



City of Madison
Proceedings - Final
BOARD OF PARK COMMISSIONERS

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

Wednesday, March 8, 2006

6:30 PM

1625 Northport Dr. (WPCRC)

CALL TO ORDER

The regular meeting of the Madison Board of Park Commissioners was held on Wednesday, March 8, 2006 at Warner Park Community Recreation Center, 1625 Northport Drive. President Barker called the meeting to order at 6:30 p.m. A quorum was present and the meeting was properly noticed.

ROLL CALL

Present: Ald. Paul E. Skidmore, William Barker, Betty Chewning, Emanuel Scarbrough and Betty N. MacDonald

Absent: Ald. Santiago Rosas

Parks staff present: James Morgan, Elinor Riley, Si Widstrand, LaVonne LaFave

City staff present: Mayor Dave Cieslewicz, Jeanne Hoffman, Ald. Judy Compton, Ald. Brenda Konkell, Don Marx, City Real Estate Manager,

PUBLIC COMMENT

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

APPROVAL OF MINUTES

A motion was made by Skidmore/MacDonald to approve the Minutes of the February 8, 2006 regular meeting of the Park Commission. **MOTION CARRIED** unanimously.

COMMITTEE REPORTS

Olbrich Botanical Society

A motion was made by Chewning/Skidmore to accept the Minutes of the January 17, 2005 meeting of the Olbrich Botanical Society. **MOTION CARRIED** unanimously.

A motion was made by Skidmore/Scarbrough to take item IX. A. out of order. **MOTION CARRIED** unanimously.

NEW BUSINESS

Registered Speakers:

Gloria Simley, President of Historic Blooming Grove Historical Society in Support
Robert Bean in Support

President Barker read the Proclamation in its entirety and then presented it to Robert A. Bean. He noted that volunteerism of this nature is critical to the park system. The Park Commission led a round of applause. A motion was made and seconded by MacDonald/Skidmore approving the Proclamation commending the work of the Historic Blooming Grove Historical Society. **MOTION CARRIED** unanimously. Members of the Historical Society extended invitations to both the Commission and audience to visit the Dean House during their open hours.

REPORT OF THE PRESIDENT OF THE PARK COMMISSION

President Barker stated he had no report

REPORT OF THE SUPERINTENDENT OF PARKS

Written Report of Supervisors' Activities

A motion was made by Skidmore/Scarborough to approve the written report.

MOTION CARRIED unanimously.

The following information item was part of the packets. The revised Park Commission Policies and Procedures was distributed showing the changes approved at last month's meeting. The most notable change is that term limits were set for citizen members serving on subcommittees.

Denial Letter from Wisconsin DNR regarding enlarging the Mooring Field in Marshall Park

Superintendent Morgan reported that following the January Park Commission meeting, an application to enlarge the mooring field in Marshall Park was sent to the Wisconsin DNR. Their response letter is self explanatory regarding the denial . The DNR felt too much space was being taken away from the public's use of the waterway. He noted the Parks Division could file an official appeal of the denial. At Marshall Park the mooring field extends from almost the property line to property line and it would be difficult to reconfigure. There are other locations that might be possibilities, such as the Warner Park boat launch area. Other possible locations would be on state or county property.

Registered Speaker:

David Miran opposed denial and requested it be appealed

A motion was made by Scarborough/MacDonald that Parks staff appeal the denial to enlarge the mooring field in Marshall Park and to obtain an explanation of State Statutes 30.773 (3) (b) and (c). **MOTION CARRIED** unanimously.

August 9 Park Tour Suggestions

Superintendent Morgan indicated that the park tour is held in place of the formal August "sit-down" meeting and gives the Commissioners an opportunity to view different facilities. In previous years tours have covered the eastside, westside, new parks and the central portion of Madison. This year the Parks Division is proposing beaches, golf courses, cemeteries and wherever else the Commission would like to visit. The Parks Foundation is very excited about attending. The hours are typically 4:00 to 8:00 p.m. with a light supper along the way.

