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**Jim Schuler**

January 17, 2013

CDBG Committee  
Room 280, Madison Municipal Building,  
215 Martin Luther King, Jr. Blvd.  
Madison, WI 53701

My name is Jim Schuler. I live at 340 Lakewood Blvd. in the Village of Maple Bluff and I also am a city of Madison property owner. Additionally, I am a member of the Maple Bluff Village Board and, among other appointments, chair our Parks Committee. Neither my comments nor this letter represent the official opinion of the Village—however, I have spoken to a number of residential, commercial and non-profit neighbors, and we share the same concerns regarding Occupy Madison’s plans to purchase the property at 2132 Fordem Avenue.

Personally, I believe a well-planned and professionally managed Transitional Housing Coop that targets a homeless population consistent with and not threatening to residential, business and social services neighbors *could* work. But, in order to do so, such a facility would need to assure neighbors of the following:

- Residents would be rigorously screened to not include those convicted of violent crimes, domestic abuse, child abuse or sex crimes, or alcoholics and addicts who aren’t sober and actively engaged in recovery programs.
- No firearms and weapons would be allowed in the facility or on the grounds, except those carried by law enforcement personnel.
- The number of guests would be strictly limited and controlled.
- All residential policies and rules would be based on “What’s best for child residents?” and specify everything from quiet hours, zero tolerance smoking, alcohol and drug policies, meals and nutrition, conflict resolution, daycare, pet care, etc.
- No other on-site commercial or residential services or programs that attract or serve the broader homeless or transient community would be allowed.
- The resources and capabilities of district schools wouldn’t be unduly stressed. Emerson Elementary, Sherman Middle and East High schools already serve a disproportionate number of homeless and at-risk children. In fact, the proposed new Salvation Army shelter will continue to be in the East High district, as will a new proposed shelter for homeless teens.

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- All resident would sign leases for a minimum of one month and a maximum of a year.
- This wouldn't be a permanent housing solution, but a transitional one.

However, a number of issues raise all neighbors' concerns as to whether OM House really intends or could manage such a program at this particular site:

1. Lack of Clarity

- Can they accommodate the highly diverse needs of the homeless population, or is homogeneity of lifestyle a prerequisite for a housing coop's success?
- Because they can only accommodate 20 out of an estimated 400 of the homeless population, they need to focus on not only who is most at need, but who would best succeed in a cooperative housing environment.

2. Appropriateness of Location

- Contrary to what OM stated in their application, this is not primarily a commercial area. As the aerial photograph shows, not only is there a high concentration of schools, agencies and parks that serve children and families, there is also a high concentration of single and multi-family housing in all directions *except* directly across Fordem Avenue.
- There are broader concerns throughout the east and north sides that these parts of Madison—and our respective schools and municipal services—are being unfairly asked to serve a disproportionate number of at-risk individuals.

3. Commercial/Residential Conflicts

- Sixty percent of the site would be used for commercial tenants, some of which could draw a potentially undesirable—and unscreenable—population to the neighborhood.
- In fact, despite OM Board members statements to the contrary at a neighborhood meeting on Saturday, January 12<sup>th</sup>, OM House's CDBG application states—regarding the commercial and residential space—that... *"Depending upon the development of a day center, it may also serve as a computer lab, laundry facility, showers and provide other services to additional unhoused persons as necessary. It may also serve as a "safe house" for unhoused individuals who have missed the deadlines for shelter for the evening. The "safe house" would be people who need shelter in the middle of the night on a temporary basis."*
- As I think you'll hear from other neighbors, we're unified in our concerns for what pressures and threats those individuals pose to existing social services, schools, park users, businesses and residents.

affordable as possible for the homeless?

- If, in fact, OM House rightly plans to use commercial rents to subsidize residential ones, the commercial marketplace is very competitive and they have no assurances of being able to get commercial, paying tenants as the prices I'd assume to be necessary to meet their operating costs.

