

**From:** [Barbara Bailly](#)  
**To:** [All Alders](#)  
**Subject:** Lakeside Project  
**Date:** Tuesday, July 15, 2025 10:31:50 AM

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To: All alders  
From: Barb Bailly 540 W Olin Avenue  
Re: Legistar 88846  
Date: July 15, 2025

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Madison General Ordinance (MGO) Section 8.35, titled "Preservation of Shoreline Parks," is a local law enacted to protect Madison's shoreline parks and to ensure a voice to the people about our shared shoreline.

So, MGO 8.35 acts as a safeguard, requiring public input through referendums for significant developments affecting Madison's shoreline parks, while also providing protections against making commitments to large budget items without checking in with the people.

My opinion is that it is just and wise and democratic to listen to the will of the majority when it comes to making choices about our public shoreline. The main reason Parks has given so far for exempting the LakeWay Project from standing up to a referendum of the people is that it has already undergone a "lengthy and robust public process" and referenda are costly. They are not as costly, however, as committing to a project before completing a thorough assessment of its costs and various phases for implementation.

Currently it is estimated that the LakeWay Project could cost as much as \$3.2 million in 2025 dollars, but how does this number not take into account the still-unknown impact of impending tariffs. Once committed, whatever portion of this amount the city or its partner Madison Lakeway Partners can't raise from benefactors will mean a greater budget shortfall for Madison. We're not likely to see federal funds anymore or even foundation grants as private philanthropists focus on multiplying gaps in service rather than on expansive new capital initiatives. Parks, recognizing this perhaps, has suggested we might look at leasing some of our open parkland to developers.

Parks has also written that we should forego the referendum because there has been an overall positive response to the LakeWay Project. That being the case, a referendum should serve to confirm only that there is interest and allow us to move forward on this project as a united front. It should help drive funds to Madison LakeWay Partners. Alternatively if Parks' assessment is wrong, and people do not want to sign on after they consider the project's finances then again this is a good thing because the city would be listening to the will of the majority of its people.

**From:** [C.D](#)  
**To:** [All Alders](#); [Mayor](#)  
**Subject:** VOTE NO agenda item 11 Legistar 88846  
**Date:** Tuesday, July 15, 2025 9:15:30 AM

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It's SO disheartening to see MADISON - of all places! - chipping away at democratic process.

Its bad enough going to vote and for most local races finding only one name on the ballot. .  
So now we don't get to vote on a referendum that was built into the process via previous  
legislation?

There were reasons why it was decided to add this extra level of caution to how we develop  
our lakeshore. Those reasons havent changed..

This is not what democracy looks like.

Let's stick to our prior commitments to the voters. Its the honorable thing to do. If this  
lakeshore proposal is what most people want then it will happen.

If its not then it wont... and it shouldnt.

THANK YOU  
Cathy Debevec  
1885 E Main St.  
Madison, WI

**From:** [Andy Heidt](#)  
**To:** [All Alders](#); [Mayor](#)  
**Subject:** Shoreline Park Referendum  
**Date:** Tuesday, July 15, 2025 9:45:31 AM

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Please preserve this protection. It was fought for and successfully established by over 60% to create a charter ordinance.

Meanwhile good projects have received public support through referendum processes.

The quite March to minimize a public protection seems secretive, almost Trump like in its underpinnings.

Please do not eliminate this protection.

Sincerely,

Andrew Heidt (Andy)  
3128 St Paul Ave, Madison, WI 53714  
608-622-5585

**From:** [Tish Johnson](#)  
**To:** [All Alders](#); [Mayor](#)  
**Subject:** Agenda Item 11 re: Madison General Ordinance 835 and the Lakefront Project  
**Date:** Tuesday, July 15, 2025 7:28:33 AM

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[Some people who received this message don't often get email from tish.johnson920@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

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Dear Mayor and Alders,

This is to express my serious concern and opposition to exempting the Lakefront project(s) from required referendum(s) under MGO 835.

Our community is beyond fortunate with our beautiful lakes and their lakefronts. These are precious resources and I want the opportunity to have my voice heard, through referendum, on projects to develop these areas.

I have serious concerns that yet again, there is a last minute vote taking place with the result to exempt this huge project from the referendum requirement afforded our community. This strategy serves only to promote a lack of trust and confidence.

If you believe this huge project and the still unknown scope and expenditures is in our community's best interest, take it to referendum as required and get the formal buy-in from we, the people, as required in MGO 835.

Sincerely,

Patricia Johnson  
5505 Tolman Terrace  
Madison, WI 53711

Sent from my iPhone

**From:** [dakester@sbcglobal.net](mailto:dakester@sbcglobal.net)  
**To:** [All Alders](#)  
**Cc:** [Matthews, Julia](#)  
**Subject:** Agenda Item 11, Legistar #88846 "LAKEWAY PROJECT"  
**Date:** Monday, July 14, 2025 7:30:53 PM

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Some people who received this message don't often get email from dakester@sbcglobal.net. [Learn why this is important](#)

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**RE: Agenda Item 11, Legistar #88846: Creating Subdivision 8.35(3)(f) of the Madison General Ordinances to allow for construction and change in the legal status of certain lands associated with the Madison LakeWay Project.**

**Greetings Madison alders:**

**PLEASE VOTE NO ON THIS AGENDA ITEM.**

**If more thought and study had gone into this proposed agenda item, you would know it is almost certainly an attempt to circumvent an informed public vote on an important issue—conferring sole authority to determine development along the shore of Lake Mendota to City Hall. With no public input! This would be a huge change and at a minimum deserves more study and public notice, and then in all probability a public referendum.**

**Please vote no, and/or refer for further study and public notice of what would be a major change.**

**Thank you for your attention to this matter.**

**Dolores Kester, Attorney Emeritus  
State Bar of Wisconsin  
1818 Winchester Street, Madison 53704  
Aldermanic District 12**

**From:** [Joseph Keyes](#)  
**To:** [All Alders](#)  
**Subject:** Oppose Agenda #11, Legistar #88846  
**Date:** Tuesday, July 15, 2025 10:55:48 AM

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Some people who received this message don't often get email from jkeyes1a1@gmail.com. [Learn why this is important](#)

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Alders,

Please vote no on Agenda item #11. The public needs to weigh in officially on a project of this scale and cost since they will be the ultimate payers for it. Madison just had a referendum increasing its taxes over the next 5 years with probably more referendums after that 5-year point is reached. Many homeowners and renters will not be able to afford the property tax increases from the last referendum let alone the cost of this new \$320 million project (at last count).

Madison's Debt Service Share to General Fund Budget ratio should be no more than 15% otherwise the credit agencies would look at downgrading Madison's Aaa bond rating. Looking at page 6 of the *2025 Executive Summary: Executive Capital Budget & Capital Improvement Plan*, the aforementioned ratio is noted to be 16.6% in 2024 & 2025 and then climbs to 18.1% in 2028. The debt service on this new \$320 million project will only add to this percentage and threaten Madison's Aaa bond rating.

Again, please vote no on agenda item #11.

Respectfully Submitted,

Joseph Keyes  
District 11

**From:** [Lisie Kitchel](#)  
**To:** [All Alders](#)  
**Subject:** Re: Resolution to change the legal status of the city shoreline associated with the Madison LakeWay Project.  
**Date:** Monday, July 14, 2025 8:29:41 AM

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You don't often get email from lisie\_kitchel@yahoo.com. [Learn why this is important](#)

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I apologize, this email accidentally omitted a VERY important word, I apologize for the omission, I wish it to NOT be exempt.

The residents deserve a right to vote on how this project proceeds and how it will be paid for, and it should NOT be exempt from that process.

On Sunday, July 13, 2025 at 09:44:51 PM CDT, Kitchel, Lisie E - DNR <lisie.kitchel@wisconsin.gov> wrote:

Dear Alder;

I am extremely concerned about the proposed resolution concerning the potential exemption of the Madison Lakeway Project from the 1992 charter ordinance. Eliminating the public's opportunity for a referendum on such an expensive and extensive project (estimated at \$250-320 million in the Parks Master Plan plus maintenance and operating costs, and impacting 3 city parks - Law, Brittingham and Olin Parks) violates the explicit intent of the 'Preservation of Shoreline Parks Ordinance' (MGO 8.35), which was specifically written so city voters would have a say in parkland development.

Voters deserve a say in as costly and substantial a project as the Lakeway Project. Madison loves its lakes and residents want a say in how their parks are developed. They also deserve to review the city's plans for funding a project of this size, to approve how their tax money is spent.

The Project received a lot of public input, both pros and cons, however none of that input was accountable to the voters. The residents deserve a right to vote on how this project proceeds and how it will be paid for, and it should be exempt from that process. The Lakeway Project has its merits, but it needs to be accountable to the residents of Madison.

**I am opposed to the resolution to change the legal status of the city shoreline associated with the Madison LakeWay Project.**

*Thank-you for your time and attention in this important matter,*

Lisie Kitchel

225 Potter St.

Madison, WI 53715

**From:** [Susie Koch](#)  
**To:** [All Alders](#)  
**Subject:** Agenda item 11  
**Date:** Sunday, July 13, 2025 11:12:18 PM

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Alders,

Please do not exempt Lake Monona's waterway, especially the parks, without a voter referendum. Development should not proceed without voter input. Madison's parks are our pride, and environmental needs have to be taken care of as well.

We all know the damage Trump is doing to every aspect of our country, but don't cave in to it. Keep our parks safe from development. Above all else, listen to your constituents.