A motion was made by Skidmore/Scarborough to take item VII. G. out of order. **MOTION CARRIED** unanimously.

CORRESPONDENCE, RESOLUTIONS, ORDINANCES

Request of Prairie Hills Neighborhood Association to spend \$10,000 in matching funds from the People for Parks Matching Funds for Lucy Lincoln Heistand Park.

Registered Speakers:

Linda Stache - not speaking in support

Marguerita Schwantes - not speaking in support

Margaret Liss in support

Superintendent Morgan indicated that staff supports the request. Any amount requested above \$5,000 needs Park Commission approval. This is for the revitalization of a southwest side park that is in need of renovation. They have obtained grants from outside sources in addition to the above matching fund request.

A motion was made by Skidmore/Chewning to approve the request of Prairie Hills Neighborhood Association to spend \$10,000 in matching funds from the People for Parks Matching Funds for Lucy Lincoln Heistand Park. **MOTION CARRIED unanimously.**

A motion was made by Scarbrough/Skidmore to take item VII. G. out of order. **MOTION CARRIED unanimously.**

CORRESPONDENCE, RESOLUTIONS, ORDINANCES

Request of Bill Korsgard regarding increase in fees at the Marshall Park Mooring Field.

Registered Speakers:

David Miran - not speaking **SUPPORTS no increase**

Tim Shriver **SUPPORTS no increase**

Anne Wiecki **SUPPORTS no increase**

John Craig - not speaking **SUPPORTS no increase**

Bill Korsgard **SUPPORTS no increase**

Ed Muir **SUPPORTS no increase**

Superintendent Morgan noted that the costs for maintaining the mooring field include daily trash removal, daily restroom cleaning, the cost of purchasing and maintaining the dinghy racks, parking lot lighting, mowing the turf areas of the park, parking lot improvements, pier maintenance, etc. most of which are shared with other park users. When the Facilities, Programs and Fees Committee looked at the rates and looked at costs and the waiting list, they felt the fee was appropriate and staff agreed. Skidmore added that he was at the Fees meeting and doesn't think the increase is out of line. He believes the current fees are more reflective of actual costs and that the fees for mooring may not have been sufficient in the beginning. This fee as well as other parks fees need to be monitored to make certain actual costs are recaptured. He feels comfortable with the increase. Another Commissioner felt there was a sharp increase in the fee.

Scarbrough spoke of the reference to the golf course fees. He noted there was a huge increase in golf fees a few years ago. Golf fees are no longer increasing at that same rate because of new courses that have increased competition for the

same number of users. The mooring increase is to cover raising maintenance costs. Superintendent Morgan interjected that golf has a capital surcharge fee that is used to pay for capital repairs. Mooring does not have a similar account for repairs. The dredging alone was \$78,000 and was demanded by the sailors of fixed keel boats. To institute a capital surcharge on fixed keel boats to cover dredging would be huge. Costs are allocated across the board between powerboats and sail boats.

A motion was made by Chewning/MacDonald to refer the mooring fee increase back to the Facilities, Programs and Fees Committee with a recommendation for a public hearing for comments. **MOTION CARRIED** (Chewning, MacDonald, Barker, Scarbrough) with one nay (Skidmore).

A motion was made by Scarbrough/Chewning to take item VIII. A. out of order. **MOTION CARRIED** unanimously.

UNFINISHED BUSINESS

Reconsider the vote on Declaring Land under Lincoln School in James Madison Park surplus, following a request from the Mayor.