7. Zoning/Legal

- Since OM's plans are in flux, city zoning staff isn't sure what uses OM is actually projecting—and what administrative and legal steps would be necessary to get the necessary permissions or variances.
- There are state guidelines governing what constitutes a Housing Cooperative. Will OM House meet—or need to meet—those guidelines in order to qualify for any funds or permitted uses?

8. Inadequate Parking

- Supposedly, the property includes an easement for eight or nine parking spaces in the Webcrafters' lot. Even if true, that won't be enough to serve the needs of resident and commercial tenants.

In summary, I think it's possible that a well-managed transitional housing cooperative could succeed in this neighborhood—but I don't think it could in the building at 2132 Fordem Ave. The price is too high, the commercial space unnecessarily complicates management burdens and neighborhood risks, and the financial model doesn't make sense.

Instead, I would recommend denying the proposal for this property and encouraging Occupy Madison to define their objectives, policies and requirements first—and then do a rigorous site search, the results of which they could present to your committee in May.

Thank you,



Jim Schuler  
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**Proposed Location and Proximity to Vulnerable Programs & Populations**



Google earth

feet 2000  
meters 600



1. Oxford House, 536 Sherman Ave. (self-run home for recovering alcoholics/addicts)
2. Johnson Park Soccer & Lacrosse Field
3. Johnson Park Frisbee Golf Course (and informal dog park)
4. Isthmus Montessori Academy
5. Burrows Park Soccer Field (and public shelter & bathrooms closer to lake)
6. Virginia Davis School of Dance
7. Center for Families
8. DAIS

January 7, 2013

Mr. Hickory R. Hurie, Supervisor  
Department of Grants and Community Development  
Via email: hhurie@cityofmadison.com

Re: Affordable Housing Trust Fund Applications

Dear Mr. Hurie and Madison Alders:

I am an attorney who lives and practices in Madison. I recently read an article in the Isthmus about Occupy Madison, Inc. buying a building on Fordem Avenue and hoping to secure city funds from the Affordable Housing Trust Fund to offer permanent housing. I am writing to express my support for Occupy Madison, Inc.'s funding application and to oppose granting funds to Care Net Pregnancy Center of Dane County. Please give this letter to all relevant decision makers for this issue.

The article stated that Occupy Madison, Inc. is seeking \$275,000 in city funding through the Affordable Housing Trust Fund. Apparently, the group's short-term plan is to operate as a mission house and the long-term goal is to offer single-residency occupancy units to some 20 to 25 homeless individuals. The article further stated that Occupy Madison Inc.'s application for Affordable Housing Trust Fund money is one of four applications currently under review by the city. The article implied that Occupy Madison, Inc. would be competing with Care Net Pregnancy Center of Dane County, the evangelical anti-abortion group, for funds.

As a citizen concerned about homelessness issues, and with a professional background in separation of state/church and reproductive justice, I am writing to state that I believe that funding Occupy Madison, Inc.'s project would have a more positive impact on this community than funding Care Net Pregnancy Center of Dane County's project. I am an admirer of the Occupy movement and I have been personally impressed with Occupy Madison's emphasis on hearing the voices of all of its members and of their practice to provide a community for disenfranchised citizens of Madison. Homeless citizens in Madison are not only disenfranchised, but criminalized—if they have used up their limited time in shelters or if they do not meet shelter admission criteria, they have no legal place to exist, let alone a forum in which to be heard and taken seriously. Occupy Madison has helped fill this void.

Additionally, as an attorney who has worked on separation of state/church issues, I am concerned about using city funds to help finance Care Net Pregnancy Center of Dane County. Care Net is an overtly evangelical organization. Their national website states that "The ultimate aim of Care Net and its network of pregnancy centers is to share the love and truth of Jesus Christ in both word and deed." It is my opinion that granting Care Net's funding application would violate the rights of conscience of the many Madison residents who oppose government resources being used to support fundamentalist ministries with anti-abortion agendas.