Susie Koch  
303 River Bend Rd #1, Madison, WI 53713



**From:** [Marilynn Lawler](#)  
**To:** [All Alders](#)  
**Subject:** Agenda Item 11 for tonight's meeting  
**Date:** Tuesday, July 15, 2025 9:15:40 AM

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[You don't often get email from marilynn1949@icloud.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

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Hello

I am opposed to the Agenda Item 11 on tonight's agenda to exempt the lakefront property development from a city wide referendum. I believe this exemption will give the Council blanket permission to approve anything associated with the LakeWay Project without asking voters. It seems that less than 1% of city voters have had input into this project and I believe a referendum needs to be placed on the ballot to develop 1.7 miles of shoreline development.

Madison has 203,371 registered voters. Even using the most generous estimate of 2,000 participants, that represents less than 1% of the electorate. Please follow the Madison ordinance 8.35!

Marilynn L Lawler  
6322 Sharpsburg Drive  
Madison WI 53718

**From:** [Linda](#)  
**To:** [All Alders](#)  
**Subject:** Legistar 88846  
**Date:** Thursday, July 10, 2025 9:23:06 PM

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MGO 8.35 requires voter approval by city referendum “for any change in the legal status of and before beginning or continuing major construction in any of these public parks [parks bordering on lakes or navigable waterways].” Legistar 88846 would exempt any construction in or change in the legal status of parks associated with the LakeWay Project from a public referendum.

The Lakeway project should not be exempted. The rationale for the exemption is that the Lakeway project has been subject to years of planning and public discussions. Yes, there was public participation – addressing questions about which design was preferable or what features would be nice to have. What did not happen was discussion of cost, whether capital costs or maintenance costs. And there is still no discussion. The only public information to be found regarding potential cost is in the draft 2025-2030 Parks and Open Space Plan which says initial costs estimates are \$250-320 million, presumably if built today. (Though private contributions are anticipated, at that level of spending the City is likely to foot a substantial amount of the capital cost.) Maintenance costs are not addressed, though the draft plan speaks to the need for revenue streams and suggests the possibility of private developments such as hotels or restaurants on parkland.

More importantly, the Council does not have the legal right to exempt anything from MGO 8.35. I expect the City Attorney’s Office will direct Council to Legistar 35491 from 2014. That legislation exempted the Garver redevelopment and also removed the paragraph which stated MGO 8.35 was a charter ordinance. The rationale was: “As set forth in City Attorney Opinion #04-002, because Section 8.35 did not meet the requirements of a charter ordinance as set forth in Wis. Stat. Sec. 66.0101(2)(b) when enacted, this ordinance is not a charter ordinance.”

City Attorney Opinion #04-002 lacks substance. It claims MGO 8.35 failed to meet one of the necessary requirements of a charter ordinance, which was specifying the section of the charter that is amended or repealed. The opinion ignored the fact that Charter Ord. 65, which became MGO 8.35, was not amending or repealing any part of the charter – it was enacting a new charter provision.

A reading of the statutes makes clear that new enactments do not need to reference an existing charter section. Wis. Stats. 66.0101(1) defines a charter ordinance as an ordinance that **enacts, amends or repeals** the charter, or any part of the charter, of a city or village. That same statute, paragraph (2)(b), requires a charter ordinance that **amends or repeals** a city or village charter to designate specifically the portion of the charter that is amended or repealed. Clearly, the legislature recognized that an ordinance which enacts a part of the charter cannot specify a section being repealed or amended. (This distinction dates back to at least 1941.)

Two referenda have been held since the issuance of City Attorney Opinion #04-002. The first, the referendum for the pool, was held just three months after the opinion was issued. The second was a referendum in 2009 to convey the Garver Feed Mill building and abutting lands in Olbrich Park to Common Wealth Development. On both occasions ordinance changes were introduced to bypass the referendum. On both occasions that bypass failed.

Many people have things they want to spend money on but the cost does not fit into their

budget. The people of Madison approved the charter ordinance and are entitled to decide whether they can afford the cost of the Lakeway project. The Council should not attempt to interfere with that right.

Respectfully Submitted,  
Attorney Linda Lehnertz

**From:** [Linda](#)  
**To:** [All Alders](#)  
**Subject:** Legistar 88846 Supplemental Comment  
**Date:** Friday, July 11, 2025 1:36:08 PM

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A history of past actions with respect to MGO 8.35 may aid the Council in determining the appropriateness of exempting the Lakeway project from referendum. Since passage of the Charter Ordinance, seven referendum questions were submitted for a public vote in accordance with ordinance requirements. Four exemptions were created by amendments approved by Council. Two exemptions were likely created by Council amendments, but might have been the subject of a referendum to amend the ordinance. Three proposed exemptions were rejected by Council.

If one looks to the substance of which issues went to referendum and which did not, it becomes clear that matters of substance went to referendum (spending funds and selling a City Landmark). Exemptions created by Council involved one technical change, a long-term land lease, the sale of the Garver Feed Mill (approved 5 years prior, but with a different owner), and a sale of 776 square feet of parkland.

### **Referendums**

1. 1992: Build the convention center at a cost not to exceed \$63.5M; and (2) borrow \$12M to help pay for the convention center.
2. 1993: Build (1) a new shelter at Warner to replace the one destroyed by fire; and, (2) build a new community center at Warner.
3. 1998: Build a \$1.1 million enclosed pedestrian skywalk between the planned Monona Terrace headquarters hotel and the convention center.
4. 2004: Build the pool using "a \$2 million gift from the Goodman brothers and other sources" in any park except Olin-Turville Park. (The size of the pool and scope of project were expanded, eventually funded by \$1.2M in City funding and \$3.6M in private funding.)
5. 2009: Conveying the Garver Feed Mill building and abutting lands in Olbrich Park to Common Wealth Development, Inc. for the purpose of redeveloping the property into an arts incubator and related improvements and authorizing such construction.

### **Council Amendments**

1. 2006: ORD-06-00099 adopted: Construction required to eliminate safety hazards or provide accessibility to ~~the handicapped people with disabilities~~. (Part of an overall effort to modernize ordinances so that they reflected the recognition that everyone is created as an equal person and that disabilities are impairments of body functions, not impairments of the person.)
2. 2011: Change in the legal status of the properties located at 640, 646 and 704 East Gorham Street. (All three houses were City Landmarks, which Parks declared surplus property though Parks retained the land. This allowed for a 99-year ground lease for each of the houses.)
3. 2014: Any construction or change in the legal status of that portion of Olbrich Park located northeast of the Union Pacific Railway and south and southwest of Starkweather Creek arising from the sale, lease or redevelopment of the Garver Feed Mill. (Essentially what voters approved in 2009, but with a different owner.)

4. 2025: Any change in the legal status of the property located at 1918 Norman Way to resolve boundary disputes with the adjoining property owner. (776 square feet of Spring Harbor Beach were in dispute, as the homeowner had been granted an easement, so the City sold the disputed area to the homeowner.)

**Unknown whether changes via referendum or by Council amendment**

1. 1996: Ord. 11,516, exempting construction within Olbrich Botanical Gardens
2. 1997: Ord. 11,984, exempting construction within Henry Vilas Zoo.

**Council rejected proposed exemptions**

1. 1998: Exempting major construction if it was to improve access to existing buildings, structures or paved areas in the shoreline.
2. 2004: Exempting the swimming pool.
3. 2009: Exempting the sale of the Garver Feed Mill.

Respectfully Submitted,  
Linda Lehnertz

**From:** [Linda](#)  
**To:** [All Alders](#)  
**Subject:** Legistar 88846 Supplemental Comment #2  
**Date:** Monday, July 14, 2025 11:31:59 PM  
**Attachments:** [Charter ord 73.pdf](#)  
[Charter ord 65.pdf](#)  
[Charter ord 53.pdf](#)

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### Charter Ordinances require a referendum

My first comment letter addressed City Attorney Opinion #04-002, the analysis cited for the claim that MGO 8.35 is not a charter ordinance. That conclusion is in error because the requirement to cite a section of the charter applies to amendments and repeals, not to enactments.

Madison enacts few new charter ordinances. In the last 50 years, 3 charter ordinances have enacted a new charter provision, copies attached. (The City has not filed any charter ordinances, whether enactments, amendments, or repeals, since 2017 according to the State website.)

- Charter Ord. #73, filed with the State on September 26, 2001, Modified Reverse Mortgage Loan Program for Payment of Real Estate Taxes, MGO 4.071.
- Charter Ord. #65, filed with the State on April 21, 1992, Preservation of Shoreline Parks, MGO 8.35.
- Charter Ord. #53, filed with the State on November 24, 1976, excepting the City Assessor from civil service, MGO 3.35(q)(1), which is now essentially addressed by MGO 3.06.

All three have two things in common. (1) Each describes the ordinance as creating a new ordinance. (2) None refer to an existing charter section (whether in State law or in the City's ordinances) that is being amended or modified.

The Parks staff memo, attachment #1 to Legistar 88846, suggests that there may be a new analysis in the making (if so, it is not one that has been publically shared). It states: "The exemption satisfies the requirement of a referendum by action of the Common Council ..." Um, no. MGO 8.35 is a charter ordinance and a referendum is required.

MGO 3.01, the ordinance that was changed to provide for staggered Alder terms, is a charter ordinance and how this ordinance was changed is how a charter ordinance should be changed – by binding voter referendum. Possible changes went to an advisory referendum in the spring of 2021. In December of 2022 the Council changed the ordinance to provide for staggered terms with the provision that the ordinance "shall take effect if passed by referendum at the 2023 Spring Election." In the spring of 2023, voters approved the referendum.

So why was a referendum held for the staggered Alder terms? Because the ordinance is a charter ordinance. The City Attorney's office did not attempt to give advice that the change to MGO 3.01 could be made without any referendum. Yet here we have MGO 8.35, another charter ordinance, where the referendum requirement is being subject to a potential circumvention.

