



City of Madison

City of Madison
Madison, WI 53703
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Master

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File Type: Resolution

Status: Reconsidered Business

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Reference:

Controlling Body: COMMON COUNCIL

File Created Date : 08/30/2017

File Name: AMENDED - Establishing a Plan for the Confederate Monuments in Forest Hill Cemetery

Final Action: 05/01/2018

Title: AMENDED - Establishing a Plan for the Confederate Monuments in Forest Hill Cemetery.

Notes:

Sponsors: Shiva Bidar

Effective Date:

Attachments: 4/10/18 Council Meeting: Potential Amendments.pdf, 4/9/18 Confederate Resolution Procedural Memo.pdf, Monument Report.pdf, Forest Hill Photos.pdf, 33 -- A - 1 Speedway Road - Forest Hill Cemetery .pdf, 1906 Newspaper Articles.pdf, 1980 & 1981 Newspaper Articles.pdf, AHA Statement on Confederate Monuments.pdf, Atlanta History Center - Status Quo Not an Option Intro & Template.pdf, Book Scan.pdf, Confederate Burials - Center for Civil War Research.pdf, Confederate Rest Historic Madison - Gajewski.pdf, Confederate Rest Monument Media Coverage.pdf, confederatestatement 817.pdf, ForestHillRulesRegs.pdf, Foresthillstatement. 817.pdf, Opinion 2016-002 Confederate Flag Memo (Final).pdf, Planning Magazine - Dec 2017 Goodman.pdf, SPLCwhose_heritage.pdf, Joint Meeting Confederate Monuments 01302018.pdf, New York Times Article, Public Comment Emails.pdf, 1.30.18 Joint Meeting Registration Statements.pdf, Confederate Monuments in FH-Public Comments.pdf, Landmarks - 3-19-18 - 60 Minutes Confederate Monuments Report, 48643 - Landmarks STAFF REPORT 3-19-18.pdf, Landmarks BOPC action 3-14-18.pdf, 48643 - Landmarks Levitan Photos.pdf, 48643 - Landmarks - Email from Carl Landsness.pdf, 48643 LC Report 03-19-18.pdf, Version 1 48643.pdf, 48643 Ahrens v3.pdf

Enactment Number: RES-18-00268

Author: Mayor Paul Soglin

Hearing Date:

