



City of Madison

City of Madison
Madison, WI 53703
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Meeting Minutes - Draft BOARD OF PARK COMMISSIONERS

Wednesday, May 12, 2010

6:30 PM 1625 Northport Dr. # (Warner Park Community Recreation Center)

I. CALL TO ORDER / ROLL CALL

The regular meeting of the Madison Board of Park Commissioners was held on Wednesday, April 14, 2010 at Warner Park Community Recreation Center, 1625 Northport Avenue. Vice President Wallner called the meeting to order at 6:36 p.m. A quorum was present and the meeting was properly noticed.

Present: 6 -

Joseph R. Clausius; Paul E. Skidmore; David L. Wallner; Betty Chewning; Emanuel Scarbrough and Janet Parker

Excused: 1 -

William W. Barker

Parks staff present: Superintendent Kevin Briski, Steve Doniger, Eric Knepp, Kay Rutledge, Jim Weinstock, Russ Hefty, LaVonne LaFave.

City Staff Present: Don Marx, Larry Studesville

Alders Present: Aids. Satya Rhodes-Conway, Bridget Maniaci

II. EMPLOYEE OF THE MONTH

Superintendent Briski announced that the May employee of the month is Joanne Austin, who was not present. She is the Payroll Administrative Clerk for the Division. She will be recognized back at the office.

III. APPROVAL OF MINUTES

A motion was made by Clausius/Skidmore to approve the Minutes of the Regular Meeting of April 14, 2010 of the Park Commission. **MOTION CARRIED UNANIMOUSLY.**

IV. PUBLIC COMMENT

There were no members of the public who wished to comment on items not on the Agenda.

V. REPORTS

Habitat Stewardship Subcommittee

A motion was made by Skidmore/Clausius to accept the Habitat Stewardship Subcommittee Minutes of March 9, 2010 Meeting. **MOTION CARRIED UNANIMOUSLY.**

Effigy Mound Management Plan

Clarification was requested regarding the trees on the Hudson mounds. Trees would only be removed if they were in danger of falling and uprooting a portion of the mound or posed a danger to the public. The Management Plan follows the guidelines of the Wisconsin Historical Society. A motion was made by Parker/Clausius to approve the Effigy Mound Management Plan. **MOTION CARRIED UNANIMOUSLY.**

Madison Fruits & Nuts ~ Edible Landscapes in Parks

A motion was made by Skidmore/Clausius to approve the Guidelines/Review Process and Species List. Parliamentarian LaFave requested clarification from Commissioner Parker as to what role she was representing when speaking about this issue, either as a Park Commissioner or as a member of Madison Fruits & Nuts group.

Parker reported she has been volunteering with the Madison Fruits and Nuts group and is informed about the issues they are bringing forward and is also speaking as a member of the Habitat Stewardship Subcommittee

Kay Rutledge, Parks Planning and Development Manager, reported that Parks staff were recommending the Guidelines/Review Process and Species List that the Habitat Stewardship Subcommittee also approved. There has been much communication regarding the lease requirement. While both the City Attorney and Risk Manager are aware of the comments regarding the lease requirement, they had prior commitments and could not attend this meeting.

A Lease is needed because public space is being taken and set aside for a different purpose in a park. It is not a typical recreational use but is similar to a community garden use. The Risk Manager and City Attorney recommend that a lease that addresses the term of use, access, water, different species allowed, etc. be utilized for these requests.

Commissioner Parker noted that the community gardens participants have the private use of parkland in the sense that the goods grown are for their private use while the tree and nut plantings maintained by volunteers can be harvested by any citizen.

Superintendent Briski reported he spoke with both the Risk Manager and City Attorney, who both indicated that the dedicated use of city owned real estate pursuant to city policy requires a lease agreement that spells out the parameters for that use.

Ald. Satya Rhodes-Conway asked the Commission to refer this issue to the Common Council because the city should explore planting edible landscaping on all city owned lands, not just exclusively in parks, and any policy created should cover all city lands so there is a consistent citywide policy.

The Commission was informed that the Park Commission has certain statutory authority under Wisconsin Statutes and actions taken by it do not need Council approval unless there is a fiscal impact to the city. The Park Commission would need to request that items be forwarded to the Common Council either for action or for informational purposes.

