

Testimony to City of Madison Common Council  
by Jeffrey C. Bauer, Ph.D.; April 19, 2022

A vast majority of people in Spring Harbor openly oppose the geometrics Keith Furman is presenting to you tonight. He guided the plan's preparation without performing the basic duties of an Alder defined by the City: "communicating constituents' views to the staff and Council and making City government accessible and welcoming." He violated a promise he made as a candidate: "to emphasize the priorities he heard from District 19 residents." He concealed the project from us until it was too late to participate meaningfully in the planning process. He continually demeans residents who express alternative views and has a City employee remove "Save Lake Mendota Drive" yard signs. He decrees that the project must follow City policies that cannot be changed, even though the same policies are regularly modified for similar projects in other Council districts.

To make matters worse, citizens' comments at public Zoom meetings were reduced from five minutes to three—a ridiculous restriction for a project that will affect one of the City's top historic neighborhoods for decades to come. Dozens of concerned Spring Harbor citizens identified serious problems and made constructive suggestions, but not one single City official asked a question in response. We could not see City representatives when we were speaking, causing us to wonder how many were even paying attention. Officials made several insulting comments about the presenters and then closed the sessions by heaping praise on City employees who made the plans being challenged by affected residents.

Representative government is not working as it should in Madison's 19th district. To right this wrong, the Common Council must respect the well-informed views of Spring Harbor's concerned citizens and incorporate both—the views and the citizens—into a new process for engineering changes to Lake Mendota Drive. Working together, neighborhood residents and city officials can create a better plan than the problem-ridden geometrics presented tonight. I believe I speak for the vast majority of my neighbors in concluding that *the Furman plan creates far more problems that it solves; it would be worse than doing nothing*. However, note carefully that the residents of Spring Harbor do not propose doing nothing. We have presented innovative, feasible concepts for a shared-use parkway that reverses climate change, adds trees, reduces water pollution, improves public health, honors Native heritage, and preserves one of Madison's most-visited neighborhoods for all to enjoy in the future. Furman's proposal does the opposite on every count.

Therefore, I ask you to vote against the geometrics presented tonight and pass a substitute resolution to revise the plan in collaboration with residents of the 19th District and in accord with the Mayor's climate-related guidelines for 2023 capital budgeting. Given other environmental issues on tonight's agenda, like how to pay for recycling, I have no doubt that the Common Council can find better use for funds made available by slowing down the LMD project in order to do it right.

[See attached City Alder job description and my previous public comments]



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## The Core Alder Job

Advocate for your district and your constituents in the City process.

Serve on City committees as appointed and be an active, prepared and equal participant.

Communicate actively with your constituents in multiple ways (e.g. listservs, newsletters, website, and meetings) about City resources and issues, policy debates, development proposals, and other relevant information.

Participate fully in the process of developing and approving the annual City Budget.

Communicate the needs and views of your constituents to City staff, committees and the Council.

### City Committee Information

[www.cityofmadison.com/mayor/mycommit](http://www.cityofmadison.com/mayor/mycommit)

### City Budgets

[www.cityofmadison.com/finance/budget](http://www.cityofmadison.com/finance/budget)

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## What is an Alder's Role in the City of Madison?

Act as a liaison between the committees you serve on and the Council; and sponsor legislation for those committees.

Participate in the development and implementation of a Council Legislative Agenda.

Prepare and educate yourself and your constituents on city-wide and/or controversial policy topics or issues that come before the Council, and engage in the debate and decision-making process around them.

Advance policy issues important to your district and the City.

Help make City government accessible and welcoming to all Madison residents.

## Resident Information

[www.cityofmadison.com/residents](http://www.cityofmadison.com/residents)

### The Basics

Conduct yourself in a professional manner.

Attend and participate at Council Meetings.

Be available to constituents.

Follow all Ethics rules and other applicable standards of conduct.

### Common Council

[www.cityofmadison.com/council](http://www.cityofmadison.com/council)

### City's Ethics Code

[www.cityofmadison.com/attorney/ethics](http://www.cityofmadison.com/attorney/ethics)



**Jeff Bauer** <[jeffreycbauer@gmail.com](mailto:jeffreycbauer@gmail.com)>

Re: Repairing your broken campaign promise

To: "Furman, Keith" <[district19@cityofmadison.com](mailto:district19@cityofmadison.com)>

Cc: Mayor <[Mayor@cityofmadison.com](mailto:Mayor@cityofmadison.com)>, Transportation Commission <[TransportationCommission@cityofmadison.com](mailto:TransportationCommission@cityofmadison.com)>, "Wolfe, James" <[JWolfe@cityofmadison.com](mailto:JWolfe@cityofmadison.com)>, and 54 others

I just read your blog post and did not find any evidence of "emphasizing priorities you hear directly from District 19 residents," as you promised when running for office. To the contrary, your message below states that clarifications on the blog summarize *your position*—a direct admission you are doing what *you* want. You do not respect public input from hundreds of constituents who have other views, which raises serious questions about your ability to serve as an Alder.