Registered Speaker:

Mayor Dave Cieslewicz supports declaring land surplus

Mayor Cieslewicz thanked the Commission for reconsidering the Lincoln School Apartments issue. He also thanked them for their service. He explained his request for reconsideration was because he had included the proceeds from the sale of this municipal land as an important part of the city budget that has already been adopted. He is counting on those resources to accomplish projects for the city. Because of declining state support, more of the city's budget is coming from real estate taxes. As he looked for other resources that could augment the budget, land that might be surplus such as the land under the Lincoln School Apartments, was considered. He felt it was reasonable to tap that resource, which might produce income of \$600,000.. In addition, there are two houses as well as the Collins House on Gorham Street that he consider trapped assets that could be used for one-time expenditures, such as a contribution to the Affordable Housing Trust Fund, the creation of a new software program to let citizens and businesses interact with the city and lastly, the rewriting of the Zoning ordinances that would take approximately two years to complete. He feels this would be the most important accomplishment of his administration. The rewriting of the Zoning Code is estimated to cost about \$600,000 and that sum cannot be found in the budget. The Mayor feels it is reasonable to convert these trapped assets into things that can be used for the good of the city in the long run .

The Mayor congratulated the Commission on their handling of the sale of a small portion of Doncaster Park for (as it is his understanding) "parking and some other things. But if someone wasn't aware of the details of that, they might say the Park Commission sold off part of good usable parkland for a parking lot. That's the way it might appear, but that's not the way it is."

He believes that a similar argument can be made regarding the Lincoln School Apartments property. He is not suggesting selling potential parkland on the lake for something else. When looking at the details he suggested looking at three things. First, what is the likelihood that Lincoln School building would ever go away? It is extremely remote that building would ever come down. Second, what must be weighed is the very remote chance that Lincoln School might go away some day with the very positive benefits the city could get from freeing up that resource from underneath that school. The supplements he presented, i.e. the importance of rewriting the zoning code would produce a positive benefit. Secondly, getting more owner-occupied housing downtown is something that's been the goal of the city for a very long time. He knows the primary focus of the Park Commission is parks but (he suggested) they also have to consider the overarching goals of the city in other areas as well and owner-occupied housing downtown is important. There is also a parks benefit in the sense that there would be more eyes on the park by people who tend to be more long-term committed to the neighborhood when we continue to have folks living there who are owner occupants. Lastly, there is the increase in value that comes from having ownership of these parks. He noted that the parks budget is primarily funded from the General Fund so that as value is increased in the city, it also increases the city's ability to fund things like parks and many other things. The third thing to keep in mind is that this is mitigated because the city would have the opportunity to buy back the land should some catastrophe occur to the building and will be addressed by the developer. Some of the neighborhood associations are supporting the sale and are suggesting that some of the funds go back into James Madison Park and he could support something there.

Commissioners then asked questions for clarification of various points. They began with the memo from the Mayor that implied that because he and the Council had already included the proceeds from the sale of that land in the budget it's almost irrelevant what the Park Commission wants to do. The Mayor indicated that he didn't believe it was irrelevant but the reason he included the statement was that he wasn't certain whether the Park Commission was aware it was already in the budget. Members noted that was not how they read that paragraph. He noted he wrote the memo and apologized for the wording and stated it was not intentional.

Skidmore noted he interpreted the memo to say that the Mayor was going to do what he wanted to do regardless of what the Park Commission did and he (the Mayor) would take it to the Common Council if the Park Commission didn't agree with his request. Skidmore believes that selling a prime city asset to balance a budget is not sustainable. He believes this is a prime asset and part of an integrated park, not surplus land. If that parcel is sold the ability to expand that park is compromised. The Park Commission has gone on record from the beginning that it is a part of James Madison Park. There is information that talks about the 1982 Park Commission agreeing to sell the building but to retain the land with the understanding that it wanted to have the ability to control that piece of parkland. The Park and Open Space Plan indicates that there is a gross deficiency of parkland in the downtown and that this has existed since the 1800's. If this parcel is sold we are compromising our ability to meet that quota. He respectfully disagrees with what the Mayor wants to do.