Registered Speakers, all in favor of Edible Landscapes but opposed to a Lease with Insurance requirements

NAME

James Ream
Judy Skog
Jim Lorman
Victoria Vasys
Carol Gruba
John Bell
Carol Bracewell
Twink Jan-McMahon
Dan Parkan – not speaking
Joanne Tooley
Jim Winkle
Dr. Maria Powell
Dorothy Krause
Darlene Gakorich
Jeffrey Glazer
Donna Sarafin – not speaking
Jack Kloppenburg

Superintendent Briski stated that it is not the policy of the Parks Division to plant fruit and nut trees but they are very supportive of edible landscaping and are very encouraged by this groundswell of support and volunteer efforts.

Discussion turned to insurance and lease agreements for this endeavor and other types of agreements for plantings in parks. Community gardens are covered by leases; the Margaret Pohle flower gardens do not have leases. Parks supports Madison Fruit and Nuts but believes there must be consistent policies and procedures for these types of plantings. The model used by the Community Action Coalition for the community gardens has been successful. The lease and insurance are really about maintenance and operation issues and the liability placed on the Division by the development and assignment of that property to an organized group that will cultivate, prune and harvest the produce. In the future if these trees are not maintained by the volunteers, they become the responsibility of the Division and a liability for the Division to maintain and manage those trees as part of our overall Parks system. This would create staffing concerns for the additional maintenance work and would impact the budget. Ald. Skidmore added that insurance is a city issue, not a park issue, and the Parks Division can't waive the insurance requirements.

Superintendent Briski stated that the Park Commission is a policy making board. What are before them are the staff recommendations but the board has the option to direct staff to come up with alternatives. Parks staff would then process the program accordingly. Commissioners indicated support for removing the \$200 but did not feel comfortable taking the insurance requirement out. It was noted that the Park Commission has no authority to waive insurance but could eliminate the fee. It was also suggested that staff be directed to work with volunteers in developing a Memorandum that does not include either a lease or insurance. It was also brought out that trees need an entirely different level of maintenance than a flower garden.

Members stated that Parks uses volunteers for projects throughout the system, including the planting of flower gardens, and they don't sign leases nor do they get insurance. Superintendent Briski noted that with the fruit/nut trees there is need for more maintenance and pruning than with a flower garden. The dedicated space for the trees is also for a much longer term than for a flower garden.

Commissioner Parker relayed that the lease issue had also been debated by Habitat Stewardship. A substitute motion was made by Chewning/Parker directing Parks staff to work with the orchard volunteers on a welcoming and simple process that includes a Memorandum Agreement with the understanding that the insurance costs are not to be borne by the volunteers. Roll Call Vote: Yeas – Scarbrough, Chewning, Parker; Nays – Clausius, Skidmore, Wallner – motion failed.

A friendly amendment was made to the Skidmore/Clausius motion to approve the Guidelines/Review Process and Species List and to delete the \$200 requirement for the lease. Roll Call Vote: Yeas – Clausius, Skidmore, Wallner, Nays – Scarbrough, Parker, Chewning – motion failed.

A motion was made by Skidmore/Scarbrough to refer this issue to the July Park Commission meeting to allow staff to meet with the volunteers to create a Memorandum of Understanding that benefits citizens and to consider how to handle the insurance issue. MOTION CARRIED UNANIMOUSLY. Ald. Skidmore stated that as stewards of the park system it is the Park Commission's responsibility to develop policy and not hand it off to the Common Council. Members support this project but need to develop and agree on the details.

The Park Commission recessed at 8:50 p.m. The Park Commission reconvened at 9:00 p.m.

Members present: Betty Chewning, Ald. Joe Clausius, Janet Parker, Emanuel Scarbrough, Ald. Paul Skidmore and David Wallner.

Members excused: Bill Barker

Habitat Stewardship Subcommittee Action reports from May 4, 2010 meeting
A motion was made by Parker/Clausius to approve the policy on placement of permanent signs in trees and the tree mulching standards. MOTION CARRIED UNANIMOUSLY.

Long Range Planning Subcommittee

A motion was made by Skidmore/Clausius to accept the Minutes of February 8, 2010 Meeting of the Long Range Planning Subcommittee MOTION CARRIED UNANIMOUSLY.

Olbrich Botanical Society

A motion was made by Skidmore/Clausius to accept the Minutes of March 16, 2010 Meeting of the Olbrich Botanical Society. MOTION CARRIED UNANIMOUSLY.

President of the Park Commission – None.

Superintendent of Parks

Written Report of Supervisor's Activities

A motion was made by Chewning/Skidmore to accept the written report of Supervisor's activities. MOTION CARRIED UNANIMOUSLY.