[https://www.cityofmadison.com/council/documents/Alder%20Role%20Brochure%202012\(4\).pdf](https://www.cityofmadison.com/council/documents/Alder%20Role%20Brochure%202012(4).pdf)

To make matters worse, you imply that constituents with opposing views do not care about equity, accessibility, and safety. This is totally wrong and unfair, even insulting. If you would carefully read the voluminous public comments we have sent to you and the City over the past two months, you will find an intense focus on protecting the environment and combatting climate change for the entire Madison area. You seem hellbent on preventing hypothetical pedestrian accidents and providing sidewalks to local stores that don't exist. We want the LMD project to promote equal access to safe drinking water, a healthy lake, surroundings of natural beauty, and honored sites of Native heritage.

There are no historical data suggesting that pedestrians are likely to be killed while walking on LMD, but there are lots of scientific data predicting that hundreds of people will die from drinking Well 14 water. Really, Keith, how should the City spend its limited resources on this project for the benefit of all? How about using the money for modern traffic management and resource conservation practices, all engineered into a shared-use street? Do a benefit-cost analysis from social and economic perspectives; the answer is a no-brainer.

I have lived 75 years in seven states, a dozen cities, and four countries. I have never found a more socially and environmentally concerned citizenry than residents of Spring Harbor. If you are looking for equity, access and safety, you will find them abundantly in every proposal we have submitted. We truly believe that LMD renovation offers a once-in-a-lifetime opportunity for the City of Madison to join other local organizations in recognizing that environment and climate are critical foundations of social justice for the future.

<https://earthday.nelson.wisc.edu>

<https://www.instagram.com/onewatermadison/>

<https://www.wisconsinacademy.org/climate-fast-forward-2022>

Your focus on sidewalks is so 20th century. Our difference of perspectives on LMD's future brings to mind a ubiquitous banner from protests back in the sixties: Lead, or get out of the way.

Voter Jeff

On Mar 28, 2022, at 11:14 AM, Furman, Keith <[district19@cityofmadison.com](mailto:district19@cityofmadison.com)> wrote: Thank you for your feedback. Please take a look at my blog post. I believe it clarifies the facts on the some of the issues you raise and it summarizes my position, which prioritizes equity, accessibility, and safety. I am extremely grateful for the ways that City staff work to customize plans to preserve existing character in neighborhoods when they undergo these projects. I am confident that the plan, especially as it evolves, will preserve character, but most importantly, will make this neighborhood more accessible to all.

<http://www.cityofmadison.com/council/district19/blog/?id=25136>

-Keith F.

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Alder Keith Furman, 19th District, Madison, WI  
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Subscribe to my blog: <http://www.cityofmadison.com/council/district19/blog/>

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**Subject:** Repairing your broken campaign promise

Mr. Furman,

I voted for you in the last municipal election because you said during the campaign (<https://www.wortfm.org/join-us-district-19-debate-friday-at-5pm/>), “I work hard every day to connect people with resources and learn as much as I can about the options before Council so that I can best represent my neighbors...the issues that I emphasize are the priorities that I hear directly from District 19 residents.” The way you are handling the upgrade to Lake Mendota Drive completely contradicts this promise you made as a candidate. You are not representing hundreds of Spring Harbor residents who have spoken out against your pet project, and you are actively working against neighbors' efforts to publicize options to it.

You did not even inform us about the project until a few days before the first public information presentation on January 11. Your excuse was that nothing had really been done on the project, but subsequent comments from the Mayor, City engineers, and surveyors prove that work had been underway for months. When called to task for this deception, you urged us to wait until we saw the proposal in hopes that we would like it. Well, hundreds of us did not like what we saw on January 11. We immediately asked for a delay so that we could become meaningfully involved in the planning process, but you have done absolutely nothing to delay and revise the plan based on what you heard from your constituents.



In spite of your efforts to suppress our input, dozens of Spring Harbor residents—including top-flight experts in key project areas—worked with the Spring Harbor Neighborhood Association to develop a proposal in accord with City policy. Hundreds of volunteer hours went into preparing this report over a period of two weeks—but you have consistently thwarted official consideration of its well-documented alternatives on the grounds that the City cannot modify existing policies to reflect unique attributes of Lake Mendota Drive. Your one-size-fits-all, my-way-or-the-highway approach is offensive because exceptions have been made on similar projects in other districts where Alders actually work with their constituents.