Comments on the resolution to hold an advisory referendum on MGO 3.01 are informative, Legistar 62930. John Rothschild, a former assistant city attorney, opposed an advisory referendum. His comments included:

- The decision to decrease the size of the Common Council is, by law, for the voters of the city of Madison to make.
- Advisory referendums are appropriate when the ultimate decision is made by the governing body. The size of the Common Council is a decision the voters make. Not unlike school referendums for building construction, maintenance and exceeding revenue caps, the governing body makes a proposal in the form of a referendum question seeking approval. Sometimes the voters reject the proposal. The governing body then has the choice to go back to the voters with a modified proposal and seek approval.
- ... we did believe that the recommendations would be considered and debated by the Common Council and where required, send a binding referendum to the voters.

Michael May, former City Attorney and author of City Attorney Opinion #04-002, agreed that a binding referendum should be held, not an advisory referendum.

- If the members of the council want to deny Madison's residents the opportunity to decide whether to discard the creaky machinery of the current system, you ought to have the guts to say so out loud. Rather than hiding behind a completely ineffective advisory referendum, simply vote down any reform proposal. Tell your constituents that you know better than they do about how to govern them. Tell your constituents that the last thing you want is for them to have the power to decide how they wish to be governed.
- If you want to know what people think, propose the change in a charter referendum and let us have a meaningful vote.

And City Attorney Haas' memorandum of 11/15/2021 to TFOGS, Legistar 68427, said:

The Workgroup and the Council should keep in mind two factors if they choose to authorize another referendum election. First, changing the number of Alders on the Council and the length of Alder terms can only be achieved by a binding referendum. This is because MGO § 3.01, which establishes the size of the Council and the length of terms, was enacted as a Charter Ordinance through a binding referendum in 1987.

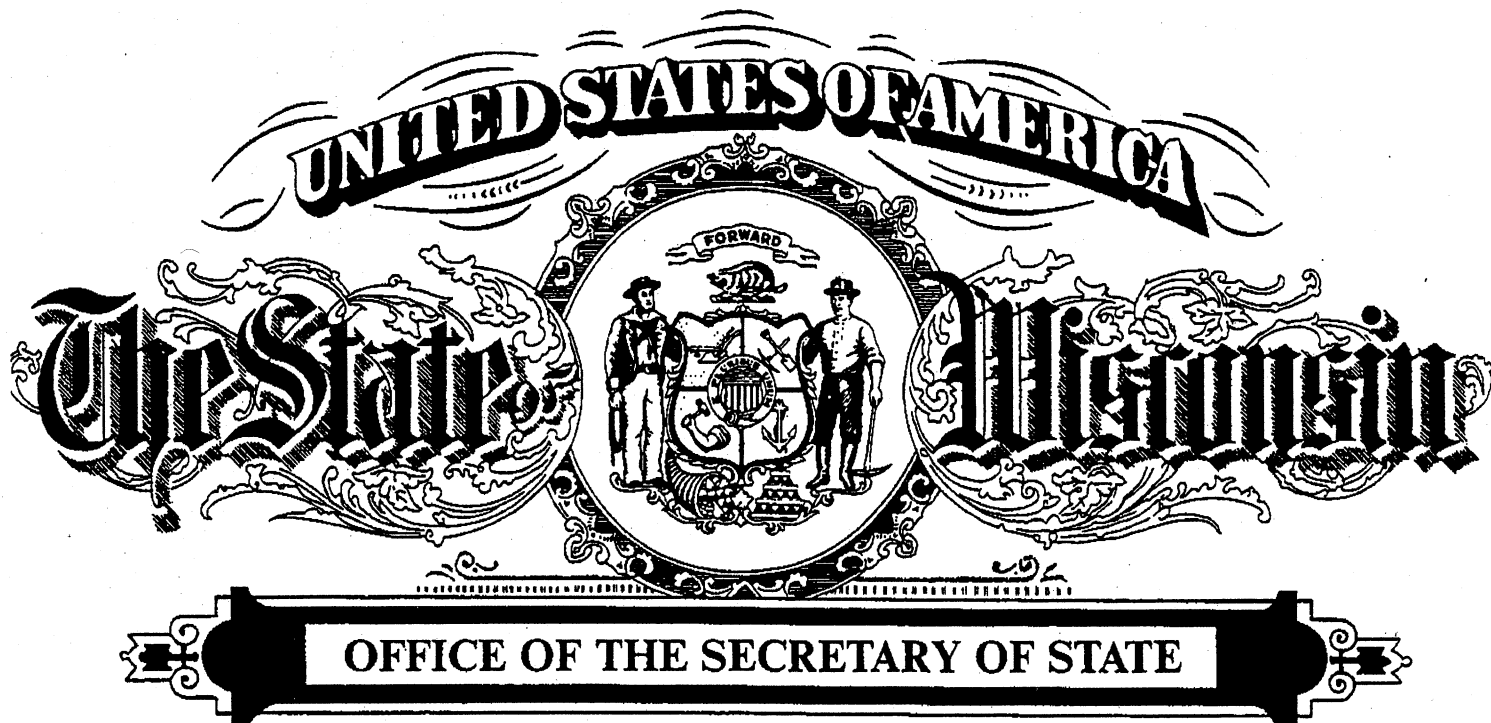
Notably, all three lawyers are in agreement that change to a charter ordinance requires a referendum.

#### Past referendums

The Parks staff memo claims: "However, the only time that a referendum (RES-09-00099) has actually been sought was related to Garver Feed Mill, and that site was later exempted (ORD-14-00164)."

As I showed in my first supplemental comment letter, there have been 5 referendums. Only one can be found in Legistar since Legistar begins with legislative items from December 2004. Matters of substance went to referendum.

Respectfully Submitted,  
Linda Lehnertz



C-145

CITY OF MADISON

COUNTY OF DANE

CHARTER ORD #73 PERTAINING TO MODIFIED REVERSE MORTGAGE  
LOAN PROGRAM FOR PAYMENT OF REAL ESTATE PROPERTY TAXES

FILED SEPTEMBER 26, 2001

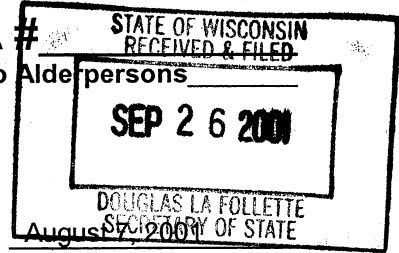




# AGENDA #

Copy Mailed to Alderpersons

## CITY OF MADISON, WISCONSIN



### A CHARTER ORDINANCE

to create Section 4.071 of the Madison General Ordinances as a Charter Ordinance, entitled "Modified Reverse Mortgage Loan Program for Payment of Real Estate Property Taxes."

PRESENTED  
REFERRED

REREFERRED

REPORTED BACK

SEP 04 2001

Drafted by: James M. Voss  
Assistant City Attorney

Date: July 31, 2001

Fiscal Note: This housekeeping ordinance allows the effective continuation of the existing reverse mortgage program which has been in place for income qualified elderly property owners since 1993. No significant fiscal impact is anticipated.

ADOPTED ☒  
RULES SUSP. ☐  
PUBLIC HEARING ☐

POF ☐  
TABLED ☐

MAYOR SIGNED  
PUBLISHED

SPONSORS: Mayor Susan J. M. Bauman  
Alds. Kenneth T. Golden, Jean MacCubbin, Judy Olson, Matt Sloan, Gary Poulson and Mike Verveer, Kent Palmer

APPROVAL OF FISCAL NOTE IS NEEDED  
BY THE COMPTROLLER'S OFFICE

Approved By

Comptroller's Office

CHARTER ORD. NUMBER  
ID NUMBER

73  
30021

Analysis: This charter ordinance provides formal ordinance authority for the existing modified reverse mortgage loan program for payment of property taxes. For administrative reasons, it has been drafted to be as consistent as possible with the corresponding charter ordinance repealing and recreating Section 4.082, entitled "Qualified Loans for Payment of Special Assessments or Special Charges."

Section 4.071 entitled "Modified Reverse Mortgage Loan Program for Payment of Real Estate Property Taxes" of the Madison General Ordinances is created as a Charter Ordinance to read as follows:

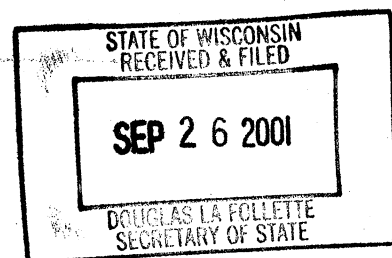
### "4.071 MODIFIED REVERSE MORTGAGE LOAN PROGRAM FOR PAYMENT OF REAL ESTATE TAXES.