Commission members also noted they had the letters from the two neighborhood associations asking that two-thirds of the proceeds from the sale be earmarked for building and grounds maintenance and other improvements to James Madison Park. That Mayor said that may be the neighborhood associations' position but not his and that he could agree with "some portion" without stating a dollar amount. He didn't know what the taxes were on the building. Members suggested that the annual lease plus the taxes should be sufficient to begin funding the rewriting of the Zoning ordinances and the Mayor could look elsewhere for the balance in order to keep the asset. The Mayor stated that those funds were not new money and were already taken into account in the General Fund. He needs to find new money in order to fund that project. Existing dollars are already spoken for. In response to a question of why the property needed to be sold, the Mayor noted he would let the developer address that question. In terms of the city's perspective, if the apartments are turned into condos and then sold, there is more revenue in taxes for the city but that no one has done an analysis of what the financial implications are in generating money if the apartments are turned into condos and sold. The city expects there to be a higher value in the building as condo units as opposed to apartments. But he is doubtful that it would be anything close to \$600,000.

Registered Speakers

Declare Land Surplus

Sheridon Glen, Capital Neighborhoods in support

Susan Schmitz, DMI in support

Lisa McGinnis in support

Michael Gilbert - not speaking in opposition

M.J. Schiavoni, Tenney Lapham Nei. Assn. in support

Wade Jensen in opposition

Ald. Brenda Konkel (not present) supports TLNA Stmt

Tom Neujahr, Urban Land Interests/Lincoln School Assoc. in support

Chris Schramm, Urban Land, Lincoln School Associates - not speaking in support

The first speaker felt the higher priority was the preservation of the integrity of the building rather than money for park improvements. Speakers noted they based their comments on what was good for this particular building. They also indicated concern for the composition of the neighborhood and asked that their neighborhoods be compensated for the loss of that piece of parkland. Speakers stated that if the sale proceeds wouldn't be used for the park, they would rethink their position.

Speakers were questioned by the Commission about whether they felt people would purchase the condos if the Parks Division owned the real estate under them and whether they believed it was a good idea to sell parkland for private use housing. Commissioners also noted that the three homes next to the Apartments are also for sale and the same question regarding the sale of that underlying real estate could occur. Commissioners stated that if the issue of this building is isolated and one doesn't look at the remaining houses and what could happen with them, the whole picture isn't being taken into consideration. Skidmore asked if the speakers were aware that since 1982 when the issue first came up, the Park Commission, the Common Council and Mayor are on record unanimously objecting to selling the land because they wanted to maintain the

integrity of the park. The 1982 purchaser of the land brought this issue up again in 1994 and the Parks Division and Mayor Soglin rejected the offer to sell the land. There is a precedent that this issue has been uniformly rejected. Selling this parkland would set an incredible precedent to sell any parkland for whatever purpose. Commissioners explained that whenever the sale of any parcel occurs, the money is put in the city's General Fund, it does not go to the Parks Division for its use in the parks. Chair Barker stated he believed Urban Land Interests have been good stewards of the land but the Park Commission's mission is to maintain parkland for future generations.

Neujahr of Urban Land Interests (ULI) and Lincoln School Associates, addressed the original RFP from 1982 that spoke of the city's desire to maximize access of the park for the public, preserve the building and create housing. ULI is not asking to purchase any land that is being used as parkland. ULI is willing to stipulate that the repurchase price would be calculated at the current sale price plus CPI. Discussion turned to the number of apartments vs. number of condo units, square footage of units, sale prices for the units and the revenue stream for the city. Neujahr stated he was not aware of any condos that were built on leased land in Wisconsin nor had anyone told him they wouldn't purchase a unit if they did not own the land.

A motion was made by Skidmore/MacDonald to place the request to declare the land under Lincoln School in James Madison Park surplus on file. A lengthy discussion ensued among the Park Commissioners.

The Commission looks at the long term view. It has been said that the money is needed to complete the rezoning ordinances and another statement was there is a need for better housing downtown. Using the information from ULI, those condos would cost \$200,000+. Even that would be out of the price range of people of diversity.