Furthermore, the *Wisconsin Journal of Law, Gender & Society* recently published my legal comment advocating for regulation of Crisis Pregnancy Centers, such as those run by Care Net, which commonly mislead and manipulate women who are facing unintended pregnancies to further their evangelical mission. My comment, "Crisis Pregnancy Centers Should be Regulated by Consumer Protection Statute in Wisconsin," reviewed information from recent studies of Crisis Pregnancy Centers conducted by Senator Waxman and the Committee on Government Reform, the National Abortion Federation (NAF), and the National Abortion and Reproductive Rights Action League (NARAL), which demonstrate that Crisis Pregnancy Centers commonly give out misleading information, attempt to delay abortions, and use emotionally manipulative strategies in an effort to dissuade women from getting abortions. While none of these studies investigated Care Net of Dane County specifically, I am concerned about the missions and agendas of Crisis Pregnancy Centers in general and believe that giving financial aid to a Crisis Pregnancy Center may have a negative community impact.

For example, a study prepared for Senator Waxman (D-CA), found that Crisis Pregnancy Centers created an intentional barrier to abortion when they misled and manipulated women who were facing unplanned pregnancies. The Waxman Report revealed that 87% of the Crisis Pregnancy Centers contacted provided false or misleading information about the health effects of abortion. For example, Crisis Pregnancy Centers gave misleading information about a link between abortion and breast cancer, despite the well-accepted medical consensus that induced abortion does not cause an increased risk of breast cancer. Many Crisis Pregnancy Centers also falsely and misleadingly told women that abortion has negative impacts on future fertility and mental health. Thus, the Waxman Report determined that Crisis Pregnancy Centers' frequent failure to provide medically accurate information and their gross misstatements about the risks of abortion prevented women from making an informed decision about how to manage an unwanted pregnancy.

There is no lack of Crisis Pregnancy Centers in this state. As of 2007, there were 116 Crisis Pregnancy Centers in Wisconsin and that number has almost certainly grown. There is, however, a lack of services for low income and homeless citizens that are not run with an underlying agenda. Instead of helping to fund an organization that imposes its evangelical and anti-abortion agenda on those who receive services, I urge you to prioritize Occupy Madison, Inc.'s project, because the organization has a history of listening to and serving the needs of homeless and disenfranchised members of Madison.

Thank you for your time,



Susan C. Lund

cc: cdbg@cityofmadison.com  
allalders@cityofmadison.com

**TO:** City of Madison CDBG Committee:

- Justin Markofski, Chair, [justinmarkofski@yahoo.com](mailto:justinmarkofski@yahoo.com)
- Tim Bruer, [district14@cityofmadison.com](mailto:district14@cityofmadison.com)
- Monya Choudhury, [monya.choudhury@gmail.com](mailto:monya.choudhury@gmail.com)
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City of Madison Community Development Division

- Hickory Hurie, Interim Director, [hhurie@cityofmadison.com](mailto:hhurie@cityofmadison.com)

**FROM:** Salli Martyniak, President, Forward Community Investments, [sallim@forwardci.org](mailto:sallim@forwardci.org)

**DATE:** January 16, 2013

**SUBJECT:** Request by Occupy Madison, Inc. for \$275,000 low-interest loan from Community/Neighborhood Development Reserve Funds to assist with the acquisition and rehab of a property located on Fordem Avenue, to be used for affordable Single Room Occupancy Units

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First, I would like to apologize to the members of the City of Madison CDBG Committee for the late timing of this correspondence. It wasn't until 5:00 PM on January 16 that the final agenda for the January 17<sup>th</sup> CDBG meeting was posted. Earlier in the day, I had been told that the request by Occupy Madison would be delayed until May; naturally, I didn't see any need to prepare comments for consideration.

For many reasons, I do not support the application presented by Occupy Madison (OM) for Community/Neighborhood Development Reserve Funds. OM would use the loan proceeds to purchase and rehab a property located on Fordem Avenue; upon rehabilitation, the property would be used to house 20-25 homeless individuals. The said property on Fordem Avenue is separated by 100 feet (give or take) from Center for Families and less than one city block away from the new home of the Domestic Abuse Intervention Services (DAIS).