- (1) Legislative Finding. The Common Council of the City of Madison hereby finds, in the interest of public health, safety and welfare, that the payment of real estate property taxes for property on which certain elderly owners reside could be considered a severe personal financial hardship. This loan program is intended to address that public need, subject to the limit of an annual budget appropriation.
- (2) For the purpose of this ordinance, an eligible property owner shall be defined as any owner or owners who meet all of the following criteria:

APPROVED AS TO FORM:

*Junice Gibson*  
Junice Gibson, City Attorney

- (a) An owner who is 65 years of age or older and who owns and resides on a single-family property located within the City of Madison upon which property all or a portion of the real estate property taxes are due and payable.
  - (b) An owner who has a verified annual gross income equal to or less than the low income family limits for Madison, Wisconsin, published annually by the United States Department of Housing and Urban Development.
  - (c) An owner who has less than thirty thousand dollars (\$30,000) in liquid assets. Liquid assets are defined as cash, marketable securities (stocks, bonds, treasury bills, notes and commercial paper), savings bonds, savings accounts, checking accounts, and the cash surrender value of life insurance policies.
  - (d) The cumulative amount disbursed under this section, plus accrued interest and other loans secured by the subject property does not exceed seventy (70) percent of the assessed value of the property as determined by the City Assessor. The City Comptroller may require a letter report from a title company prior to disbursement, but this cost may be included in the maximum loan amount disbursed.
  - (e) An owner who certifies to the City Comptroller the payment of the real estate taxes or any installment of the real estate taxes is a severe personal financial hardship, and certifies to the above criteria.
- (3) The property owner shall sign a mortgage note and real estate mortgage in favor of the City of Madison at the time of closing, whereupon the mortgage will be recorded in the Office of the Dane County Register of Deeds. The recording fee is the responsibility of the owner, but may also be included in the loan amount disbursed. The owner may also apply for loan advances for subsequent real estate taxes and, in the event such additional application(s) are approved, shall only sign a new mortgage note in a consolidated amount that includes all principal amounts advanced and any unpaid accrued interest. Upon signing of the loan documents, the City Comptroller will draw a check payable to the property owner and the City of Madison or Dane County. The property owner is responsible for paying the real estate taxes or installment thereof for which the loan is advanced.
- (4) The interest rate for loans hereunder shall be equal to the City's cost of general obligation borrowing plus one percent. The interest for such loans shall be paid as specified on the mortgage note. Interest may be accrued and paid in its entirety at the time the loan is repaid.
- (5) The owner of such property, his, her or their heirs, personal representatives or assigns may repay such loan at any time, but, in any event, shall repay the loan, together with accrued interest, if any, prior to the subsequent sale or transfer of the property to such heirs or assigns, other than to a surviving spouse.
- (6) All applicants shall sign an affidavit attesting to income and liquid asset criteria. Any person who provides false or inaccurate information on the application shall upon conviction thereof forfeit not less than one hundred dollars (\$100) and not more than five hundred dollars (\$500) and the entire amount of the loan, together with all accrued interest, shall be immediately due and payable.
- (7) This is a Charter Ordinance and shall be effective sixty (60) days after passage and publication, subject, however, to the referendum procedures in Sec. 66.0101(5), Wis. Stats."



CITY OF MADISON

COUNTY OF DANE

CHARTER ORDINANCE RE: PRESERVATION  
OF SHORELINE PARKS

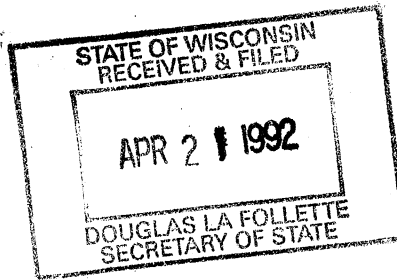
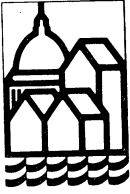
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OFFICE OF THE SECRETARY OF STATE  
*State of Wisconsin*

FILED: APRIL 21, 1992

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Charter Ord. 65  
ID #10,066

City of  
Madison


City-County Building, Room 103  
210 Martin Luther King, Jr. Boulevard  
Madison, Wisconsin 53701-0001  
Telephone #: 608 266 4601

(TDD/Device for Deaf): 608 266 6573  
FAX #: 608 266 4666

CITY OF MADISON )  
 ) SS  
COUNTY OF DANE )

I, Ray Fisher, the duly qualified and acting City Clerk of the City of Madison, DO HEREBY CERTIFY that the attached is a true and correct copy of the Charter Ordinance adopted by referendum of the City of Madison at an election held on the 7th day of April, 1992.

Witness my hand and the seal of the City of Madison,  
this 21st day of April, 1992.

  
Ray Fisher, Acting City Clerk

Filed with the Secretary of State  
on April 21, 1992.



Agenda Item No. \_\_\_\_\_  
Copy Mailed to Alderpersons \_\_\_\_\_

City of Madison, Wisconsin

A CHARTER ORDINANCE \_\_\_\_\_  
creating Section 8.35 of the Madison  
General Ordinances entitled "Preservation  
of Shoreline Parks".

Presented October 15, 1991  
Referred CC mtg 11-5-91

Rereferred CCOC (11-5)

Reported Back 11-5-91, DEC 17 1991

Adopted April 7, 1992 by referendum  
Rules Susp. \_\_\_\_\_ Tabled \_\_\_\_\_  
Public Hrg. \_\_\_\_\_

Drafted by: Larry W. O'Brien  
Assistant City Attorney

Mayor Signed \_\_\_\_\_  
Published 4-22-92

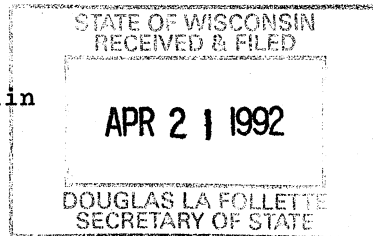
\* \* \* \*

Date: October 14, 1991

Fiscal Note: No expenditure necessary

\* \* \* \*  
APPROVAL OF FISCAL NOTE BY THE  
COMPTROLLER'S OFFICE IS NEEDED  
Approved by: \_\_\_\_\_

SPONSOR(S): Mayor Soglin



Comptroller's Office  
\* \* \* \*  
CHARTER ORDINANCE NO. 65  
ID NO. 10,066

The Common Council of the City of Madison do ordain as follows:

Section 8.35 entitled "Preservation of Shoreline Parks" of the  
Madison General Ordinances is hereby created to read as follows:

"8.35 PRESERVATION OF SHORELINE PARKS.

- (1) All City of Madison public parks bordering on lakes or navigable waterways shall be protected as public open space. Voter approval by city referendum shall be required for any change in the legal status of and before beginning or continuing major construction in any of these public parks.
- (2) The words 'major construction' as used in this ordinance mean erecting a building or structure, changing land elevations or shore contours, and paving over land, but do not include:
  - (a) Replacing an existing building or structure with another building or structure of equivalent size and similar purpose.
  - (b) Maintenance and repairs to an existing building or structure or to an existing paved area.
  - (c) Construction required to eliminate safety hazards or provide accessibility to the handicapped.

- (d) Construction required for purposes of erosion control or to enhance the water quality of adjacent lakes or waterways.
- (e) Construction with a total cost of less than \$500,000, if the construction is completed in calendar year 1992, or less than \$500,000 increased by 5% annually each year after calendar year 1992, if the construction is completed in a calendar year after 1992. For purposes of determining whether the \$500,000 limit applies, the cost of all construction completed in the same public park in the two preceding calendar years and not qualifying for exclusion under subdivisions (a) through (d) herein, shall be added to the cost of all construction in that public park not qualifying for exclusion under subdivisions (a) through (d) in the year the determination is made.
- (f) Construction which when completed would result in both:
  - 1. A total including previously existing buildings, structures and paved areas, of less than three (3) acres of the public park in which the construction is occurring being covered by buildings, structures and pavement, and;
  - 2. A total, including previously existing boat docks, piers and buildings or structures extending out into or over the water, of less than 300 linear feet of the shoreline in the public park in which the construction is occurring, being occupied by boat docks, piers, buildings or structures.
- (g) Construction which when completed would result in both:
  - 1. A total including previously existing buildings, structures and paved ares, of less than five percent (5%) of the public park in which the construction is occurring being covered by buildings, structures and pavement, and;
  - 2. A total, including previously existing boat docks, piers and buildings or structures extending out into or over the water, of less than ten percent (10%) of the shoreline, in the public park in which the construction is occurring, being occupied by boat docks, piers, buildings or structures.
- (3) For purposes of this ordinance two or more areas designated as separate public parks but which are contiguous to each other shall be considered to be a single public park.
- (4) For purposes of this ordinance, a 'public park bordering on lakes or navigable waterways' means all of a public park any part of which is contiguous to lakes or navigable waterways.
- (5) The Common Council, the Mayor and all other City employees and bodies shall make all necessary financial, personnel and administrative provisions for carrying out this charter ordinance.
- (6) This is a Charter Ordinance and shall not be effective until approved by a majority of the electors voting thereon at an election or until adopted by the Common Council subject to referendum under Wisconsin Statutes, Sections 9.20 and 66.01, and shall be effective upon its publication in the manner provided by law. This Charter Ordinance shall be effective upon sixty (60) days from passage and publication subject, however, to the referendum procedures in Section 66.01(5), Wis. Stats."

MADISON

charter ordinance

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OFFICE OF THE SECRETARY OF STATE  
*State of Wisconsin*

filed Nov. 24, 1976

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CITY OF MADISON)  
                                  ) SS  
COUNTY OF DANE )

I, Eldon L. Hoel, the duly qualified and acting City Clerk of the City of Madison, DO HEREBY CERTIFY that the attached copy of Charter Ordinance No. 53 is a true and correct copy of the ordinance adopted by the Common Council of the City of Madison at their regular meeting held on the 9th day of November, 1976.

Witness my hand and the seal of said City of Madison, this 24th day of November, 1976.

  
Eldon L. Hoel, City Clerk

Filed with Secretary of State on  
November 24, 1976.

STATE OF WISCONSIN  
DEPARTMENT OF STATE  
RECEIVED AND FILED

NOV 24 1976

DOUGLAS LAFOLLETTE  
SECRETARY OF STATE

Copy Mailed  
to Aldermen

City of Madison, Wisconsin

CHARTER  
A / ORDINANCE

creating Sec. 3.35(1) (q) of the Madison General  
Ordinances to except from civil service the position  
of City Assessor.