Informational Items

A shoreline improvement project to improve access to the water for events happening at Law Park is occurring. The 2nd annual Rubber Ducky River Race is happening on May 15 at Tenney Park with the proceeds to be used for scholarships at the Goodman Pool. The May issue of the Madison Parks newsletter was distributed. The two full-time rangers are now on staff and managing issues that happen evenings during the week and on week-ends.

VI. NEW BUSINESS

Madison Beach Water Quality Efforts

Engineering staff, Greg Fries and John Reimer presented two proposals to improve water quality at Bernie's Beach and B.B. Clarke Beach. The City, Dane County and the WI DNR have signed a Memorandum of Understanding to address water quality problems and reduce beach closings so they do not get listed on the Federal 303 D List.

At Bernie's Beach, Engineering will construct a bio-retention system that will reroute water into a bio-retention pond and then channel it out beyond the downstream side of the beach. It will filter and trap sediments in the system. It is anticipated that the inlet filters treatment will successfully remove about 40% of the sediment from Monona Bay and should also lower bacteria levels.

Water quality in the lakes is affected by nutrient load but this project is focusing on a reduction of algae scum by means of a deflector, an interceptor and an enclosure. The algae grows because of the nutrients in the water and the object is to take them out by filtering it before it gets into the lake. A deflector will be used at B. B. Clarke, and the interceptor will be tested at UW Limnology. The enclosure around the beach will keep the water cleaner inside. A monitoring strategy will determine the success and effectiveness of this process. Installation will occur in June with monitoring from June through August and the data analysis will be in August and September. Based on the findings, it will then be used in other locations. There was a concern that the

enclosure may isolate bacteria inside of it so that more frequent testing should occur. It was also suggested that signs be posted to explain what is happening.

Commission members asked for an update following Engineering's analysis this fall.

Registered speaker, in support
Helen Kitchel

A motion was made by Skidmore/Chewning to approve the Madison Beach Water Quality Efforts as outlined in the Engineering presentation. **MOTION CARRIED UNANIMOUSLY.**

A motion was made by Skidmore/Chewning to take items B, D, E, and F together. **MOTION CARRIED UNANIMOUSLY.**

Box Culvert Project at Brittingham Boathouse

A motion was made by Skidmore/Chewning to approve the box culvert project at Brittingham Boathouse. **MOTION CARRIED UNANIMOUSLY.**

[18537](#)

Fireworks in Madison City Parks

sent to Commission on the Environment

A motion was made by Skidmore/Clausius to refer the issue of Fireworks in Madison City Parks to the Commission on the Environment. **MOTION CARRIED UNANIMOUSLY**

D. [17882](#)

Amending Sec. 23.32(2) of the Madison General Ordinances to add Demetral Field and the McCormick Avenue Greenway as off-leash dog parks.

This Ordinance was **RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER**

Registered non-speaker in support:
Dolores Kester – not speaking

A motion was made by Skidmore/Chewning to approve Ordinance ID#17882 Amending Sec. 23.32(2) of the Madison General Ordinances to add Demetral Field and the McCormick Avenue Greenway as off-leash dog parks. **MOTION CARRIED UNANIMOUSLY.**

E. [18046](#)

Authorizing the execution of a Declaration of Public Water Main Easement pertaining to lands located within Knollwood Conservancy Park.

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

A motion was made by Skidmore/Chewning to approve Resolution ID#18046 authorizing the execution of a Declaration of Public Water Main Easement pertaining to lands located within Knollwood Conservancy Park. MOTION CARRIED UNANIMOUSLY.

- F. [18100](#) Authorizing the Common Council to accept ownership from Capitol Neighborhoods Inc. of decorative garden plantings located at three existing neighborhood entrance sign sites located on City-owned lands, in the Bassett Neighborhood area.

This Resolution was Return to Lead with the Recommendation for Approval to the BOARD OF PUBLIC WORKS

A motion was made by Skidmore/Chewning to approve Resolution ID#18100 Authorizing the Common Council to accept ownership from Capitol Neighborhoods Inc. of decorative garden plantings located at three existing neighborhood entrance sign sites located on City-owned lands, in the Bassett Neighborhood area. MOTION CARRIED UNANIMOUSLY.

- G. [18116](#) Authorizing the execution of an Offer to Gift Real Estate between the City of Madison and the Center for Resilient Cities and Central Park Skate, LLC for two parcels located at 201 South Ingersoll Street and 215 South Brearly Street for the future Central Park.