The Commission's job is to be stewards of public parkland, not to advocate for housing or streets or anything else. The Park Commission was established in the 1930s, and prior to that the Park and Pleasure Drive existed. Their mission has been to acquire land, develop and maintain it. The Parks Division prepares a comprehensive plan (Parks and Open Space Plan) of where Parks has been, identifies needs and deficiencies and where it needs to go. All Plans have reported that, since before 1900, there has been a deficiency of parkland downtown, especially along the lakeshore. There is not a surplus and the land in question is not surplus. This land is downtown in an area with reported deficiencies. The Park Commission has gone on record more than once since 1982 that this is a great piece of land and it is important to keep the integrity of the parcel. The Park Commission is also on record stating it wants to expand this park. Prior administrations have also gone on record wanting to keep this land and expand the park, recognizing the importance of public lakeshore. While Mayor Cieslewicz has indicated this sale would not set a precedent, Skidmore believes this would be a horrible precedent to sell public parkland to balance a budget.

Chewing stated that parkland is an incredible asset and land that is near a lake is an even more incredible asset. It is the Park Commission's stewardship responsibility to protect that asset for the future. The Park Commission is an extension of the early Madisonian commitment of the Park and Pleasure Drive

and its legacy of outright stewardship. President Barker noted that stewardship is not to make choices that will limit future options. He added that if the sale were completed, there wouldn't be money in the future to repurchase the property. He cannot separate the Apartments and the three houses when looking at the sale of this parcel of land. As more large housing projects are built in the downtown area, there will be an even greater need for urban open space. Skidmore added that while the Mayor believes that the sale of the property is in the best interests of the city, the Park Commission is to represent the best interests of the parks system and this sale would be inconsistent with previous policy that includes prior Park Commissions, the Planning Department, the Plan Commission and previous mayors. While he understands the city needs to balance its budget it shouldn't be done by selling parkland. The Park Commission has no business selling its prime assets and they are not voting against the project but are voting against setting a bad precedent. Don Marx, Real Estate Manager, stated the sale covers Lot 2 of the Certified Survey Map, which extends to the sidewalk.

At this point the question was called on the motion made by Skidmore/MacDonald to place the request to declare the land under Lincoln School in James Madison Park surplus on file. **MOTION CARRIED UNANIMOUSLY.**

A 10 minute recess was taken. Following the recess, the meeting reconvened at 9:05 p.m.

Parks staff present: James Morgan, Elinor Riley, Si Widstrand, LaVonne LaFave

Present: Ald. Paul E. Skidmore, William Barker, Betty Chewning, Emanuel Scarbrough and Betty N. MacDonald

Absent: Ald. Santiago Rosas

CORRESPONDENCE, RESOLUTIONS, ORDINANCES

- A.** To extend the closing hours at Olbrich Botanical Gardens to 11:30 p.m. on Saturday, June 24, 2006 for the 19th annual Rhapsody in Bloom benefit dinner and dance.

A motion was made by Chewning, seconded by Scarbrough, to RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF RULES 2.04, 2.05, 2.24, & 2.25 - REPORT OF OFFICER. The motion passed by acclamation.

- B.** Final Report Clean Lakes & Beaches: A Water Quality Plan - 2005. This is the report required per Substitute Resolution No. 61952, ID Number 36509 adopted by the Common Council on October 5, 2004.

A motion was made by Ald. Skidmore, seconded by Scarbrough, to Return to Lead with the Following Recommendation(s) to the BOARD OF PUBLIC WORKS Registered Speaker:

**Genesis Bichanich of the Engineering Division in support
The motion passed by acclamation.**

Superintendent Morgan indicated that the Parks Division supports 99.5% of the Report but the proposal to convert cropland into prairie needs to be modified. The Parks Division has allowed farming on parcels awaiting park development to control weeds and requires no park maintenance. The rent would be lost if the cropland is lost. The Parks Division is concerned that if all that vacant land is planted in prairie when those parcels are developed into active parks, they won't

be able to put in athletic fields because citizens won't want the prairies disturbed. It was suggested the language be amended as set forth below.