Presented November 9, 1976

Referred \_\_\_\_\_

Rereferred \_\_\_\_\_

Reported Back \_\_\_\_\_

Adopted ✓ POF \_\_\_\_\_

Rules Susp. ✓ Tabled \_\_\_\_\_

Public Hrg. \_\_\_\_\_

Mayor Approved \_\_\_\_\_ Date 11-11-76

Published Nov. 17, 1976

Drafted: Larry W. O'Brien, Deputy City Attorney

Fiscal Note: No expenditure required

SPONSOR(S): Aldermen Murdoch and Zimmermann

#24  
CHARTER ORDINANCE NO. 53  
FILE NUMBER 5063-356

The Common Council of the City of Madison do ordain as follows:

Subdivision (q) of Subsection (1) of Section 3.35 of the Madison General  
Ordinances entitled "Civil Service Created - Exceptions Therefrom" is created  
to read as follows:

"(q) City Assessor.

This is a Charter Ordinance and shall be effective upon  
sixty (60) days from passage and publication subject,  
however, to the referendum procedures of Sec. 66.01(5),  
Wis. Stats."

STATE OF WISCONSIN  
DEPARTMENT OF STATE  
RECEIVED AND FILED

NOV 24 1976

DOUGLAS LAFOLLETTE  
SECRETARY OF STATE

This is to certify that the foregoing ordinance  
was adopted by the Common Council of the  
City of Madison, Wisconsin at a meeting held

on the 9th day of Nov. 1976.

Eldon L. Hoel, City Clerk

*Eldon L. Hoel*

**From:** [Linda](#)  
**To:** [All Alders](#)  
**Subject:** Legistar 88846 Supplemental Comment #3  
**Date:** Tuesday, July 15, 2025 10:34:37 AM

---

Caution: This email was sent from an external source. Avoid unknown links and attachments.

I did not edit my Supplemental Comment #2 carefully enough. I said: "Notably, all three lawyers are in agreement that change to a charter ordinance requires a referendum."

I should have said: "Notably, all three lawyers are in agreement that change to a charter ordinance which was enacted by a binding referendum requires a binding referendum." MGO 8.35, a charter ordinance, was enacted by a binding referendum.

The Council is certainly able to enact a charter ordinance, and to make changes to that ordinance. If enough voters do not like the charter ordinance, or the changes, they can force a referendum on the ordinance.

Respectfully Submitted,  
Linda Lehnertz

**From:** [gordian@nym.hush.com](mailto:gordian@nym.hush.com)  
**To:** [All Alders](#)  
**Subject:** Oppose Agenda item 11, Legistar 88846  
**Date:** Monday, July 14, 2025 10:16:20 PM

---

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Mon. July 14, 2025

Please oppose Agenda item 11, Legistar 88846.

A lakeshore development of this magnitude deserves a City referendum, as required by MGO Section 8.35.

Thank you.

Don Lindsay

**From:** [Karen Matteoni](#)  
**To:** [All Alders](#)  
**Subject:** Lakefront Park  
**Date:** Monday, July 14, 2025 4:09:36 PM

---

Some people who received this message don't often get email from karenahome@gmail.com. [Learn why this is important](#)

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I have been following the progress of the proposed lakefront park. Since this would be a significant expenditure, the park should follow the normal process for approval including a referendum. There is no good reason to exempt the project from the referendum process.  
Karen Matteoni

**From:** [Cynthia K McCallum](#)  
**To:** [All Alders](#)  
**Subject:** Agenda item 11 for the meeting on 7/15  
**Date:** Sunday, July 13, 2025 9:52:58 PM

---

[Some people who received this message don't often get email from dotckk@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

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Hi,

I would like the vote on the exemption for the Madison Lakeway Project from the Shoreline Preservation Ordinance to be deferred to a future City Council meeting.

Residents of the City of Madison have a right to learn about this proposed exemption and to express their opinion.

Residents were clear in their opinion years ago when they pushed to have the Shoreline Preservation Ordinance enacted.

Residents have a right to know how much the Lakeway Project is going to cost in public funding. The costs of the phases are not precise.

Ultimately, I hope the Council votes no on this exemption. At a minimum, I am asking you to give the public time to contact you and let you know how they feel about this exemption.

Thank you,  
Cindy McCallum

**From:** [noreply](#)  
**To:** [All Alders](#)  
**Subject:** [All Alders] Item 11 for council meeting on 7-15-2025  
**Date:** Tuesday, July 15, 2025 9:10:35 AM

---

Recipient: All Alders:

Tuesday, July 15, 2025 – 9:06am

Bernard Meudt

5701 lanett cir

Madison, Wisconsin. 53711 No, do not contact me. All Alders Item 11 for council meeting on 7-15-2025 A vote of NO should be used. A vote of yes does not allow for citizen input. You would defeat the propose of ordinance 8.35

**From:** [Heidi Oliveren](#)  
**To:** [All Alders](#)  
**Subject:** Fwd: Regarding an agenda item on the July 15, 2025 City Council Agenda  
**Date:** Tuesday, July 15, 2025 9:15:27 AM

---

You don't often get email from heidioly@gmail.com. [Learn why this is important](#)

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----- Forwarded message -----

From: **Heidi Oliveren** <[heidioly@gmail.com](mailto:heidioly@gmail.com)>  
Date: Sun, Jul 13, 2025, 10:00 PM  
Subject: Regarding an agenda item on the July 15, 2025 City Council Agenda  
To: <[allalder@cityofmadison.com](mailto:allalder@cityofmadison.com)>

Greeting to the City Council members:

I am writing to request that you all ***do not vote to approve*** agenda item #11 88846 Creating Subdivision 8.35(3)(f) of the Madison General Ordinance to allow for construction and change in the legal status of certain lands associated with the Madison Lakeway Project.

The citizens of Madison have the right to have their voice heard and express their opinion of this project by voting in a referendum affecting the shoreline of Lake Mendota. Do not bypass the rights of your constituents by changing the Ordinance to prevent input that may be deleterious to this project.

With all the problems our country is currently facing, we hope that our local representatives will provide transparency to projects that impact the land, waters and people of this city and respect the rights of all.

Heidi Oliveren



**From:** [Amy Owen](#)  
**To:** [All Alders](#)  
**Subject:** Vote NO on Item 11 on tonight's agenda (7/15/25), oppose erosion of lakeshore and citizens' right to referendums  
**Date:** Tuesday, July 15, 2025 11:34:54 AM

---

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Dear Alders,

I am writing to ask you to please vote no on agenda item #11 tonight. Our lakes are already deeply compromised - can you not smell the stink on this lakeshore? Because residents can, and we want our lakes restored to ecological health and recreational availability. We can't accomplish that if we don't have lakeshore development processes that preserve transparency in costs, processes, and citizen oversight through the right to a referendum. This is absolutely the wrong moment for this project, especially with a questionable price tag - as a city, we need to be hunkering down and preparing for abrupt changes in federal and state funding that will impact our city financially, and the likelihood that we as taxpayers will need to make up the financial difference to ensure all our children have the education they need as money for public schools is under attack and unemployment from former government, bioscience, and university employees soars. Do not take away our right as residents to choose if this investment of our resources is the best choice for our community.

Thank you,

Amy Owen

3129 Buena Vista Street

Madison, WI 53704

**From:** [Warren Palmer](#)  
**To:** [Al Alders](#)  
**Subject:** Agenda Item 11, Common Council Meeting 7/15  
**Date:** Tuesday, July 15, 2025 9:15:34 AM

You don't often get email from palmer@beloit.edu. [Learn why this is important](#)

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Will the City Government and the Common Council yet again run roughshod over the democratic process? I urge all Alders to vote against Agenda Item 11.

If you trusted your reasoning and your ability to persuade the voters of Madison of your reasoning on the major construction projects you plan for the Monona shoreline, you would not even be considering Item 11. Instead you would be following the Shoreline Preservation Ordinance.

#### 8.35 - PRESERVATION OF SHORELINE PARKS.

(1) All City of Madison public parks bordering on lakes or navigable waterways shall be protected as public open space. Voter approval by city referendum shall be required for any change in the legal status of and before beginning or continuing major construction in any of these public parks.

(2)

--  
Warren Palmer  
Professor Emeritus  
Department of Economics & Business  
Beloit College

**From:** [Marianne Pattee](#)  
**To:** [All Alders](#)  
**Subject:** Lakefront Waterway Project  
**Date:** Monday, July 14, 2025 1:25:55 PM

---

Some people who received this message don't often get email from patteem@gmail.com. [Learn why this is important](#)

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My opinion counts!

Regarding Agenda item 11 -- legistar no. 88846.

All residents should have the right, by vote, to approve how the city proceeds with the Lakeway Master plan.

Marianne Pattee  
4325 Waite Cir  
Madison, WI 53711

**From:** [jeffreycprice@gmail.com](mailto:jeffreycprice@gmail.com)  
**To:** [All Alders](#)  
**Subject:** Common Council Agenda Item #11 Legistar 88846  
**Date:** Tuesday, July 15, 2025 8:53:01 AM

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Some people who received this message don't often get email from jeffreycprice@gmail.com. [Learn why this is important](#)

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I urge each of you to vote NO on this exemption request.

Notwithstanding however much time and energy has already gone into the planning process for the LakeWay *Proposal*, to the average citizen, those are all generally seen as 'Concepts of a Plan' to be presented to the public and moved forward by referendum, per MGO 8.35. We count on those sorts of final protections.

To blithely toss in a 'no referendum' request at this point is a disservice to the public and the democratic process.

I thought we were better than this.

A stylized, handwritten signature in black ink, consisting of the letters 'JCP' in a cursive, flowing script.

Jeffrey C Price  
[jeffreycprice@gmail.com](mailto:jeffreycprice@gmail.com)  
Madison, WI 53704

**From:** [Allen Rickey](#)  
**To:** [All Alders](#)  
**Subject:** Fyi  
**Date:** Tuesday, July 15, 2025 5:53:51 AM

---

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Another point of view.

