

## City of Madison and “Community Engagement”:

The first time residents heard about the Lake Mendota Drive (LMD) road reconstruction project was through topographic surveyors who were in the neighborhood in October/November 2021 to document right of ways (ROWs), utility lines, traffic counts, parking counts, and the like. There was no advance explanation from the City or our alder. There were generic and brief mentions of a survey crew and “pavement management” in Alder Furman’s October and November blogs, posted after residents had already encountered the crew, with no meaningful details on the scope of the project. No broad or systematic outreach from the alder occurred before then or has occurred since then.

Engineering survey #1 went out in December 2021. Questions did not ask opinions about the project as a whole or about specific elements, which were assumed, or anticipate any concerns residents would likely have related to tree removal and other environmental aspects. The survey was not clear about whether it was intended for residents along LMD only or for all who live in Spring Harbor. Most of the questions were only relevant for those with property on LMD (e.g., do you want a rain garden installed on your property? Do you want a private stormwater line from your house?). A second City survey was later disseminated which asked for some reactions to elements of the ultimate street reconstruction plan, but these were primarily questions about things like whether and where to install rain gardens in public spaces.

Residents, spearheaded by the head of the Planning and Development Committee of the Spring Harbor Neighborhood Association (SHNA), developed a survey intended for all Spring Harbor residents in late December 2021. This survey was agnostic on elements of the project, and simply sought to gain a broad sense of residents’ views, since no one else was doing so. However, not every potentially important question or concern was included in the survey because residents had little knowledge of what was going to occur at that point, we were running to catch up to the City, and we’d had no time to organize. For instance, concerns about Native American effigy mounds and stormwater management were not explored in the neighborhood survey, but quickly came to light after the survey was fielded and in many comments from survey respondents.

**However, special care was taken in the neighborhood’s survey to ask the opinions of subgroups with critical needs**—those 70 and older, those with children under 12, and those with mobility limitations. The City’s survey did not do this, nor was there ever an effort by our alder or other City staff to do this. Our alder has been highly dismissive of all residents who have voiced concerns about the project. Too many residents won’t reach out to him anymore because of the disrespectful and contemptuous way they have been treated, and because he always gives a version of the same pat response. It was made clear to everyone who tried to engage with him early on that he was not open to hearing ideas or feedback that deviated in any way from the City’s plan. Any improvements to the plan that have occurred came from residents dealing directly with the lead City engineer, Jim Wolfe.

From our neighborhood survey, we learned that residents both on and off LMD are largely not in favor of sidewalks, and the clear majority of residents with mobility limitations and those 70 and older do not want sidewalks. Among those with young children, half do not want sidewalks and 15% were not sure. The summary results of that survey are provided as an attachment to this agenda item. Residents did provide thoughtful insight about real safety concerns, such as areas by the school and Spring Harbor Park, at University Ave in several locations, and about blind spots on LMD that need attention. As of April 14, 2022, 235 Spring Harbor residents have taken this neighborhood survey, representing all corners of the neighborhood.

The first public information meeting (PIM) held by the City was on January 11<sup>th</sup>. The City's presentation of the project scope was posted on January 10<sup>th</sup>. No drawings or renderings of what exactly was going to happen on each property were presented. The City staff could not answer simple questions such as how many trees are at risk of removal, other than to say "a lot". At the January 11<sup>th</sup> meeting, many residents had questions and concerns as they were reacting to the prospect of this project for the first time, but City staff were united in claiming that the project elements and scope were already baked. Residents were not allowed to speak and were relegated to using the chat function. The City did not present data that supported their preliminary parameters; instead citing very low traffic counts on certain segments of LMD and the complete absence of pedestrian-car accidents as far back as can be tracked. There was one comment made in passing by a City staff person, easily missed, toward the end of that January 11<sup>th</sup> meeting: that the plan was going to the Transportation Commission (TC) less than 24 hours later, on January 12<sup>th</sup>. No explanation was provided about the purpose or significance of the TC meeting, and residents were not told they could register to speak. Thus, only one resident registered for the meeting and was given that chance.