This Resolution was Return to Lead with the Recommendation for Approval to the BOARD OF ESTIMATES, due back on 5/24/2010

A motion was made by Scarbrough/Clausius to approve Resolution ID#18116 Authorizing the execution of an Offer to Gift Real Estate between the City of Madison and the Center for Resilient Cities and Central Park Skate, LLC for two parcels located at 201 South Ingersoll Street and 215 South Brearly Street for the future Central Park. MOTION CARRIED UNANIMOUSLY.

Tom Dunbar, the director of Center for Resilient Cities, was recognized for all of his hard work on this project.

- H. [18243](#) Determining a Public Purpose and Necessity and Adopting a Relocation Order for the acquisition of land interests located at 220 Merry Street, 230 Merry Street and 1626 Winnebago Street for the completion of the Yahara River Parkway and Pedestrian Path, and amending the 2010 Parks Division Capital Budget.

This Resolution was Return to Lead with the Recommendation for Approval to the BOARD OF ESTIMATES, due back on 5/24/2010

A motion was made by Skidmore/Chewning to approve Resolution ID#18243 Determining a Public Purpose and Necessity and Adopting a Relocation Order for the acquisition of land interests located at 220 Merry Street, 230 Merry Street and 1626 Winnebago Street for the completion of the Yahara River Parkway and Pedestrian Path, and amending the 2010 Parks Division Capital

Budget. MOTION CARRIED UNANIMOUSLY.

Superintendent Briski recognized Don Marx of the City's Real Estate Section who reported that amendments to the two community garden leases were recommended by the Community Action Coalition; they would allow vehicles in the parks at the discretion of the Superintendent.

I. [18254](#)

Authorizing the Mayor and City Clerk to execute a lease with Community Action Coalition of South Central Wisconsin, Inc. for a portion of Meadowood Park located at 5800 Thrush Lane for use as community gardens.

Recommend approval with the following amendment to Section 5.a. No vehicular access or parking of vehicles shall be permitted on the Leased Premises or within Meadowood Park {Hammersley Park} without the prior approval of the Parks Superintendent. Parking shall only be permitted on the neighboring public streets, subject to any existing parking restrictions. (amendment underlined)

This Resolution was RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS - REPORT OF OFFICER

Registered speakers, all in support::

Joe Mathers of CAC
Sheri Rembert
Leslie Stephany
Lary Luther

A motion was made by Chewning/Scarborough to approve Resolution ID#18254 authorizing the Mayor and City Clerk to execute a lease with Community Action Coalition of South Central Wisconsin, Inc. for a portion of Meadowood Park located at 5800 Thrush Lane for use as community gardens with the amendment to allow vehicles in the park at the discretion of the Superintendent. MOTION CARRIED UNANIMOUSLY.

J. [18256](#)

Authorizing the Mayor and City Clerk to execute a lease with Community Action Coalition of South Central Wisconsin, Inc. for a portion of Hammersley Park located at 6120 Hammersley Road for use as community gardens.

Recommend approval with the following amendment to Section 5. a. No vehicular access or parking of vehicles shall be permitted on the Leased Premises or within Meadowood Park {Hammersley Park} without the prior approval of the Parks Superintendent. Parking shall only be permitted on the neighboring public streets, subject to any existing parking restrictions. (change underlined)

This Resolution was RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS - REPORT OF OFFICER

Registered speakers:

Joe Mathers of CAC
Sheri Rembert
Leslie Stephany
Lary Luther

A motion was made by Parker/Skidmore to approve Resolution ID#18256 Authorizing the Mayor and City Clerk to execute a lease with Community

Action Coalition of South Central Wisconsin, Inc. for a portion of Hammersley Park located at 6120 Hammersley Road for use as community gardens with the amendment to allow vehicles in the park at the discretion of the Superintendent. MOTION CARRIED UNANIMOUSLY.

VII. OLD BUSINESS

A. Dane County Airport Geese Management Plan

Dane County Airport Geese Management Plan

Superintendent Briski reported that pursuant to a written request this issue was again placed on the agenda. He asked the airport to present their management plan again because some members of the Commission were not at the April meeting. The Airport is still requesting that they move forward with their plan.