Perhaps most offensively, however, you personally had a City employee remove front-yard signs that promoted taking the time to do this project comprehensively and collaboratively. Your petty action was clearly designed to silence dissent. Elected officials may do this in Hoboken (the city where you got involved in politics, you said on WORT), but it is conduct unbecoming an elected official in Madison. Given the promise you made as a candidate, you have an ethical obligation to inform the Common Council on March 29 that your motion, "Approving roadway geometry for the reconstruction of Lake Mendota Drive from Baker Ave. to the City of Madison Limits," is strenuously opposed by a large number of constituents who are eager to help the City develop a plan that improves the environment, climate, and public health—goals not adequately addressed in the current plan. Please practice what you preached when you ran for the privilege of representing us, or resign.

Jeff Bauer

Testimony to City of Madison Transportation Commission by Jeffrey C. Bauer, Ph.D.; April 13, 2022; Item #70626

My TC testimony last month examined this project from a general economic perspective, addressing how limited resources were being wasted and why the project must be delayed to allow comprehensive planning with active neighborhood involvement. Today's comments reflect my background in weather research and medical economics, which includes 8 years teaching health statistics at the University of Wisconsin School of Medicine.

The City's insistence on sidewalks for LMD doesn't make sense from the perspectives of economics or health statistics. In a conventional cost-of-lives-saved model, fifty- plus years of actual LMD data suggest that the long-term risk of a pedestrian being killed by a car on LMD is close to zero, yielding a close to zero return-on-investment in sidewalks. Conversely, data from nearby Well 14 indicate that we who drink its water have a relatively high risk of dying prematurely from heart disease, yielding a correspondingly high ROI for investments in water quality. Clusters of deadly cancers in the neighborhood can also be associated with water from the well—yet the project before you tonight commits hundreds of thousands of dollars to sidewalks and very little on water quality. To make matters worse, new sidewalks will increase salinity in the well.

The City's effort to characterize sidewalk salt as a minimal problem is ridiculous to residents of Spring Harbor. The only action that makes sense tonight is voting to delay the project and design a shared-use road that prioritizes *clean* water management, respects the parkway's character and historical safety, and protects its rich historical heritage, natural beauty, and value as a destination for recreation.

In the process, the City must update its policies on equity because the concept is evolving. Equal access to public services is an enduring foundation of social justice, but it is increasingly eclipsed by attention to the relationships between climate and

social welfare. In public policy circles, global warming is emerging as the most dangerous threat to human health. Data show that disadvantaged populations suffer disproportionately from droughts, floods, polluted water, dirty air, dangerous storms, natural disasters, and deforestation. Using minimal tree loss to defend the current LMD geometry is a misleading argument. The project should be redesigned instead to increase the number of trees because of trees' pivotal role in cleaning up air and water.

Accessibility is an equity goal that helps a few people with mobility problems, including me, but the City can enhance the health of thousands by ensuring a shared-use parkway that reduces water pollution and promotes physical activity. The United Nations and the Intergovernmental Panel on Climate Change both declared last month that governments must lead the way *starting now* by stopping all new activities that add harm to the environment and climate. The City's LMD project would be a great place for Madison to become a creative leader in this movement. Like our Mayor did last week, start demanding environmental actions that make Madison a healthier place for everyone. Please vote to delay and reformulate this project accordingly.

Testimony to City of Madison Transportation Commission  
by Jeffrey C. Bauer, Ph.D.; March 9, 2022

I live on Lake Mendota Drive (LMD) and walk it for an hour almost every day of the year. Besides loving LMD for its beauty and history, I am an economist with extensive expertise relevant to its future. It would take me at least 45 minutes to read diverse comments I have already submitted to the Mayor, Alder Furman, the Transportation Commission, and other City representatives. My 3 minutes here are therefore focused on economics, knowing that many neighbors will provide detailed information on other critical issues they are superbly qualified to address.

Good economic analysis includes looking at **opportunity costs**—other ways the same dollars could be spent. The City hasn't demonstrated any serious interest in considering significant alternatives. It has only modified scope of the original plan, for example, imposing sidewalks on one side of the street instead of both. We who live in the neighborhood propose alternatives that have a much greater impact on overall health and safety, such as installing modern water management systems rather than sidewalks and planting trees rather than removing them. We believe the Transportation Commission should require that a full range of alternatives be evaluated from a global perspective before approving a plan for LMD.

Economists also evaluate alternatives by comparing their respective **benefit-cost ratios** for achieving a desired outcome. If the goal is to reduce pedestrian deaths, we compare the costs of different ways to eliminate fatalities at locations where they occur. Well, the data show absolutely no pedestrian deaths on LMD. None. Ever. So why spend any money on solving a problem that doesn't exist? However, data do reveal many deaths at crosswalks elsewhere in Madison, so why does the City's plan effectively increase use of crosswalks on LMD? Finally, data show that speed kills—yet the plan recognizes that many drivers will speed up when sidewalks are installed. You don't need a Ph.D. in economics to compare the high cost of installing sidewalks with the low cost of designing a roadway that pedestrians and automobiles can safely share—as they have ever since LMD was created.