Entered by: jbrey@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor's Office	08/30/2017	Referred for Introduction				
			Action Text: This Resolution was Referred for Introduction				
			Notes: Board of Park Commissioners, Equal Opportunities Commission, Landmarks Commission				
1	COMMON COUNCIL	09/05/2017	Refer	BOARD OF PARK COMMISSIONER S		03/14/2018	Pass
			Action Text: A motion was made by Rummel, seconded by Baldeh, to Refer to the BOARD OF PARK COMMISSIONERS. The motion passed by voice vote/other.				
			Notes: Additional Referrals: Equal Opportunities Commission, Landmarks Commission				
1	BOARD OF PARK COMMISSIONERS	09/05/2017	Referred	EQUAL OPPORTUNITIES COMMISSION		03/08/2018	
			Action Text: This Resolution was Referred to the EQUAL OPPORTUNITIES COMMISSION				
			Notes:				
1	BOARD OF PARK COMMISSIONERS	09/05/2017	Referred	LANDMARKS COMMISSION		03/19/2018	
			Action Text: This Resolution was Referred to the LANDMARKS COMMISSION				
			Notes:				
1	LANDMARKS COMMISSION	01/30/2018	Re-refer	LANDMARKS COMMISSION		03/19/2018	Pass
			Action Text: Mayor Soglin presented a historical overview and his recommendations for the monuments. Mayor Soglin commented about the "vicious" history of Jim Crow which institutionalized slavery and the treason of the secessionist insurrection. The Mayor recommends keeping the the monument and adding a new sign with some of the words of New Orleans Mayor Mitch Landrieu's speech last May: http://nyti.ms/2q9ASgb that would be a 'living monument to the lies and betrayal' of the UDC and Lost Cause movement to whitewash slavery. (Ald. Samba Baldeh left the meeting at 6:09 p.m.)				
			Eric Knepp and Lisa Laschinger presented a summary of the history of the monuments, as well as the operational procedures and challenges within the cemetery. Even though the monument is composed of three sections, Parks Superintendent Eric Knepp reported that taking apart the monument in order to remove the section with the language about the United Daughters of the Confederacy would not likely be possible. The legislative file has photos of the site, close-ups of the monuments, newspaper articles, public comment etc. Lisa Laschinger provided a brief summary of the history of the monuments at the meeting. Parks Supt Eric Knepp pointed out that the insignia on the plaque is a representation of the Confederate battle flag which is not permitted to be in the park per ordinance. The Parks Commission changed the policies on flags last year. The city is not planning to remove the individual stone grave markers which identify the soldiers by name. The stones are eroding and may require replacement if we intend to use them to name the individuals who are buried in the cemetery. The markers do not denote the actual location of the 140 soldiers. According to Eric, there is no record of specific platting, many of the soldiers are in a mass grave. Ms. Waterman's grave marker does represent where she is buried. (Ald. Samba Baldeh returned to the meeting at 6:30 p.m.)				
			There was general consensus that the resolution and the prescribed actions would be referred to the respective commissions for further discussion and formal action. To formalize the consensus of the commissions, a motion to re- refer was submitted by Madden (Equal Opportunities Commission), seconded by Rummel (Landmarks Commission).				
			A motion was made to re-refer to the LANDMARKS COMMISSION. The motion passed by voice vote/other.				
1	EQUAL OPPORTUNITIES COMMISSION	01/30/2018	Re-refer	EQUAL OPPORTUNITIES COMMISSION		03/08/2018	Pass

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There was general consensus that the resolution and the prescribed actions would be referred to the respective commissions for further discussion and formal action. To formalize the consensus of the commissions, a motion to re- refer was submitted by Madden (Equal Opportunities Commission), seconded by Rummel (Landmarks Commission).

A motion was made to re-refer to the EQUAL OPPORTUNITIES COMMISSION. The motion passed by voice vote/other.

1	BOARD OF PARK COMMISSIONERS	01/30/2018	Re-refer	BOARD OF PARK COMMISSIONER S	03/14/2018	Pass
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There was general consensus that the resolution and the prescribed actions would be referred to the respective commissions for further discussion and formal action. To formalize the consensus of the commissions, a motion to re- refer was submitted by Madden (Equal Opportunities Commission), seconded by Rummel (Landmarks Commission).

A motion was made to re-refer to the BOARD OF PARK COMMISSIONERS. The motion passed by voice vote/other.

1	EQUAL OPPORTUNITIES COMMISSION	03/08/2018	Return to Lead with the Following Recommendation(s)	BOARD OF PARK COMMISSIONER S	03/14/2018	Pass
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Action Text: After some discussion on the topic, Commissioner Madden motioned to recommend the removal of the standing monument, and supporting the removal of the previous one. The motion was seconded by Commissioner Ramey, and passed via voice vote.

A substitute motion was made by Kemble, seconded by Dieringer, to Return to Lead with the Following Recommendation(s) to the BOARD OF PARK COMMISSIONERS.

The Equal Opportunities Commission (EOC) recommends for taking down the current monuments and thus prevent glorifying the so-called "Lost Cause" movement by the repetition of the names of the confederate soldiers. The removed monuments should be given to the Wisconsin Historical Society for storage. No new monuments or markers should be erected in their place. The EOC also affirms the commitment to rejecting all racist monuments, language, and hate groups in the City of Madison.

Notes: The motion passed by voice vote/other
Recommendation:

Take down the current monuments and thus prevent glorifying the so-called "Lost Cause" movement by the repetition of the names of the confederate soldiers. The removed monuments should be given to the Wisconsin Historical Society for storage. No new monuments or markers should be erected in their place. The EOC also affirms the commitment to rejecting all racist monuments, language, and hate groups in the City of Madison.