<https://www.77squaremiles.com/post/madison-officials-gut-voter-approved-lakefront-protections-for-320m-project>

[Sent from AT&T Yahoo Mail for iPhone](#)

**From:** [Judy Robinson](#)  
**To:** [All Alders](#)  
**Subject:** Exemption to MGO 8.35  
**Date:** Monday, July 14, 2025 8:29:03 AM

---

You don't often get email from judysotheremail@mail.com. [Learn why this is important](#)

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Hello Council Members,

I am writing to request that you do not approve an exemption on MGO 8.35 (Preservation of Shoreline Parks).

The requirement of a referendum to ensure voters have a voice in making any changes to the shoreline is democracy in its most fundamental form.

The shoreline is protected for good reason.

I am a native Madisonian and have seen the lakes evolve into Madison's most treasured asset throughout the past several decades.

I understand that ordinances need to be reviewed and updated as our City continues to grow. But the massive scope of this project and the many changes that are being proposed makes it imperative that residents have a voice in the process.

Respectfully,

Judy Robinson  
523 Olin Ave  
608-469-1218

**From:** [Bonnie Roe](#)  
**To:** [Tishler, Bill](#)  
**Cc:** [All Alders](#)  
**Subject:** Agenda #11, Legistar #88846  
**Date:** Monday, July 14, 2025 8:48:56 AM

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Hi Alder Tishler,

A previous Common Council saw fit to require, by ordinance, that any change in the legal status of, or major construction in, a shoreline park be approved by a City-wide referendum. Just because the City decided to go ahead with years of planning and public discussion should not exempt the Council from abiding by its own laws.

If residents are behind the plan, they will vote to pass it through a referendum. I urge you to vote no and don't take our lawful right away.

<https://madison.legistar.com/LegislationDetail.aspx?ID=7447418&GUID=495911EF-0594-4DAB-AC2B-D531453B05DC>

Sincerely,

Bonnie Roe  
District 11

To: All Alders  
From: Carrie Rothburd, 830 W Lakeside St.  
Date: July 15, 2025  
Re: Legistar 88846

---

MGO 8.35 ("Preservation of Shoreline Parks") was never intended to amend or repeal any other part of Madison's Code of Ordinances. It was enacted "of whole cloth" to ensure that Madison voters have the right to weigh in on projects affecting the shorelines and the navigable waterways we all share. I believe many voters are well aware of this ordinance, and, given the size and cost of the LakeWay Project, they are expecting a referendum on it. This is true even among those who have not been following the project closely or attending meetings about it. They are awaiting final plans for the LakeWay, including phasing and financing, so they can cast their educated vote.

I think many people citywide will be surprised and outraged if they learn after today, Tuesday that, instead of listening to constituents, Madison's alders have voted explicitly in favor of "Creating Subdivision 8.35(3)(f) of the Madison General Ordinances to allow for construction and change in the legal status of certain lands associated with the Madison LakeWay Project" and have thereby deprived them of their vote on the LakeWay.

(For the record, how was anyone not already informed about the LakeWay supposed to understand what Legistar 88846 portends, especially without explanatory attachments? And how are our alders supposed to know how Madison residents feel about MGO 8.35(3)(f) when none of the comments they sent to [allalders@cityofmadison.com](mailto:allalders@cityofmadison.com) had been posted to Legistar as of July 14th?)

Yes, there have been other shoreline projects that were exempted from a referendum in the past. I know from conversation with Marsha Rummel that she initially pushed for a referendum in 2009 for an arts incubator at Garver Feed Mill that passed overwhelmingly. Later, in 2014, when that project failed to move forward, after a new process to revitalize the site resulted in the selection of Baum Revision's plan for a food production center, she proposed an exception to 8.35 instead of a second referendum, believing voters had already shown a positive response to reusing and rehabilitating the property.

There is no such evidence, no past referendum, to point to concerning the LakeWay Project. And, although public discussions began a while ago, they have not yet run their full course concerning this extensive 1.7-mile waterfront makeover. There was not much discussion, for example, during the initial visioning process about Brittingham Park; now an inadequately considered late addition for a proposed underpass connection at North Shore Drive is included in the project plan. Not a bad thing, necessarily, but one the people of Madison deserve to be part of. Nor has the DNR had the chance to weigh in on all aspects of the project although there have been articles in the past in the press about some failures and oversights concerning water filtration at the Convention Center. Do we know if we know how to get the environmental aspects of a second project on Lake Monona? Do we know what it will cost to get it right?

We do not know fully what this project will entail or cost, especially in uncertain economic times. Will there be tariffs on building materials? Won't there? Grant funding would seem to be out of the question since more pressing social needs have demanded the attention of private foundations. Will we be able to attract independent benefactors and entrepreneurs? Who knows? We certainly are not likely to until we are prepared to give them a solid cost estimate and tell them how we will recruit matching funds.

Do the people of Madison see the LakeWay project as a need or a desire? Are they willing to tax themselves to make this project happen? Is there an upper limit they can afford without having to sacrifice their own personal interests? Do they want to forge ahead now or would they rather wait? We can't know any of this without a referendum. If we rush things through, as Parks proposes and Council could allow if it approves MGO 8.35(3)(f), we will never know.



There are three lines that appear as part of the heading of Council agendas:

Consider: Who benefits? Who is burdened?

Who does not have a voice at the table?

How can policymakers mitigate unintended consequences?

The Council would do well to heed these words by honoring the vision, commitment, and requirements of ordinance 8.35. Respect the right of voters to a referendum on this proposed shoreline change. Oppose Legistar 88846 and instead let the people decide how the City proceeds with the LakeWay Master Plan along the John Nolen Causeway, and in Olin, Brittingham, and Law parks. Do not create Subdivision 8.35(3)(f) of the Madison General Ordinances.

**From:** [Evers, Tag](#)  
**To:** [Laschinger, Lisa](#)  
**Subject:** Fw: Legislative File #88846 is mostly empty  
**Date:** Monday, July 14, 2025 8:11:45 PM  
**Attachments:** [Outlook-cid\\_image0.png](#)  
[image002.png](#)

---

Can we make sure emails from the public are added to Legistar?

Get [Outlook for iOS](#)

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**From:** Carrie Rothburd <[crothburd@gmail.com](mailto:crothburd@gmail.com)>  
**Sent:** Monday, July 14, 2025 5:39:46 PM  
**To:** Dave Davis <[davis\\_da@charter.net](mailto:davis_da@charter.net)>  
**Cc:** Kitchel, Lisie E - DNR <[Lisie.Kitchel@wisconsin.gov](mailto:Lisie.Kitchel@wisconsin.gov)>; Cindy <[dotckk@gmail.com](mailto:dotckk@gmail.com)>; Evers, Tag <[district13@cityofmadison.com](mailto:district13@cityofmadison.com)>; Knox Jr., Isadore <[district14@cityofmadison.com](mailto:district14@cityofmadison.com)>  
**Subject:** Legislative File #88846 is mostly empty

You don't often get email from [crothburd@gmail.com](mailto:crothburd@gmail.com). [Learn why this is important](#)

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The only doc I see online now (posted today) is the memo Dave sent. Missing are the letters from residents that I know were sent last week to Parks and to Council. Also missing is this:

DRAFTER'S ANALYSIS: This ordinance would create an exception to the preservation of shoreline parks ordinance to allow the City to proceed with the Madison LakeWay Project in Olin Park (northwest of Wingra Creek), along the John Nolen causeway, and in Brittingham and Law Parks. Under the ordinance, any change in the legal status of, or major construction in, a shoreline park must be approved by City-wide referendum. The Madison LakeWay Project is a major project that, by the time of its construction, will have been the subject of years of planning and public discussions. Exempting this project from the ordinance will allow implementation of the Master Plan to proceed without the need of a referendum.

So the soonest most people in Bay Creek learned about the charter ordinance and the proposed change to it is late last week when we began to circulate information. Some more know about the occurrence of the ordinance but not much else beginning with Tag's email late yesterday. A quick perusal of other alders' blog tells me most people throughout the city--unless they read Legistar on their own--don't know about it at all.

Carrie

On Mon, Jul 14, 2025 at 5:16 PM Carrie Rothburd <[crothburd@gmail.com](mailto:crothburd@gmail.com)> wrote:

Thank you, Dave. Yes, as I read it, the charter ordinance was created specifically to allow Madison voters the chance to weigh in on projects affecting the shoreline and the navigable waterways we all share. I believe this ordinance is something many voters are aware of. There is the general expectation that there will be a referendum on the LakeWay Project, given its size and cost. This is true even among residents, who have not by and large been following the project or attending meetings about it, but are waiting for their alders to update them on final plans for the LakeWay, including phasing and financing, so they can weigh in on it with their vote.

I think many people across the city will be surprised and outraged if they learn belatedly that, instead of

listening to them, their alders voted explicitly not to with "Creating Subdivision 8.35(3)(f) of the Madison General Ordinances to allow for construction and change in the legal status of certain lands associated with the Madison LakeWay Project."

Yes, there have been other projects that were exempted, as you point out, from a referendum. I know from conversation with Marsha Rummel that she initially pushed for a referendum in 2009 for Garver concerning an arts facility, which passed overwhelmingly. So that when that project failed to move forward, and the new process to revitalize the site resulted in the selection of Baum Revision's plan for a food production center, she proposed an exception to 8.35 believing voters had already shown a positive response to reusing and rehabilitating the property.

There is no evidence, no past referendum, that we can point to concerning the LakeWay Project, however. In fact we have not yet heard the full run of planning discussions. I don't recall that there being a lot of discussion during the initial visioning process about Brittingham Park; it was a late addition for a proposed underpass connection at North Shore Dr. Not a bad thing, necessarily, but one the people of Madison deserve to be part of. Nor has the DNR had the chance to weigh on all aspects of the project. I recently read about the failures and oversights of the Convention Center when it came to water filtration. Do we know how to get the environmental aspects of LakeWay Project right? Do we know what it will cost?