It became clear on January 11<sup>th</sup> and 12<sup>th</sup> that the City had already decided on the project elements, such as sidewalks and road narrowing. Policies in the process of getting approval from several City entities were referenced as if they were immutable and standard across every road reconstruction project. Concerns about stormwater management and Well 14 contamination (already the most contaminated well in the City and the water sources for tens of thousands of west side residents) were dismissed at the January meetings and we were told to just trust the City, despite the City not having a plan for stormwater management that was holistic and integrated with the "geometrics" of the new road design. There still is no such plan.

At the January 12<sup>th</sup> Transportation Commission meeting, our alder grossly misrepresented the views of the neighborhood by cherry-picking a negative comment from one resident (who had admittedly explained their comment poorly and didn't mean it the way the alder presented it), adding words to the comment that were never said ("*so we don't need to worry about those people*"), purposely crafting the impression for the TC that the greater neighborhood was hostile to individuals with disabilities. This tactic worked, because in the 3/9 TC meeting, Commissioner Brown must have been remembering that remark from Keith Furman when she said that "*a lot of the comments, and I'll just be blunt, a lot of the comments I heard were almost word for word some of the same types of comments that we hear in very conservative*

*parts of the state like in northern Milwaukee looking at similar kinds of projects, like ‘we don’t have those kinds of people here, we don’t need those kinds of facilities...’*

In actuality, and the video recording is available for anyone to watch, no one said anything of the sort at this meeting or other meetings or in any of the submitted comments. Indeed, we have provided to the City input from residents who live in Spring Harbor AND have mobility limitations—input that was not solicited or collected by the City—which shows that the clear majority of residents with mobility issues, including those with visual impairments, both those who live on and off Lake Mendota Drive, do not want sidewalks.

Transportation Commissioner Jess also accused residents of being “ableist” at this meeting. I wonder, is it ableist to do the legwork of seeking out neighborhood residents with mobility limitations to ask for their views on what they want and need? And is it ableist to listen to them and treat them as whole people capable of holding many different values at once? Or should we marginalize their voices and say that their opinions don’t matter. The majority of the TC members certainly don’t think they matter, as they refuse to even acknowledge the neighborhood survey results. Or perhaps they are fine with just assuming everyone with mobility limitations thinks exactly like them? Commissioner Brown also disingenuously claimed that she was hearing “*so many*” commenters say that they wanted to keep the ROWs “*for themselves, to do what they want*”. Again, no one said anything of the sort. Yes, there are residents who own older homes, built well before the annexation of Spring Harbor to the City in the late 1940s, who risk losing their only parking spaces as part of the project. This is in no way the equivalent of “wanting to do what they want with the ROW”. Many residents are in fact interested in exploring how portions of LMD, including ROWs, could be used for more green infrastructure for managing stormwater better. To paint the motivation behind the opposition as selfish (a term our alder lobs at us with great frequency and condescension), is patently false and unfair.

The second PIM on February 24<sup>th</sup> involved the City presenting a first draft of the road reconstruction plan. Residents again voiced many concerns, overwhelmingly related to the environment and the lack of evidence that sidewalks were needed in certain sections of LMD where the traffic is very low or could be managed with other mechanisms, where there are no public transportation routes, and where residents themselves, including those 70 and older and those with mobility limitations, overwhelmingly do not want them. The City was resolute that none of this mattered, and that they were building for future hypothetical residents and visitors to the neighborhood, and not those who live in Spring Harbor now. An excellent strategy for disenfranchising today’s voters and an argument that can ostensibly be used to allow the City to do anything it wants regardless of residents’ views.

An ad hoc committee of the Spring Harbor Neighborhood Association (SHNA) was voted on and approved by the SHNA membership on February 28<sup>th</sup> after residents realized that the City still wasn’t listening or engaging in any meaningful way with residents. A petition was also started by neighbors, now signed by almost 200 Spring Harbor residents, that shows the extent of opposition to the current plan on the grounds that not enough attention has been paid to the

water and environmental impacts of this project or the cultural and historical significance of the neighborhood and asking the City to slow the process down to adequately attend to these things. This petition was submitted to the TC and other government entities charged with reviewing the plans. It is again included as an attachment to this meeting. The sheer number of people asking for a slowed and more thoughtful process should, if nothing else, give the Common Council tremendous pause that residents are not feeling heard, nor do they feel that adequate *and authentic* community engagement has occurred. What we have experienced is performative listening, with a few tweaks to the City's preconceived plan here and there. Ultimately, the City's agreement to meet with the SHNA ad hoc committee slowed down the process...by two weeks. And again, nothing came out of that meeting except more of the same responses from City staff. But, they were able to check a box on the "slow down" request.