Center for Families (formerly Family Centers Inc.) is a nonprofit collaborative venture of agencies promoting the well-being of Dane County's vulnerable children and families. Daily, Center for Families provides parents with resources needed to meet the challenges associated with parenting; but, the bulk of the Center's work is in providing a safe, healthy and nurturing environment for children. And, this is done within a stone's throw of the proposed location of Occupy Madison's single room occupancy project.

Down the block from the Center for Families is the new home of DAIS. When rehabbed, the building (formerly the Sears Distribution Center) will provide shelter for 50+ victims of domestic abuse along with their children. Daily many more clients will be coming and going from the building as they access other services that help them build new lives. Again, we are talking about a vulnerable population of women and children, all in close proximity to Occupy Madison's proposed project.

As president of Forward Community Investments, a statewide loan fund for nonprofits, we have worked closely with Center for Families and DAIS and are quite familiar with their work. Both organizations took great care in locating their respective facilities in a neighborhood that was welcoming to their respective missions. DAIS and Center for Families have a lot in common, both serving populations – children and women – that have been stressed and distressed by some level of abuse, manipulation and/or mistreatment. What they intend for their clients is a high degree of safety and well-being. They would no sooner locate their facility next to a motel or hotel where strangers were coming and going at all hours of the day and night than they would next to a homeless shelter that lacks sufficient oversight and planning.

It is important to note that my lack of support for the proposed project is not driven by my connection to Center for Families and/or DAIS. Nor is my reticence to support OM in their endeavor to provide housing for the homeless caused by the population served by OM. Instead, my decision is driven by the lack of thought or planning OM has provided to the project, coupled with their lack of concern for their future neighbors.

I attended Saturday's neighborhood meeting hosted by Occupy Madison and I was appalled at OM's inability to share a consistent set of facts about the project. One minute they were proposing a mission house that didn't/couldn't charge rent and the next minute they were talking about a co-op housing model that charged modest rents. They talked about transitional housing and they talked about permanent housing. They said the project would be self-managed; at the same time, they talked about housing a population that was more or less transient. They said the residents would require services; yet, there would be no staff on-site to provide those services. For two hours, representatives of Occupy Madison were unable to stick to one project plan.

Forward Community Investments has funded many homeless organizations across Wisconsin – and all of them have been well-run projects and all had the support of their respective communities. We would never entertain a request from a project that was so poorly conceived as that proposed by Occupy Madison. Again, it's not the population served by this project but rather the lack of planning and the lack of concern for the neighbors adjacent to this site. Occupy Madison has not given anyone a reason to trust them; they reached out to the neighborhood only after a newspaper article made their plans public. The lack of transparency exercised by OM is upsetting and would not be tolerated if the developer was a for-profit organization. There would be a large outcry by the community at-large.



I know the Committee is committed to providing support for projects that are feasible and/or sustainable. My hope is that the CDBG Committee does not approve the proposed project as currently presented by Occupy Madison. The Committee cannot squander precious loan dollars on a project that requires so much more work in both planning and intent, especially when there are so many other projects that are better prepared to move their projects forward.

At this point this project clearly does not meet the expectation that it will be a long-term viable project. Furthermore, the Committee must give consideration to the fact that, as presented, this project lacks community support and the goodwill of its neighbors.

Thank you for your time and attention paid to my comments. If you have any questions about my position, I can be reached either by phone at 608-204-8830 or email at [sallim@forwardci.org](mailto:sallim@forwardci.org).

A handwritten signature in black ink that reads "Salli Martyniak". The signature is written in a cursive, flowing style.