To conclude, we simply do not know fully what this project will entail or cost, especially in uncertain economic times. (Will there be tariffs on building materials? Won't there?) Grant funding would seem to be out of the question with more pressing social needs taking the attention of private foundations. Will we be able to attract benefactors? Who knows? Certainly not before we can give them a final figure and tell them how we will recruit matching funds.

Are the people of Madison willing to tax themselves to make this project happen? Is there an upper limit to that price tag? Do they see the LakeWay project as a need or a desire? Do they want to forge ahead now or would they rather wait? We can't know that without a referendum. If we rush things through, as Parks proposes, we never will.

I would like to see us honor the vision and respect for the people of the charter ordinance and have voter's weigh in on this shoreline change to find out.

Carrie

On Mon, Jul 14, 2025 at 3:17 PM Dave Davis <[davis\\_da@charter.net](mailto:davis_da@charter.net)> wrote:

Hello All,

Interestingly, and in my humble opinion, while the previously granted exemptions involved projects on lands that abut the lakes, none of those projects appear to have involved changes to the actual "lakeshore," as most people would know it. And, certainly not in the way or extent the proposed Lakeway project will. While I'm not necessarily opposed to some form of the proposed Lakeway project, it would seem this ordinance was specifically created to allow city residents to have a voice in important decisions such as this one.

I do not believe that the fact this project will take years to complete, as Park Division

states, is sufficient to merit an exemption from the current ordinance. It seems possible that (at least some) city residents have believed all along that the proposed project would be subjected to a vote by city residents. The time for the city to have proposed this sort of exemption was at the beginning of the process so that everyone understood what was at stake.

*Since MGO 8.35 was enacted five other projects were exempted from the requirement of a referendum through action taken by council, as follows:*

*(3) Exceptions. This ordinance shall not be applicable to the following:*

*(a) Construction within Olbrich Botanical Gardens.*

*(b) Construction within Henry Vilas Zoo.*

*(c) Any change in the legal status of the properties located at 640, 646 and 704 East Gorham Street. (Cr. by ORD-11-00155, 11-8-11)*

*(d) Any construction or change in the legal status of that portion of Olbrich Park located northeast of the Union Pacific Railway and south and southwest of Starkweather Creek arising from the sale, lease or redevelopment of the Garver Feed Mill.*

*(e) Any change in the legal status of the property located at 1918 Norman Way to resolve boundary disputes with the adjoining property owner. (Cr. by ORD-25-00021, 4-4-25)*

Dave

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Please see attached.



**Tag Evers**

**District 13 Alder**

Tel 608 424 2580

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**From:** Laschinger, Lisa <[LLaschinger@cityofmadison.com](mailto:LLaschinger@cityofmadison.com)>

**Sent:** Monday, July 14, 2025 2:20 PM

**Cc:** Mayor <[Mayor@cityofmadison.com](mailto:Mayor@cityofmadison.com)>

**Subject:** Legislative File #88846

Good Afternoon Alders,

I am reaching out regarding Legislative File #88846 pertaining to Revision of MGO 8.35(3)

(f) Related to LakeWay Project. I know that you all received a message last week and likely have seen other feedback regarding this. The Board Of Park Commissioners considered this revision and ultimately unanimously approved it last week at their July BPC meeting. Please see the attached memo for additional information and perspective regarding this matter. Please let me know if you have any questions.

Thank you,  
Lisa

Lisa Laschinger  
*Pronouns: she/her/hers*  
Interim Parks Superintendent  
City of Madison Parks Division  
330 E. Lakeside Street – Madison, WI 53715  
(608) 266-9214  
**MADISON PARKS**



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**From:** [Anna Shen](#)  
**To:** [All Alders](#)  
**Subject:** Agenda Item 11  
**Date:** Monday, July 14, 2025 9:19:57 PM

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Hi,

I understand that there is a proposal to exempt the proposed Lakeway project from the requirement for a referendum that is required by a previous city ordinance. One rationale is that the ordinance has never been used since it was passed. It seems that exemption of one of Madison's largest shoreline projects since the Monona Terrace is making a mockery of this ordinance. Is there any good reason to keep this ordinance? If not, I would suggest that, rather than passing yet another exemption, that the ordinance simply be repealed.

Thanks,  
Anna Shen

**From:** [sluysb@aol.com](mailto:sluysb@aol.com)  
**To:** [All Alders](#); [Glenn, Carmella](#)  
**Subject:** Agenda Item 11, Leg 88846  
**Date:** Monday, July 14, 2025 1:21:17 PM

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To: Madison Common Council

From: Beth Sluys, District 18

Date: July 14, 2025

RE: Agenda Item 11, Legistar #88846

PLEASE VOTE NO on this item.

Creating Subdivision 8.35(3)(f) of the Madison General Ordinances to allow for construction and change in the legal status of certain lands associated with the Madison LakeWay Project.

Dear Alders,

With a major lakeway project being planned along the lake front of Lake Monona, the public has every right to vote on the funding of this massive undertaking. We have far too many critical infrastructure projects underway that have the funds to construct the buildings but no or very little funding for operating and maintaining these facilities. The Public Market, the Imagination Center and the men's Homeless Shelter all will require operating funds. Our public transportation system is struggling to make ends meet and still has no contract with its employees. How do we keep the BRT solvent, and to build out the N/S BRT if we do not get federal funding approval for that section of the transit system?

This major lakeway project will likely go way over budget as we look to build out an area that is old landfill, and only adding more contamination to Lake Monona, and require deep piling or removal of contaminated subsurface materials and appropriate disposal.

Voters need to be engaged in the conversation about how much we spend on the project, given all the other unfunded operating budgets for projects underway, we have the right to decide. Changing the park's legal status to allow for private development within the lakeway, is a decision that taxpayers have a right to discuss and upon which to make a decision. With far too many underfunded infrastructure projects already in the hopper, why add this massive project to the current budget? What is the rush?

Please vote NO on this fanciful waste of taxpayer money.

Thank you.

Beth Sluys



**From:** [Barbara STREIBEL](#)  
**To:** [Vidaver, Regina](#); [All Alders](#)  
**Subject:** please vote "no" for now on the Madison LakeWay Project  
**Date:** Monday, July 14, 2025 9:59:50 PM

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Hello Alders,

I live on Eton Ridge Madison. I have been reading on-line posts about the Madison LakeWayProject and have no way to assess the information's truthfulness, but my concern about Item 11 on your agenda is increasing. I believe Item 11 on Tuesday's agenda asks Common Council to exempt this huge project from Charter Ordinance 65 [Section 8.35](#) of the Madison General Ordinances. I read the proposal to exempt this project from the referendum requirement and cannot, based on the request information, understand why an exemption from the referendum requirement is needed. There is an election coming up. Put the referendum on the ballot and let all of us who want this project vote for it.

In the meantime, help those of us who live in Madison and Dane County understand what you think the impact of changes to federal funding for all city or county projects as well as for our schools, healthcare, housing, etc for the foreseeable future will be. A lot of us, myself included, want to see the LakeWay project move forward. In the current shifting federal landscape however, I want to understand how this project fits in the context of everything the city, county and state are being asked to do that the feds are no longer going to do. Perhaps that beautiful project needs to be put on hold before any more money is spent on it. Feeding, housing, supporting our neighbors and educating our children comes first for me.

I am asking the Council to either vote 'no' or put off the vote on item 11 until both the funding for this huge project and the larger financial context of the city budgets become clear to me. I'm also asking you to vote 'no' because it sounds as if Charter Ordinance 8.35 **requires** a referendum for a project of this size and scope. Why wouldn't you want Madison residents to vote to fund this project? It sounds as if that is exactly what Ordinance 8.35 was designed for.

**From:** [taylor warsek](#)  
**To:** [All Alders](#)  
**Subject:** Council Meeting Agenda item 11  
**Date:** Monday, July 14, 2025 7:34:56 AM

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We both STRONGLY OPPOSE ANY changes to the preservation of shoreline parks MGO 8.35 ordinance, without a PUBLIC REFERENDUM.

That this item is the LAST item on the agenda is the same old ploy to be sure it receives the least attention, which should ALWAYS be a RED FLAG to all alders that the Mayor wants to get her way and have you all be too tired to fight this .

Rick Taylor /Linda Warsek, 1118 Risser rd, Madison

**From:** [Steven Davis](#)  
**To:** [All Alders](#)  
**Subject:** Legistar 88846  
**Date:** Tuesday, July 15, 2025 11:57:37 AM

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To: All Alders  
From: Steven Davis 813 W Lakeside St.  
Date: July 15, 2025  
Re: Legistar 88846

Dear Alders, I am contacting you to register my opposition to exempting the Lakeway Project from meeting the requirements of MGO 8.35 ("Preservation of Shoreline Parks") requiring a referendum once the entire plan to alter the lakeshore is made known. I realize that there were open planning meetings involving the conceptualization of this plan, but these involved a minuscule fraction of the public and this is not the same safeguard as a voter referendum. I realize that referenda are not common and procedurally cumbersome, however, this particular requirement was passed explicitly because our lakes are so precious and central to our city's functioning and identity. Too much is unknown about how the Lakeway Project's exact final shape and most importantly how it will be funded, especially with so much federal money drying up. This leaves open the possibility of inappropriate development in our parks in order to generate the revenue necessary for the plan. The privatization of public park land is an extremely sensitive topic (just see how the proposal to privatize federal lands went over with the public) and exactly the sort of dramatic issue that this Referendum requirement was designed to allow the public to weigh in on regarding their precious public trust. Privatization of our park lands may not come to pass, but by preemptively removing this check and balance, such a drastic measure might become more likely in order to find the enormous sum of money this project will require. Thank you for your consideration of this matter. Steven Davis

**From:** [Dave Davis](#)  
**To:** [All Alders](#)  
**Subject:** Common Council meeting July 15, 2025 - Agenda item 11  
**Date:** Tuesday, July 15, 2025 2:40:50 PM

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Alders,

I am writing to express my opposition to Agenda item 11 regarding the proposed ordinance change for the Madison LakeWay Project. The magnitude of this unique project requires that all of the voters in Madison have a voice, in this case through the currently required referendum. A referendum, if successful, would not meaningfully impede the progress of this multi-year, or perhaps multi-decade, project.