Registered Speakers, in support (on behalf of Airport):

Dave Jensen, Deputy Director of Dane County Regional Airport (DCRA)

Lowell Wright, Environmental and Wildlife Management Officer

Chip Lovell, USDA

The Dane County Airport personnel repeated the information they had presented at the April Park Commission meeting. The resident goose population has increased substantially in the past few years. The Airport is following FAA Advisory Circular 150/5200-33B. Various pictures showing bird strikes were shown. It was explained that they would capture and transport the live geese to a processing facility where they would be tested for contaminants prior to euthanizing them. The meat would be distributed to food pantries once the test results were known. The Airport will bear the cost of this removal, and there will be no tax dollars involved because the airport is self-sustaining.

Commissioners were informed that geese would return at a much lower level if the original geese were removed. Other measures would be needed to prevent that reoccurrence. The core group of geese was identified as those geese that were reared here and nest here and are resident geese. The migrant geese are those that stop over spring and fall and continue to their permanent locations. Airport personnel could not identify how many geese would be a safe number for the airport. They are still working with Parks personnel to determine the number of geese at Warner Park.

A question was asked regarding why a public hearing was not being held at the airport to look at where the majority of the geese are coming from since fewer than 10% were identified as coming from Warner Park. Jensen stated that they were advised that the number from Warner Park was considered a significant population. The airport is focusing on Warner because of the banded geese that were found at the airport. It was also acknowledged that there could be other core populations of geese outside of Warner Park but locations have not been identified. While they could not answer what number of birds would cause a strike, the risk is there. Some people want the geese to stay in Warner Park, but they are a hazard for the airport. If the situation isn't managed correctly, people may die.

Methods of goose management following the goose round-up were identified as habitat modification and hazing techniques. The city could do more landscape management such as allowing the vegetation along the water's edge to grow taller. The city already has a No Feeding Ordinance. The city has applied for, and received permission to oil eggs this spring. The Airport has a lease agreement with nearby crop producers that their lands have to be tilled within 48 hours of harvesting to remove food temptations. The DNR has not agreed to conduct more banding operations at Warner. The DNR also did not agree to do a one-time only relocation.

If the Park Commission says no to this round-up the airport stated they would step up their vigilance to a higher level.

It was also noted that there are core populations of geese at other parks throughout the city.

Registered Speaker, All OPPOSING Goos Round-Up:

Ald. Satya Rhodes-Conway Neutral

Ald. Bridget Maniaci

Dr. Philip Whitford

Jim Carrier

Trish O'Kane

Jens Lueron

Colleen Burke

Patricia Randolph

Shar Fouts

Rick Bogle

Peter Cannon

Donna Brown

Marlene Hardick

Nathan Phoenix

Ted O'Donnell

Leonard Barry

Julie Salt

Jack Kloppenburg

Paul O'Leary

Timothy Garrett

Jim Powell

Maria Powell

Gloria Martony

Dolores Kester – not speaking

Marylou Herman – not speaking

Rick Marolt – not speaking

Alyson Bodai

Annette Eisman – not speaking

Don Bohrod – not speaking

Pamela Abel – not speaking

Kathie Ann Free – not speaking

Heather Dauls – not speaking

Dawn Zimmerman – not speaking

Chad Milne

David Webb – not speaking

A motion was made by Chewning/Parker to request that Parks staff work with the University of Wisconsin and other volunteer groups, including Wild Warner activists, to develop a comprehensive plan for habitat management to discourage the goose population throughout the park system and to pause the decision to kill the adults.

Members stated more information is needed from the airport and others to make an educated decision about what to do. They also spoke about how geese impact other ecosystems and the impact on water from their feces.

The request that Parks staff work on this will have an impact on their current workloads. The Parks Division has already started the process and is pulling together old data and research. Our Conservation Supervisor and his supervisor will be working on this issue. They hope to bring back a report in September. Commissioners stressed that there are many studies and reports languish. This issue requires a logical conclusion since there is a public safety factor to be considered.

The motion was restated. A motion was made by Chewning/Parker to request that Parks staff work with the University of Wisconsin and other volunteer groups, including Wild Warner activists, to develop a comprehensive plan for habitat management to discourage the goose population throughout the park system and to pause the decision to kill the adults. **MOTION CARRIED UNANIMOUSLY.**

[18225](#)

Madison Members of the Alliance for Animals appeal of the City Parks Commission's April 14, 2010 (see file ID #18057) decision to round up and kill geese at Warner Park.

This Communication was Discuss and Finalize - see prior paragraph.

VIII. ADJOURNMENT

On motion of Skidmore/Clausius the meeting adjourned at 12:12 a.m. Thursday.