

MINUTES
ECCO Board Meeting
January 12 @ 6:30 PM
New Hope Methodist Church

Call to Order – President T. Ourada-Hubka

Board Members Present: Mary Belka, Janet Buck, Richard Firebaugh, Chuck Hassebrook, Eric Hunt, Paul Johnson, Janelle Lamb, Amanda Martinson, Frank Newell, Ken Nickerson, Teri Ourada-Hubka, Vicki Rokeby

Quorum present (8 = quorum)

Also present: LPD Officer Dave Wunderlich; Abigail Litrell, Lincoln City Attorney; Lincoln City Councilman Bennie Sho be

LPD Report – LPD Officer Dave Wunderlich

- New LPD substation delayed (supply chain issues)
- Must be out of current building by 1/31; new building not completed for 1-2 months thereafter
- Auto thefts continue to be biggest issue as well as items stolen from vehicles
 - ✓ 1 large juvenile gang + 1 adult stealing many – and many vehicles are being significantly damaged when stolen
- Best advice – Don't leave your car running unattended, to warm up!

Reasonable accommodation presentation – Speaker Abigail Litrell from City Attorney's office/Planning & Urban Development – presentation on the Fair Housing Act – info regarding "sober homes"

- Lincoln zoning codes – "family" – no more than 3 unrelated people living in R-2 single family home
- Complaints to Building & Safety occurred RE so-called "sober homes" – injunction filed by City
- Exception to Civil Rights Law Title XIII passed in 1968, extends protection to individuals w/disabilities
 - ✓ Issue is that of making "reasonable accommodation" to those w/disabilities
 - ✓ Court found that whether intentional or not – the City cannot discriminate
 - ✓ Motives are immaterial
- City Council put in difficult situation, rather that of judges, looking to the law, rather than Council members representing their constituents

Q – Comment from member - It is established that recovery from drug or alcohol use can be aided by group homes

A – Some thorny issues – any "active use" of drugs or alcohol removes the protection. Policies have to be adjusted for accommodation, for instance emotional support animals; or allowing a tenant to install a wheelchair ramp (property owner does not have to install it – but has to allow it); etc.

- City of Lincoln was sued in Federal Court over denial of Oxford House "sober home" concerning redefinition of "family" which was allowing 14-15 adults in a 4-5 bedroom home. They claim 86% non-recidivism w/this group home approach. Nearby residents (and the City of Lincoln) felt it violated zoning codes and was too many unrelated people concentrated in one home.
- Note: Copy of PowerPoint presentation outlining all aspects of the suit and the results are available from President T. Ourada-Hubka

Q – Is there anything we can do except complain?

A – There are different situations, so circumstances can vary. Some examples include Woods Park home that had a special use permit and was for those on probation/parole – but spacing rules applied. Another home in SoDo had a density issue with 7-8 bedrooms with 14-15 people proposed to live there. This density level was considered a fundamental alteration of the zoning code due to the tipping point of so many people. The Oxford Home was a "family of 8-10". The transient nature of the redefined "family" members living in these homes in comparison to a large actually related family living in the same home was noted as well.

Q – Do current regulations require a supervisor living on premises?

A – "Group homes" have to have supervisors who "provide services". The "sober home" residents do not have a supervisor. The theory is that the group of individuals should "live as a family" rather than be separate individuals rooming there w/supervision.

- Some of the testimony was quite moving – there are many conflicting interests to balance
- Parking is an issue especially in some neighborhoods (like ECCO). There are no waivers to parking or noise violations for these homes.
- Several "sober homes" were operating without accommodation by the City, in violation of current zoning laws, and have been reported to Building & Safety. This has created some issues for the homes overall, as they were seen to have been intentionally trying to skirt the existing laws.

Q – Will it continued to be reviewed?

A – Yes – the exception can be rescinded due to several considerations. If the property is sold, the exception is rescinded. This is unlike when an alcohol permit has been granted, which is tied to the land and can be sold along with the property. This exception for the "family" definition does not follow the land. The requirement would continue to be that they could ONLY serve disabled people – there couldn't just be the same number of non-disabled persons living in the property. There was a house manager at the "Michael's" sober house – but that individual was

also disabled by the definition. Again, if they are not sober, that is the tipping point – they are then not “disabled” – only “disabled” when recovering from drug and alcohol use.