An item of particular concern is the portion of the memorandum in Legistar, prepared by Parks Division and the City Attorney's Office, regarding this proposed ordinance change that states: *"Since Legislative File 88846 was introduced, the Parks Division has received questions regarding the definition of "change in legal status."* *Despite this not being clearly defined in the MGO, this language is necessary in order for Common Council to exempt the project from the requirement of a referendum.* *"Change in legal status" pertains to any sale or subdivision of the property."*

While there may currently be no plans to sell or subdivide any of the lands included in the LakeWay Project, the ordinance change as currently drafted would allow that to happen without giving voters the meaningful voice they are currently entitled to.

This is in no way meant as blanket opposition to some as of yet undefined form of this proposed project.

Respectfully,  
Dave Davis

--

Dave Davis  
210 Koster St  
Madison, WI 53713  
608 257-3305

**From:** [Michael Glowacki](#)  
**To:** [All Alders](#)  
**Subject:** Parks Commissioners Taking Residents' Power  
**Date:** Tuesday, July 15, 2025 3:36:17 PM

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Dear Madison Alders,

The plans for the Madison Lakeway Project have been mostly kept out of public view until the Park Commissioners could trap you in a Sunk Cost Fallacy to force their desires upon you and your district residents.

Forcing you to vote to disenfranchise your city residents at this point in the process is a classic manipulation of power designed to short circuit your decision making about this issue.

I oppose this Madison Lakeway Project plan because not only are the city residents supposed to vote on such plans with full knowledge and consideration, also this Project could have been brought to a referendum as required at any earlier elections.

Please vote down this change to the MGO and require this project to be approved by the Madison residents in a referendum.

I live in Madison in the Liberty Place Neighborhood.

Michael Glowacki  
mglowacki@mac.com

**From:** [Amy Miller](#)  
**To:** [All Alders](#)  
**Subject:** Madison LakeWay Project  
**Date:** Tuesday, July 15, 2025 1:52:25 PM

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The Madison LakeWay Project should not be exempted from Ordinance 8.35 that requires a referendum vote. Our democracy has been eroded so much on a national level. Please preserve our democracy at the local level and bring this project to a vote.

Amy Miller  
1507 Rutledge St

**From:** [Barbara STREIBEL](#)  
**To:** [Vidaver, Regina](#)  
**Cc:** [All Alders](#)  
**Subject:** Re: TheGreen: LakeWay vote tonight  
**Date:** Tuesday, July 15, 2025 3:29:01 PM

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Thank you so much for sharing where you are at this moment with regard to this request for exemption for this project as well as for sharing the project staff memo. I participated in reviewing some of the early designs and ideas and am personally in favor of the goals and dreams for this project. However, I do NOT support their request for exemption for the reasons below:

1. The design review sessions I participated in were small and likely not representative. Not the same as voters going to polls for a referendum. And Boards, Commissioners, City Offices, Parks Division, Common Council, etc are also not the same as VOTERS VOTING. I don't expect these busy folks to know how I, or other voters, would actually vote. Some of the emails I've received say the writers had not heard about this project until yesterday. So I think it is critical for the team to bring the VOTERS up to speed on the benefits of the project, the timeline of different elements, the costs of those elements, etc. AND then put it to referendum.
  2. This project team had to be aware of the requirement for a referendum long before now. They could easily have added their referendum to the ballot on any of the last several elections. Not much cost or extra effort to do that. So I do not buy the argument that actually following the ordinance requirements is a burden either economically or time-wise.
  3. The fact that other much smaller projects were given exemptions is NO reason this HUGE EXPENSIVE project that directly INCLUDES the shoreline should be given an exemption.
  4. Finally, there has been a sea change in federal funding and states, counties, and cities are expected to have to find ways to educate, feed, house, and protect our neighbors. I STRONGLY OPPOSE any open-ended commitment to such a huge project without understanding how it fits into this new reality we are all in. If the Council is leaning toward exemption, PLEASE add an addendum so that it is clear the exemption ONLY applies to the FIRST, 2025-26, reconstruction of John Nolen Drive, part of the plan. All future stages DO have to go to referendum! I do not see this as unwieldy. I see it as democratic and responsive to the community's values and concerns at that time.
- Thanks for listening,  
Barbara

On Tuesday, July 15, 2025 at 12:55:32 PM CDT, 'Vidaver, Regina' via The Green <thegreen@googlegroups.com> wrote:

Hello neighbors,

I'm aware of the local blog post that shares information on tonight's Common Council [agenda item](#) related to the [Madison LakeWay project](#).

I admit that this item was not at the top of my list for engagement: I'm not a member of the Board of Parks, and I wasn't a member of the committee that brought us to this point. I also don't fully understand everything in relation to the exemption that's proposed, and I'm looking forward to learning more tonight. But I do know that there was one aspect of the blog post that was patently false: construction is **not** imminent. This project is probably 20-30 years away from coming to fruition. The reason is it's really, really costly. The City of Madison does not have the resources to fully support the project, so it will be a public-private partnership. To my knowledge, no major donor has yet stepped forward to underwrite the project, and it will likely take many years until the funding has been acquired.

What is being planned in the near future is the reconstruction of John Nolen Drive. And since we have dreams of the LakeWay, it makes sense to get to the next phase of planning that project while we're undertaking the street reconstruction, so we don't inadvertently do something with the street that precludes an option we might want to take forward for the LakeWay project in the future. We're doing [the same process with Regent Street](#). Again, I don't fully understand the exemption yet, but what I have been told is that because the LakeWay project will occur in multiple phases, it would be unwieldy to take *each phase* to referendum, so we need an exemption to move to the next phase now. That doesn't mean there won't be a referendum at some point in the future when the plans and funding are closer to reality. I'll be listening closely tonight to our City Attorneys, as I do want to understand the precedent this might set, and potential downstream effects of anything we do or do not decide to do in relation to the exemption.

I hope everyone interested in this topic will review [the memo we received from staff](#) to better describe the rationale and precedent for what is being proposed. I still have questions, and I look forward to getting them answered this evening.

Best wishes,

Regina Vidaver, District 5 Alder

Common Council President

City of Madison, WI

[District5@cityofmadison.com](mailto:District5@cityofmadison.com)

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**From:** [Craig Weinhold](#)  
**To:** [Verveer, Michael](#)  
**Cc:** [All Alders](#)  
**Subject:** item 11, legistar 88846, changing MGO 8.35 for Madison Lakeway  
**Date:** Tuesday, July 15, 2025 12:03:10 PM

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Hello Ald. Verveer and the rest of the Common Council,

I support LakeWay and am a member of its design committee.

But, please think carefully before changing [MGO 8.35](#) (agenda item 11, legistar [88846](#)). At minimum, amend the ordinance to strike out Brittingham Park and Law Park. That will leave intact the near-term portions that will accompany the John Nolen Drive causeway reconstruction that kicks off this fall while leaving the more distant and costly LakeWay concepts of *Law Park Ledge* and *Lake Lounge* for future discussion. I.e.,:

(f) Any construction in or change in the legal status of Olin Park northwest of Wingra Creek, ~~or~~ along the John Nolen Drive causeway, ~~in Brittingham Park, and in Law Park~~ that is associated with the Madison LakeWay Project.

I also encourage the Common Council to invite a City historian to provide context on MGO 8.35. I found the [July 14 legistar note](#) from Asst Parks Superintendant Lisa Laschinger to have whitewashed its history. Briefly:

MGO 8.35 "Preservation of Shoreline Parks" was enacted directly by the people of Madison through the process of direct legislation. *That's extraordinary!* It's only the second time in the City's history that this has happened.

It came about during a fight in the early 1990's over placement of a municipal pool at Turville Park. Organizers collected 15,000 signatures for their petition (more than the 11,000 needed). The referendum passed in a landslide, 34,395 (61%) to 21,599 (38%). Throughout the fight, Mayor Soglin and the local news media were against it. Cap Times editor Dave Zwiefel was even caught red-handed spreading misinformation. It was a bruising fight, but *the pool turned out better for it* (it's now a half mile west, far away from highway noise and closer and more walkable and bikeable to the south side neighborhoods it serves).

A few years later, Monona Terrace went to referendum. Its supporters claimed they always planned to do that, but this law *required* them to. That vote was closer, but the convention center prevailed with enough strength (53% to 47%) that opposition evaporated and the project was able to move forward with confidence. *This made Monona Terrace stronger.*

Since then, the Common Council has preemptively modified the ordinance to exempt upcoming projects. Olbrich's Thai Pavillion, the Zoo's Polar Bear enclosure, ... do those deserve referenda? Probably not. But LakeWay feels different. It's 1.8 miles of shoreline. *Lake Ledge* promises to enclose John Nolen Drive under an amphitheater!

When something that grandiose moves closer to reality in 5 or 10 or 15 years, I don't think we supporters should be afraid to ask for the public's renewed support. In fact, I think we would want that sort of validation.

It's also worth noting that the [ordinance's](#) \$500,000 construction limit is indexed, so projects with construction costs over \$2.5M today are the ones that need to go to referendum. That cutoff will grow to \$3.2M in 2030 and \$5.2M in 2040.

Best regards,

Craig Weinhold  
LakeWay Design Committee  
[cweinhold@gmail.com](mailto:cweinhold@gmail.com)