of the resolution with minor amendments. There continues to be an unresolved issue in regards to the finances. Konkel asked what this proposed ordinance does that we haven't already approved except for authorizing \$75,000? Levitan stated this takes resolve clauses of the original resolution and gives them added force of our responsibility to do certain things in the development. There will be another resolution that will have further execution items to it. Hirsch asked what is the source of this money? Olinger noted the \$75,000 would come out of the borrowed money by the City of Madison for the Allied Drive activities. Hirsch asked if this \$75,000 would cover the architectural, the site planning, and the market study? Olinger hopes it will. They will need to come back for additional funds for schematic and construction documentation. The change recommended by the CDA is in item no. 7. The language is changed to "before final action by the Council". The second neighborhood meeting will happen after the introduction of the resolution but before the end of the year.

Joel Plant, of the Mayor's Office, stated the Mayor is not married to the idea of using the Affordable Housing Trust Fund (AHTF). If there are other sources available to get this done and they will use them otherwise they will have to use some of the AHTF. If this were used, this would be a loan and would be paid back. MGO 4.22 would have to be amended. The end goal being affordable, high quality housing using design to improve quality of life and quality of neighborhood, safety and to introduce some owner occupied housing into this neighborhood.

Ald. Brian Solomon appeared. He wanted as much of this process up front and in front committees and the Council as much as possible. The last resolution was drafted to say that no dollars would be spent until there was a negotiated agreement. We need to get this passed so we can spend the dollars to hire the people that are needed in order to come up the details.

Hirsch asked about the changing of the ordinance on the AHTF. What is the timing as far as introducing a change to the AHTF and would you hold off until January to see if the AHTF would have to be used? Plant stated because the AHTF expenditures are included in the 2008 Capital Budget, the Mayor made a commitment to the Council for them to see any proposed changes to Chapter 4 before they took final action on the budget and this would be the middle of November. He has asked Atty. Zellhoefer to draft an ordinance for a special provision for Allied Drive at the end of the ordinance.

Konkel questioned item #9 if the City were responsible for the demolition and infrastructure work? Olinger stated on other projects, the City Engineering Public Works has prepared the bids and specs and have done the issuance and performed the oversight. This will be decided in the final proposal. Konkel asked why the CDA is doing this project if it is issuing RFP's for ownership units and the City is doing all the infrastructure and demolition work? All the CDA is doing is one tiny piece of the project. Levitan stated the CDA will be making decisions as to what the project would look like subject to Plan Commission, Common Council actions. The CDA will be letting the contracts for management, they will be managing partners for the LLC, they will be issuing the RFP's for ownership and will determine what certain architectural standards they will be doing. They will be representing the public interest in the development. With regard to the demolition, they would like to involve neighborhood residents in that process through job training activity.

Sparer noted we should adopt this but there is a tight time frame for seeing the actual numbers and the text of the agreement that he would like to comment on. He encouraged the drafters to get it ready quickly due to the tight time frame. Brink agreed this is important to move along as we are on tight timeline of typical development. Brink moved to add a friendly amendment to item #9 to say "using funds from the Affordable Housing Trust Fund in amounts and manner consistent with the current ordinance". Konkel seconded the motion. Levitan stated he believes this amendment kills the project subject to the finding of \$3.5 million dollars as they could not use the AHTF under the current ordinance. Hirsch noted that some of the AHTF money can be used under the current ordinance. What this motion does is to allow the CDA to go forward but sends a signal that some other money needs to be found besides what the ordinance currently allows to draw, which is \$25,000 per unit. It is the notion expressing this Committee's concern that AHTF be used in the manner in which it was originally designed and not spent on a single project, no matter how valuable Allied Drive is. Olinger has no knowledge that there could be a successful Section 42 project without this funding. Konkel stated this amendment is just saying don't take it from the AHTF and it doesn't mean that several alders haven't found some other way for funding. Hirsch stated this motion will allow the CDA to go ahead and spend the \$75,000 and get the conceptual planning done and then your performance will make more sense.