For Agenda ITEM 6 (Lake Mendota Drive) on the 3/9/2022 Transportation Commission agenda, there were 44 public registrants in total, with 4 in Support, 33 Opposing and 7 who neither supported or opposed. The chair of the TC, Anne Kovich, mentioned at the end of the meeting that she was worried that people who support the project as it stands were not being heard. This is absurd. This count was based on the views of anyone in the neighborhood who cared to attend (and a meeting reminder was sent out through multiple channels and avenues by the City several times), and is in direct alignment with the neighborhood survey findings delivered to the TC earlier, and included in the 3/9/22 meeting attachments. The clear majority of residents do not want sidewalks in certain segments of LMD where they do not make sense, and they are tremendously concerned about environmental impacts of the project and the continued deterioration of our drinking water. There are members of the TC who simply don't want to consider anything that goes against their own views, as was evident again at the 4/13/22 TC meeting. Several commissioners even openly admit they are more convinced not by the systematic collection of data from hundreds of actual residents of Spring Harbor (which they ignore entirely), but instead by anecdotal stories about a friend who had to use crutches for a time.

Commissioner Brown also suggested at the 3/9 TC meeting that the neighborhood can feel free to reach out to the Ho-Chunk Nation themselves. Perhaps she did not know that the Ho-Chunk are a sovereign nation and that they work directly with governmental bodies on matters of importance like this. Random groups of residents do not have a formal line to the leadership of Ho-Chunk Nation. The City does, and it is their responsibility to pursue that formal channel and show respect for the Ho-Chunk People by making sure their invited input isn't an afterthought or an 11<sup>th</sup> hour perfunctory ask, as it stands to be at this point. As far as we've been told, only the lead engineer on the project has reached out to the Ho Chunk leadership. It should be the Mayor.

A third PIM on the LMD project occurred on April 4<sup>th</sup>. We were repeatedly told that 3 PIM meetings was unprecedented, as if the mere fact of holding them was evidence that community engagement was happening. In advance of this meeting, the SHNA ad hoc committee met with City staff downtown. Nothing came of this as the City was not open to considering any of the committee's requests—just another box for the City to check and say they "listened." A Board

of Public Works meeting occurred on April 6<sup>th</sup>. The BPW actually did listen to residents and voted to recommend to the TC that sidewalk installation along LMD be further minimized.

A third TC meeting occurred on 4/13; 25 people registered in opposition to the LMD geometrics, 1 person registered in support, and 1 registered as neither opposed nor supportive. Numerous residents spoke eloquently and informatively about their concerns. One TC commissioner noted (and ultimately did not support the City's geometric plan) that she repeatedly hears from residents in other parts of Madison that the City process on projects like this is "top-down" and "rushed." A TC commissioner moved to approve the geometrics, another member offered an amendment that was seconded to limit the sidewalks to one side throughout the full stretch of LMD, but that amendment was voted down and the geometrics as they were submitted passed with only two no votes, despite the BPW's recommendation.

One of the biggest problems the Spring Harbor neighborhood has faced is that we have had abysmal leadership from our alder, Keith Furman. He has chosen to not only ignore the vast majority of his constituents in the Spring Harbor neighborhood, he has also been hostile and rude to those who disagree with the City's plans, which happen to reflect his own preferences as a Spring Harbor resident who lives on Lake Mendota. He has engaged in petty harassment of residents by reporting their LakeMendotaDrive.com yard signs more than a dozen times because some residents had placed them in the right of way—ignoring all other signs located in ROWs that have been in place for years—under the guise of "just doin' my job." Furthermore, he has intentionally and repeatedly mischaracterized residents' views in a deliberate attempt to paint his neighbors in an unfavorable light. His lack of good leadership has been a key reason that this project has achieved the level of opposition it has. It did not have to be this way, and the Common Council and other city government bodies should be aware that his lack of leadership has been the primary reason for all the extra emails and meetings that Jim Wolfe and his colleagues have had to field, all the extra time that residents have had to put into raising their concerns and running to play catch-up with the City's high speed train, and all the stress that has been caused among residents.