1	BOARD OF PARK COMMISSIONERS	03/14/2018	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
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Action Text: Registered Speakers Carl Landsness and Gerhard Pechmann spoke.

Park Operations Manager Lisa Laschinger answered questions.

After some discussion on the topic, motion made by Ragland, seconded by Gnam, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER with the following recommendations: Support the removal of the smaller marker, leave the standing (larger) monument as is, and add contextualizing signage in the former location of the smaller marker. Also, that the smaller marker be offered to the Wisconsin State Historical Society and not be offered to any private resident. Motion passed by voice vote/other.

Notes: Recommendation:

Support the removal of the smaller marker, leave the standing (larger) monument as is, and add contextualizing signage in the former location of the smaller marker. Also, that the smaller marker be offered to the Wisconsin State Historical Society and not be offered to any private resident.

1	LANDMARKS COMMISSION	03/19/2018	Return to Lead with the Following Recommendation(s)	BOARD OF PARK COMMISSIONER S	Pass
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Action Text: Carl Landsness, registering neither in support nor opposition and wishing to speak.
Terry Lipchow, registering and wishing to speak.

A motion was made by Arnesen and seconded by Andrzejewski to recommend to the Common Council that the Landmarks Commission finds that the small plaque should not have been uninstalled without an application for a Certificate of Appropriateness and that an application should be submitted by the Common Council. Upon the approval of a Certificate of Appropriateness to remove the small plaque, the Commission suggests that the plaque be offered to the WI Veteran's museum and the WI State Historical Society and not to private individuals. The motion passed on a voice vote.

A motion was made by Arnesen and seconded by Hill to recommend to the Common Council that the Landmarks Commission feels that the large cenotaph should be retained in Confederate Rest. The motion passed on a voice vote, with Rummel voting opposed.

A motion was made by Kaliszewski and seconded by McLean to recommend to the Common Council that the Landmarks Commission finds that an interpretive display should be installed, that the Common Council should commission its drafting by a qualified historian, and that the events surrounding the small plaque be included in the display. The Commission further stipulated that the text, appearance, and placement of the display must be reviewed and approved by the relevant bodies prior to installation. The motion passed on a voice vote.

Notes: Recommendations:

The small plaque should not have been uninstalled without an application for a Certificate of Appropriateness and

that an application should be submitted by the Common Council. Upon the approval of a Certificate of Appropriateness to remove the small plaque, the Commission suggests that the plaque be offered to the WI Veteran's museum and the WI State Historical Society and not to private individuals. The motion passed on a voice vote.

The large cenotaph should be retained in Confederate Rest. The motion passed on a voice vote, with Rummel voting opposed.

An interpretive display should be installed, that the Common Council should commission its drafting by a qualified historian, and that the events surrounding the small plaque be included in the display. The Commission further stipulated that the text, appearance, and placement of the display must be reviewed and approved by the relevant bodies prior to installation. The motion passed on a voice vote.