Levitan stated if there would be an amendment to repay the AHTF they would be good with that. Sparer asked when this would be repaid? Olinger noted we don't have a conceptual plan or market study. He recommended that any of this discussion about sources should come in a subsequent resolution that allows the CDA to work through the solutions. Plant stated the language would be introduced to the Common Council for them to make a decision on the Capital Budget. They are trying to preserve every option and if necessary, the AHTF or some portion of it under different circumstances or criteria that it could be used if necessary. Sparer noted we would want to make it clear to the CDA, the Mayor's Office and the Common Council that we would rather not see using the AHTF and once we know the details we may not approve it. Brink would like to know how do we get the money back in to the AHTF? Olinger stated that as many sources as possible are being looked at to provide affordable housing. There are levels of affordability on this project that will be very difficult to make.

Hassel sees this as a tool. There is a possibility that the money may have to be used and there is a possibility that the money may not have to be replenished in the AHTF. Couldn't this be amended at a later time if the money is used and when the money is to be paid back? Some people in the City do not even want to see the project on Allied Drive to take off. She sees this as a stalling tactic. This project needs to go forth.

Day is inclined to think that our recommendation should come forward as a statement of concern on how this affects the intention of the AHTF. She would prefer to be specific in that way versus laying something forward that appears to be saying that we are willing to talk about it. She would like to see a conversation about our concerns and we want to make sure they are brought up in negotiations. She doesn't understand why the recommendation is necessary for the amendment to stay the same. Brink stated you need to have language of how the AHTF is to be used and how it is going to come back in. The important factor is, how is this a tool, how does it come back in and what is the overall

discussion for the future. Konkel noted that we are trying to send a strong statement that trust fund money doesn't get raided every time there is a special project.

Sparer asked is it the case that before the Common Council makes the final approval of the plan that we would be at a point where we could say exactly how much of the trust fund would be used, we would be able to say here is the payback period and the payback method? We wouldn't be able to know those things so we could approve or disapprove it before the CDA would have to submit the plan. He would like to say that we don't want to agree with it in a final fashion until we know those details. At this time we are uncomfortable with agreeing with it as we don't know what we are agreeing with. Konkel asked Hickory Hurie how much can be spent next year from the trust fund? Hurie stated this is based on the amount of revenue in the previous year plus interest. At this point, the Comptroller estimates about \$100,000 plus a portion of funds donated and any money coming back in payments. Levitan asked if this money could be used for demolition and infrastructure? Hurie stated it is suppose to be used for development cost related to lower income development.

Brink does not want to prevent the flexibility of looking at all the tools. We have to make sure the corpus of the trust is somehow with the interest offer is tied into it where we can use it to help families help themselves and have that flexibility and then it gets paid back. He does not support the amendment. Konkel stated that there are rules and procedures that were set up for this trust fund and they are to go through the CDBG Commission. These were not followed.

The amendment passed 4-3 passed.

Amend Item No. 9 by adding "using funds from the Affordable Housing Trust Fund in amounts and manner consistent with the current ordinance".

Excused: 5 - Mandeville, Villacrez, Wilcox, LeTourneau and Judge

Ayes: 6 - Konkel, Day, Ejercito, Rutten, Hassel and Sparer

Noes: 1 - Brink

Non Voting: 1 - Hirsch

07786

Supporting the objection to the waiver of state building codes for balconies at 700 University Avenue.

Attachments: [File No. 07786](#)

Hirsch stated it is a requirement that there be an accessible route and it is to usable with people with disabilities throughout the whole unit. There was a petition for variance to allow a 4" curb to be built at the patio door so as to block driven rain from entering the unit. The assumption was to later on come back in and add a temporary floor, such as a wooden slab floor that would be level on the outside and would drain water and a platform and ramp would be available on the inside. In the variance, the plan reviewer who granted the State of Wisconsin variance assumed that both of these could be done. Some people are aggrieved that what this takes away from the inside of the unit is objectionable. Hank noted that this is not a 4" curb that they put in place but the track for the door is 4" high and is mounted on the floor. Typically you would pour the outer slab and put the track up against it and the height difference would not be as severe. This affects somewhere around 350 dwelling units in this complex. Most of the taller buildings in downtown Madison have gotten around this by putting in swinging doors. The threshold actually helps retain water and then leaks back in on the sliding doors

This Resolution was RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

Excused: 5 - Mandeville, Villacrez, Wilcox, LeTourneau and Judge

Ayes: 6 - Day, Ejercito, Rutten, Hassel, Sparer and Konkel

Noes: 1 - Brink

Non Voting: 1 - Hirsch

5. ADJOURNMENT

Next Agenda: CDA/Allied Update; Update on Budget; election on vice-chair

The meeting adjourned at 6:45 p.m. upon motion by Sparer, second by Rutten.