- There is one more application being considered at this time – will come before the City Council January 25 – you can Google it for the agenda information.

Comments from Councilman Bennie Shobe

- He lives across the street from Oxford House in SoDo neighborhood. His concern was how many of these homes in one area or in close proximity to one another create a “tipping point?” He feels that similar spacing requirements as those that exist for other similar homes (parolees, group homes, etc.) should apply – “Let’s do the same for sober living houses.”
- If they are unlicensed, they should be denied the exception because they have operated in fundamental violation of current zoning laws.
- Example of large 7 bedroom home near Russ’s IGA – many complaints received – and he indicated that if there are problems, nearby residents must continue to complain, if there are problems.

Minutes – M. Belka

- Minutes – November approved

Treasurer’s Report – P. Johnson

- Transition of financial info/bank signature cards, etc., to new Treasurer from R. Maurer – should all be up-to-date by next meeting

ECCO Events Calendar Review – Need to include all on General Liability insurance application

- April 29 Neighborhood cleanup
- June 10 Garden Tour/Sale
- July 4 July 4th Parade
- October 12 Annual Meeting

Committee Reports

Communications/Newsletter Delivery – M. Belka

- All in readiness for deliveries to begin again – first newsletter usually comes out the week before the East Campus Starrs Easter Egg Hunt (day before Easter)

Neighborhood Cleanup

- Shredding discussed – P. Johnson has contact information – will try to set it up – sometimes difficult to find shredders due to proximity to “Earth Day” – will give it a try to include it this year.

Website – Donnette Thayer / R. Ayalon-Morfeld

- Information could use some updating
- A. Martinson offered to help with website.

Membership – C. Hassebrook & T. Ourada-Hubka

- Committee member update – V. Rokeby, J. Lamb, and C. Hassebrook
- New neighbors – need to update membership list
- Q – Are their membership tiers?

A – No, but there are members who have donated generously in addition to membership dues. Current bylaws do not indicate “tiers” – but recognizing those who give donations may encourage others to do so. There are some who give anonymously – others may be willing to be acknowledged – suggestion to include this in the newsletter, for instance how this is handled for other organizations, Lied Center events, Lincoln Symphony, school theatre events, etc.

Yard of the Month – T. Ourada-Hubka

- Suggestion to recognize those yards that are “most improved.”

Rental Property

4th of July

- Volunteers – C. Hassebrook, P. Johnson, J. Buck, M. Belka, + member Britany Porter

Fraternity Reports

- Transitioning/electing officers – should have new representatives attending meetings after semester begins 1/23

Fundraising – Garden Tour + Sale

- Begin contacting volunteers to help w/events

Mayor’s Roundtable Info – P. Johnson

Old Business

- Pilot Parking Permit project discussion tabled for later meeting
 - ✓ F. Newell offered to help w/this project
 - ✓ Short discussion as to whether this was a “Board decision”

New Business

- Neighborhood perimeter signs – P. Johnson indicated that T. Madsen had brought these up some years ago. There was a call for a design – several were reviewed from other neighborhoods. Idea was to define the East Campus Neighborhood. Not sure why this project was not completed.
 - ✓ Q – Why have the signs?
 - A – A sort of “self-publicity” for the neighborhood – showing where it is. For instance, when asking for donations (i.e. watermelons for the 4th of July Parade), it’s nice for folks to know where exactly the neighborhood is.
 - ✓ Q – Group asked Councilman Bennie Shobe what the atmosphere at the City Council was RE signs.
 - A – Bennie indicated that City Parks & Recreation like low maintenance signs – Maggie Stuckey at the Dept. should be able to provide specific guidelines/help. Committee members to research and forward info to J. Buck (new Chair of sign project committee)
 - ✓ New Committee members: J. Buck (Chair) + R. Firebaugh & K. Nickerson
- “Pick up after your Pet” signs w/bags for neighborhood parks
 - ✓ Parks – also put in other places (one on 37th Street, for instance, near Holdrege)
 - ✓ Bike path – these are sometimes vandalized
 - ✓ P. Johnson to research potential grant-sharing and bring back info to group.
 - ✓ E. Hunt offered to help w/project/research

Meeting was adjourned
Respectfully submitted by M. Belka

Next meeting – Note change in regular date – to be held Thursday February 23rd, as President T. Ourada-Hubka will be out of town 2/9.