1		04/10/2018 Adopt the Following Amendment(s)	
	Action Text:	A motion was made by Bidar-Sielaff, seconded by Eskrich, to Adopt the Following Amendment(s). The motion passed by voice vote/other.	
2	COMMON COUNCIL	04/10/2018 Adopt the Following Amendment(s)	Pass
	Action Text:	A motion was made by Bidar-Sielaff, seconded by Eskrich, to Amend. The motion passed by voice vote/other.	
2	COMMON COUNCIL	04/10/2018 Amend Alternate	Fail
	Action Text:	A motion was made by Ahrens, seconded by Baldeh, to Amend the Amendment. The motion failed by the following vote:	
		Ayes: 5 Michael E. Verveer; Steve King; Zach Wood; Paul E. Skidmore and David Ahrens	
		Noes: 13 Barbara Harrington-McKinney; Ledell Zellers; Amanda Hall; Shiva Bidar; Marsha A. Rummel; Arvina Martin; Larry Palm; Sara Eskrich; Sheri Carter; Samba Baldeh; Rebecca Kemble; Mark Clear and Matthew J. Phair	
		Excused: 3 Paul R. Soglin; Maurice S. Cheeks and Denise DeMarb	
2	COMMON COUNCIL	04/10/2018 Adopt With Amendment(s)	Pass
	Action Text:	A motion was made by Baldeh, seconded by Ahrens, to Adopt With Amendment(s). The motion passed by voice vote/other.	
		There were 4 registrants in support.	
		There were 3 registrants in opposition.	
		There were 3 registrants in neither support nor opposition.	
2	COMMON COUNCIL	04/17/2018 Reconsider and refer to a future meeting	Pass
	Action Text:	A motion was made by Skidmore, seconded by Ahrens, to Reconsider and refer to a future meeting. The motion passed by voice vote/other.	
	Notes:		
2	COMMON COUNCIL	05/01/2018 Reconsider	Fail
	Action Text:	A motion was made by Skidmore, seconded by Ahrens, to Reconsider. The motion failed by the following vote:	
		There were seven registrants in support.	
		Ayes: 4 Michael E. Verveer; Steve King; Paul E. Skidmore and David Ahrens	
		Noes: 14 Barbara Harrington-McKinney; Ledell Zellers; Amanda Hall; Shiva Bidar; Marsha A. Rummel; Zach Wood; Maurice S. Cheeks; Arvina Martin; Larry Palm; Sara Eskrich; Denise DeMarb; Rebecca Kemble; Mark Clear and Matthew J. Phair	
		Excused: 2 Sheri Carter and Paul R. Soglin	
		Non Voting: 1 Samba Baldeh	

Text of Legislative File 48643

Fiscal Note

The proposed resolution calls on the Parks Commission and Equal Opportunities Commission to meet jointly to develop recommendations regarding Confederate monuments in the Forest Hills Cemetery. The proposed resolution does not have a fiscal impact; however, recommendations to remove the monuments or construct new monuments may require a budget amendment.

Title

AMENDED - Establishing a Plan for the Confederate Monuments in Forest Hill Cemetery.

Body

WHEREAS, the City of Madison opened Forest Hill Cemetery in 1857, and continues to own and operate the Cemetery today; and,

WHEREAS, in 1862, 140 prisoners of the Confederate States of America being housed at the Union Army stockade at Camp Randall died and were ultimately buried in Forest Hills Cemetery in what is now known as the "Confederate Rest Area"; and,

WHEREAS, the Confederate Rest Area remains City owned and the gravesites and monuments contained in and around the area are owned by, and maintained by, the City; and,

WHEREAS, following the end of the Civil War in 1865 and the abolition of slavery, the freed slaves, others persons of color and their descendants faced a whole new system of legal, economic and social oppression in the form of Black Codes, or Jim Crow Laws. These laws, enacted throughout the south, and to some degree in the north, were designed to keep intact the subjugation of blacks. Even fifty-three years after the Civil Rights Act of 1964, the impacts of these laws are still being felt in America; and,

WHEREAS, sometime in the early 1930s, the United Daughters of the Confederacy were allowed to donate and erect a stone monument in the Confederate Rest Area in honor of those buried there (the "UDC Monument"); and,

WHEREAS, the Southern Poverty Law Center lists the United Daughters of the Confederacy as a neo-Confederate group, and the group itself, through the erection of monuments throughout the United States, subscribes to the "Lost Cause" movement, which attempts to alter history to paint Confederate soldiers as heroic figures, rather than rebellious traitors on the wrong side of history and humanity. Moreover, the United Daughters of the Confederacy has aligned itself with white supremacists and racists in its effort to obfuscate the truth that the south fought the Civil War to preserve slavery and segregation; and,