A motion was made by Skidmore/Scarborough to approve the Final Report ID# 01295 on Clean Lakes and Beaches: A Water Quality Plan as required per Substitute Resolution No. 61952, ID#36509 adopted by the Common Council on October 5, 2004 as amended below. MOTION CARRIED unanimously.

Approve. Page 44: Amend the section to include the underlined text:
CONVERT CROPLAND TO PRAIRIE - The City of Madison currently owns 253 acres of farmland and leases it out to local farmers. This land is often planned for future park development, public facilities, or native restoration. In 2006-2007, the City of Madison will begin to convert this cropland to prairie grass or other vegetative cover. This will prevent soil erosion and provide wildlife habitat.

- C. Approving the intent of the Park Division to sell lands within Doncaster Park located at 4335 Doncaster Drive to Will Investments-Southside, LLC. 10th Ald. Dist.

A motion was made by Ald. Skidmore, seconded by Chewning, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by acclamation.

- D. Authorizing the Mayor and City Clerk to execute a five (5) year Use Agreement with the Northwoods League and the Madison Mallards Organization for nonexclusive use of Warner Park Stadium.

A motion was made by Ald. Skidmore, seconded by Chewning, to Return to Lead with the Recommendation for Approval. The motion passed by acclamation.

- E. Authorizing the Mayor and City Clerk to execute an Operating Agreement with John Haugen-Wente and Tom Cavanaugh to offer canoe/kayak/windsurfing/sailing lessons and canoe/kayak/windsurf/sailboat rental service and concessions to the general public at James Madison Park for the years 2006 through 2008.

A motion was made by Ald. Skidmore, seconded by Chewning, to Return to Lead with the Recommendation to Place on File At the Park Commission meeting this item was initially approved. Following the meeting John Haugen-Wente informed Parks staff that the deal was being withdrawn. Therefore Parks staff is requesting that this item be placed on file. The motion passed by acclamation.

- F. To amend the Parks Division 2006 Capital Budget, Project #1 Assessable Tree Plantings to capture total costs for the plantings.

A motion was made by Ald. Skidmore, seconded by Chewning, to Return to Lead with the Recommendation for Approval. The motion passed by acclamation.

- I. Request from Shawn Dugan of Legends Sports regarding use of City of Madison Parks for kickball.

Registered Speaker:

Shawn Dugan in support of his request

Community Services Manager Riley stated the Parks Division receives so many requires for athletic field use by various sporting groups that there are not

enough fields to go around for everyone. They attempt to allocate fields equitably among all the groups, realizing that no group will get every field and time they request. She understands that kickball is a social sport and Legends Sports does have field use in several other parks in addition to Brittingham.

Superintendent Morgan reported that Brittingham Park is an alcohol-free park at the request of both police and the surrounding neighbors because of ongoing alcohol and other behavior problems. They would be exceedingly upset if alcohol were to be allowed in that park due to a significant number of hard core alcoholics who occupy the park during daytime hours.

A motion was made by Scarbrough/Chewning to have Dugan go back and work with Parks Staff to find acceptable athletic field space, determine reasonable ending dates and deny the use of alcohol in Brittingham Park. **MOTION CARRIED unanimously.**

IX. NEW BUSINESS

B. People for Parks Project: Yahara River Handicapped Accessible Dock.

Registered Speaker:

Ed Jepsen - not speaking but registering Support

Superintendent Morgan reported Parks staff believe it is a good proposal that has the support of the neighborhood, business community and financial support. The Parks Division is always supportive of non-motorized access to the lakes. The location will serve the Isthmus area well.

A motion was made by Chewning/Skidmore to approve the People for Parks Project to install a handicapped accessible dock on the Yahara River.

ADJOURNMENT

On motion of Skidmore/Chewning the meeting adjourned at 9:39 p.m.