Salli Martyniak  
President, Forward Community Investments

## Mike Kenitz

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**From:** Mike Kenitz  
**Sent:** Thursday, January 17, 2013 1:09 PM  
**To:** 'csanders2112@sbcglobal.net'; 'sbarlett@tds.net'; 'district6@cityofmadison.com'; 'district5@cityofmadison.com'; 'tbruer@cityofmadison.com'; 'monya.choudhury@gmail.com'; 'justinmarkofski@yahoo.com'; 'daocallaghan@michaelbest.com'; 'penterbach@hotmail.com'; 'art.robinson@pplusic.com'; 'russ.whitesel@legis.state.wi.us'; Satya Rhodes-Conway; 'j davidoff@isthmus.com'; 'dmosiman@madison.com'; 'Brenda Konkel'  
**Cc:** Meg Miller; 'Shannon Barry'; 'Jim Schuler'; Brian Benford  
**Subject:** Occupy Madison Proposed Site Use

Brenda,

I am speaking here for the Center For Families only. As I have already told you, Center For Families has been a resource for homeless and inadequately sheltered families for years. We are not opposed to services to people without shelter, quite the contrary, we provide them. We know that it feels as if everywhere you turn you are hearing negative things about people who are vulnerable and need help. That said, we, at Center for Families feel we have been put in a position of having to react quickly to a not very well thought out proposal that will have an impact on our staff and the parents and children who come to our building for support and safety.

I am planning on attending the CDBG meeting tonight. If I get an opportunity to speak, I will not be supportive of any type of "mission house" which serves as a temporary, drop-in shelter that could serve as a magnet for an undefined population. There is a large element of the unknown and potential high risk with your plans. I know the difficulties of managing a facility, and this is with adequate staffing. Your plan design has no built-in management and is very vague about how things will actually work. Your target population is, in its very nature, unpredictable. With meager internal oversight there will be little to no knowledge or control of the people who are using the facility. Do you know who you will be inviting into our neighborhood and right next to our parking lots and playground?

Right now we have open access to our building during the day. We are welcoming and accessible to people who need the kind of help we have to offer. It works because our location doesn't have a lot of foot traffic and those that enter our building have a purpose. If your plan goes forward we may have to lock our doors to ensure safety. We do not currently have the personnel to monitor our entries. It will be an added cost for our agency. As a state licensed and city certified child care center and group home, we have an obligation to those we serve and the community and state to ensure safety at every possible juncture. We have promised a safe facility to the parents who entrust us every day with their children's well being. We also have the same obligation for safety for our staff. Your plan is inconsistent with current use of the neighborhood. If we were designing this neighborhood from scratch, you would not intentionally place a homeless shelter capable of attracting a high risk population or at best an unknown population right next to a licensed child care facility. It is the same as a putting a homeless shelter next to a school. There is a Montessori pre-school within a stone's throw of the proposed OM property. At Center For Families, we have children here 24/7/365.

We are more supportive of a well planned and managed SRO type of facility with clear lines of accountability, management and governance but would need to see much more developed plans before we could be fully on-board. Given the responsibility and potential liability that you are looking to take on with this project, I hope you step back and be in less of a hurry and more mindful of the need to tread carefully and plan fully for the safety of all.

Mike



**Mike Kenitz**

Executive Director

Office: 608-729-1160

[mikek@centerforfamilies.org](mailto:mikek@centerforfamilies.org)

2120 Fordem Avenue, Suite 210

Madison, WI 53704

January 13, 2013

City of Madison Community Development Division  
Room 225, Madison Municipal Building  
215 Martin Luther King, Jr. Boulevard  
P.O. Box 2627  
Madison, Wisconsin 53701-2627

Roberta Thornton  
166 Kensington Drive  
Madison WI 53704  
(608) 249-1853

RE: Occupy Madison's Request for a Loan to Purchase a Fordem Avenue Property for use as a Homeless Shelter

After attending the January 12, 2013 neighborhood meeting with the Occupy Madison (OM) group, I left with more fears than before the meeting. I strongly urge you not to approve their request for a loan to purchase the vacant building located at 2132 Fordem Avenue to house the Occupy Madison group (which they said would have 20 bedrooms and some office space). My reasons are below.