There's also a **free-rider problem**. The City doesn't have to take full cost into account because it is forcing LMD-adjacent property owners to pay half the cost of sidewalks. However, the City's estimate of a \$10,000 per lot assessment will be far below the final homeowner obligation when rampant inflation in construction costs is ultimately taken into account. But wait, there's more. Add homeowners' sidewalk maintenance costs of hundreds of dollars per year and factor in the inflation-induced decline in spending power for the many of us on fixed incomes, and you've got all the ingredients of a taxpayer rebellion when the LMD tax bill hits the mailbox.

The only official who has directly and courteously responded to my extended comments on these points is Jim Wolfe. The lack of professional engagement from anyone else reinforces my belief that the City is not addressing economic problems that will cause the project to become a colossal waste of money that does more harm

than good. I therefore ask the Transportation Commission to put the project on hold long enough to directly involve Spring Harbor residents in a comprehensive planning process. Please, take action to slow this project down and make sure it is done right.

**Jeff Bauer <jeffreycbauer@gmail.com>**

Unprofessional staff conduct at City meetings

To: Transportation Commission <transportationcommission@cityofmadison.com> Cc: "Furman, Keith" <district19@cityofmadison.com>, Mayor <mayor@cityofmadison.com>, "Wolfe, James" <JWolfe@cityofmadison.com>, Tom Kneubuehl <tkneubuehl@gmail.com>, Faith Fitzpatrick <fafitzpa@gmail.com>, Herman Felstehausen <hhfelste@wisc.edu>, Stewart Ellison <snellison@att.net>, "Scallon, Peggy" <Peggy.Scallon@rogersbh.org>

Last night's Transportation Commission hearing included several examples of unprofessional conduct, reinforcing our neighborhood's growing perception that we are not taken seriously by representatives of the City. Sadly, these disappointing behaviors—both subtle and blatant—are part of a continuing pattern that must be stopped if Madison truly seeks to have good government.

One city planner snidely indicated last night that Spring Harbor residents reminded her of "crazies up north" (or words to that effect). I think she is the same employee who made a deprecating comment during our Alder's meeting last week that LMD residents who could not afford snow removal could simply form a neighborhood self-help organization to do the work. We were also characterized as "ableists" near the end of last night's meeting. (This comments is particularly offensive to me because I have a disability that significantly challenges my mobility, especially on sidewalks.) We've also heard a few "dog whistles" about the rich, spoiled elitists who live in Spring Harbor.

Regrettably, I did not get names of the officials who made these inappropriate comments that reek of bias against us, but I do know the name of the city planner who lives across the street from Alder Furman and publicly, on Nextdoor a few weeks ago, berated his neighbors for whining about sidewalks. He, Colin Punt, outdid himself last night with the demonstrably false assertion that people in Spring Harbor do not use salt on sidewalks and were therefore unjustified in opposing them due to salt pollution. Well, here are pictures that prove him wrong; I took them this morning. In the first, I am standing about ten feet into his neighbor's yard, with Mr. Punt's red front door visible at the top of the photo. The fence is presumably on the property line.



Now here's a close-up of the highlighted area...clearly showing salt pellets that were spread over the area after Monday's night's 6" snow fall. The neighbor's sidewalk was extensively covered with these salt pellets when my wife and I walked past it with our dog on Tuesday. (I would have taken a picture then if I had known Mr. Punt would be making false statement last night.) Most of the salt has since dissolved...heading straight for Lake Mendota about 150 feet away.



Regarding the general pedestrian safety issue of sidewalks vs. roadways in the City plan, here's a picture I took last month with Mr. Punt's house in the background. Please note the dangerous patch of ice that completely covers the sidewalk leading to his property—right next to the perfectly clear stretch of Lake Mendota Drive that parallels the sidewalk.





Finally, Mr. Punt has stated in more than one recent public forum that he wants sidewalks so his kids can walk “safely” to school and to the playground. This statement is misleading and deceptive because the sidewalk in front of his house already leads directly to the school next door and the playground across the street. Mr. Punt, a City employee, says his tree-hugging neighbors are preventing him from having what he wants, yet he has the sidewalk he wants. Here’s photographic proof, taken this morning from the south corner of his lot. The school is the brick building just above and right of the Cyclone Fence sign; the sidewalk points directly at the playground.



Please stop City representatives from engaging in insulting, unprofessional behaviors. They make a mockery of City government as they demean the taxpayers, voters, and other citizens who public servants are supposed to represent. Please help them find work elsewhere if they cannot do their jobs with the professionalism we rightly expect.

Sincerely,

Jeff Bauer

Property owner and resident on Lake Mendota Drive