WHEREAS, in 1982, the City allowed a small monument to be donated and erected just outside of the Confederate Rest Area that, while attempting to provide some history about the individuals buried there, perpetuates the Lost Cause myth that these Confederate soldiers were "valiant" and "unsung heroes", and makes no mention of the role slavery played in their rebellion and the tyranny and unjustice that they fought to preserve (the "CSA Plaque Monument"); and,

WHEREAS, following the slaying of nine African-Americans at the Emanuel African Methodist Episcopal Church in Charlestown, SC in 2015 by a white supremacist who idolized the Confederate battle flag, efforts were undertaken throughout the Country to reexamine the continued display of Confederate symbols. South Carolina, long a defender of the display of the battle flag, removed a confederate flag pole from its statehouse. Madison itself reexamined its policies at Forest Hills Cemetery, removing the City-owned flag pole in the Confederate Rest Area and altering its graveside flag policy so that the display of the Confederate flag in the Cemetery was no longer allowed. In addition, states and municipalities began to question the

display of other Lost Cause related statues and monuments, and the appropriateness of these representations of hate, tyranny and oppression; and,

WHEREAS, on August 12, 2017, white supremacists, white nationalists, neo-Confederates, neo-Nazis and other far-right hate groups gathered in Charlottesville, Virginia, for the Unite the Right Rally to protest the proposed removal of a statue of Robert E. Lee that was erected in a City park nearly 60 years after the end of the Civil War as part of the Lost Cause movement. During the event, in an act of domestic terrorism, counter protesters were viciously attacked by a neo-Nazi, leaving one dead and nineteen injured; and,

WHEREAS, following Charlestown and Charlottesville, attention has been directed to the Lost Cause monuments throughout the Country, including in Forest Hills Cemetery where the CSA Plaque Monument has been removed and is in storage; and,

WHEREAS, the Commissions identified in this resolution have met and considered alternative treatments of the monuments and made recommendations to the Council,

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the City of Madison does not support the efforts and messages of the United Daughters of the Confederacy, neo-Confederates and other Lost Cause propagandists to celebrate the Confederate States of America and its dead, such support being another part of the Black Codes and other efforts to perpetuate the economic, social and legal subjugation of African-Americans and other peoples of color in the United States; and,

BE IT FURTHER RESOLVED, that as the owners of Forest Hills Cemetery, the Confederate Rest Area, and the UDC and CSA Plaque Monuments, the City has an obligation to the visitors at Forest Hills Cemetery and the citizens of this City, to reexamine the continued display of these monuments and the message that these monuments convey and support; and,

BE FINALLY FURTHER RESOLVED, that the Board of Parks Commissioners, through their authority under Madison General Ordinances Section 8.11, the Landmarks Commission, through its authority over Forest Hills Cemetery under Madison General Ordinances Chapter 41, and the Equal Opportunities Commission shall jointly meet to consider the following three options with regard to the two Lost Cause monuments in Forest Hill Cemetery: whether to take down and permanently remove the two Lost Cause monuments, whether to leave the monuments in place but alter the messages contained therein, and whether to leave one or both of the Lost Cause monuments in the Cemetery but erect a new monument providing detail of the false narrative of the Lost Cause and the role these monuments play in that effort.

BE IT FINALLY RESOLVED, that the Common Council determines that the Confederate monuments will be treated in the following manner:

1. The CSA Plaque Monument previously removed shall be offered by the City to the State Historical Society or the Wisconsin Veterans Museum, but not to any private entity. If neither the Historical Society nor the Veterans Museum accepts the Plaque, it will remain in storage under the control of the Parks Division.

2. The Cenotaph (the large monument within the burial area) shall be removed from the burial area of the Confederate Rest. The Cenotaph shall be offered by the City to the State Historical Society or the Wisconsin Veterans Museum, but not to any private entity. If neither the Historical Society nor the Veterans Museum accepts the Cenotaph, it will

remain in storage under the control of the Parks Division.