The building is in a poor location for these reasons:

- There are three parks within close proximity of the building (Burrows Park, Maple Bluff Park, Tenney Park (note, there were problems in Tenney Park in prior years).
- There is a dance studio nearby where children are present.
- There is a daycare center near it, again where children are present.
- The old Sears Building will soon be a facility to house battered women.
- There are many liquor establishments within walking distance of the facility (at Lakewood Plaza alone there is Vic Pierce Wines & Liquors, which is open until midnight, a Cigar bar in that same location, as well as The Inferno behind the Plaza). In addition to those three, there are other liquor establishments/or retail liquor sales businesses on Fordem and Sherman Avenues, as well as the PDQ on Pennsylvania Ave.

Other reasons not to fund or approve a loan:

- The OM Madison group has clearly put little thought (or any importance to), into the necessity of plans once the center opens as far as any plans to supervise or set any ground rules. They stated that they would mainly rely on the occupants to set their own guidelines and govern themselves because "once they have a warm place to stay, they would not want to do anything that would jeopardize their stay there."
- There is no counseling planned.
- There is no clear cut way of determining who would be chosen to reside there and what plans are in place in the event the center is full and more wish to reside there.
- When asked if alcoholics and felons would be housed there, the answer was yes (this alone would definitely call for some ground rules, supervision (other than just by the occupants), as well as on site counseling.
- When further asked if sex offenders or any persons who were dishonorably discharged from the military would reside there, they shrugged and said they did not know so, in essence, they had given no thought to that possibility.

Brenda Konkel has been quoted as saying the group's short-term plan is to operate as a mission house, but the long-term goal is to offer single-residency occupancy (SRO) units to some 20 to 25 homeless individuals. Apparently operating as a "mission house," where occupants are not charged rent, is a permitted zoning use, so city approval is not needed. But the group would need to get a zoning change to operate as an SRO.

However, at the January 12th meeting, the group clearly stated that their intent was to immediately or eventually house at least 20 people and that those people would be paying rent. The architect emphasized that there would be 20 bedrooms. The Fordem Avenue area is not properly zoned for such a facility.

I attended this meeting with an open mind, hoping that the OM Group would erase some of the fears I, and others in attendance, had. I was hoping to hear and to be convinced that they were equipped to handle the facility. But, as stated, I left with even more fears.

I think the group trying to put this together has their hearts in the right place but they are clearly not qualified and are in over their heads as far as having any clear vision as to how to run this facility once opened. They absolutely have no clear cut plans in place at this time.

OM Madison would be better served if they did their fundraising based on obtaining studies as to how to best go about achieving their goals, rather than the hodge-podge way they are going about it now.

I feel the city's funds as well would be better spent on studies of other similarly sized cities who have implemented successful programs to assist the homeless populations and then implement clear cut plans based on those studies.

When such shelters are opened, there should also be some criteria as to how long a person has been in the city or Wisconsin. This would prevent people from other states hearing about any good programs we may have or implement, that would serve as a magnet to increase the homeless population here.

Ms. Konkel stated at the meeting that they were not trying to sneak this facility in "under the radar" and were conducting the neighborhood meeting as a result of being "outed" by a news organization. She stated they were not entirely prepared. However, one would think, prior to asking for funds, that some or all of the aforementioned items would have been well thought out. I wonder when such neighborhood input would have come to be - maybe after it was too late and the building purchased? Somehow I was not convinced that there were any such plans to notify anyone in neighborhoods near this proposed facility.

Finally, the OM Group stated that they have applied for a 501(c)(3) status but that it is still pending; that can take months to get approved. Wouldn't this alone disqualify them to run such a place or apply for City funding to purchase the building at this time?

Sincerely,

Roberta Thornton

cc: Tim Kreuger, Village of Maple Bluff Administrator & Police Chief  
City of Madison Common Council  
Dane County Board of Supervisors