At the same time that the LMD project is moving forward, the City is busy pushing through policy agendas like Vision Zero and Complete Green Streets that some in City government claim effectively mandate certain infrastructure elements, like sidewalks, everywhere in the City with very few exceptions. (As an aside, the Complete Green Streets initiative has a laughable title when you realize that the environment is not even represented in the "pyramid" graphic depicting the initiative's priorities). While some City employees continue to insist that these policies are "living breathing documents" and "no infrastructure element is required in every project" and "every project will take into account the unique aspects of a neighborhood" (all said by City engineer Yang Tao at the TC meeting on 3/9), other staff are insisting that these policies are universal, standard, and immutable. The City points to survey data on Madison residents at large, untied to any particular context. Questions about whether we should prioritize people or cars/traffic flow, when asked in general, generate high agreement that we should prioritize people. If you ask these types of questions in relation to a particular context where traffic is a much smaller issue and in balance with other values like protecting the

environment, you will get more varied responses as we saw in the Spring Harbor neighborhood survey. The City has pitted environmental values against other values as if it's a zero-sum game. That's obviously nonsense, but the optimal solutions won't be found if the City puts its fingers in their ears about some values and tries to shame residents for having them, and has tunnel vision about others.

There are definitely areas of critical concern for safety, access, and equity in this neighborhood—yet, astonishingly, we've never once been asked where they are. The City is instead choosing to install measures along segments of LMD that will quite literally have zero impact on safety and extremely minimal impact on access and equity. This is not good stewardship of taxpayer money, and it will not move the needle on access, equity, or safety. Meanwhile, Vision Zero has set its lofty goal of eliminating traffic deaths for more than 10 years out, even though there are clear data on where the true danger zones for traffic deaths exist. The choices being made truly make no sense. The City does not have infinite resources. Every dollar put into aspects of a project that are really not needed are dollars not being put into projects that truly are needed. Such decisions create and continue to perpetuate inequities throughout Madison. **That's the way inequity is fundamentally designed!**

You will never get 100% agreement on any project, even within groups of greatest concern. So, what do you do, given that reality? The survey the neighborhood did is by far the most extensive, systematic, and inclusive attempt to get resident feedback on this project. When the great majority of residents are telling you that of paramount concern is a solution that helps **reverse** the contamination of the lake and Well 14, which serves tens of thousands of people on the west side and is the most contaminated well in the City, I would hope that the Common Council would listen and serve as a check on the City to make sure it has a solid plan to address these pressing problems before this project moves forward.

I've actually [written about community engagement](#) in a national news outlet. Although the article focuses on the academic research process, you can substitute the word "researcher" with "City leaders"—the principles are the same. Those principles were absent in this LMD project. In fact, the way this has unfolded more accurately represents a case study on how not to do community engagement work.

**Give all I've described, I ask you, is this the kind of "community engagement" our City leaders stand behind?**

The City leaders and the press like to paint a picture of a bunch of millionaires complaining. There are about 40 homes on the actual lake, most worth well over one million, to be sure. There is no recourse to reign in the building of enormous lake homes because City building codes allow them to be built. But the number of lake homes is tiny compared to the vast majority of homes in Spring Harbor which are modest in size and value. [Read this news story](#) from a few years ago to get a sense of the neighborhood. Or just consider a few quotes:

- *"Water is integral to the identity of this quiet, lush oasis on Madison's West Side."*

- *“Longtime residents here expect their streets to be green and homes to be humble.”*
- *“The link between human and water in Spring Harbor goes back thousands of years, as the neighborhood’s Native American Effigy Mounds attest.”*
- *“Students at the well-regarded Spring Harbor Environmental Magnet School are immersed in lessons about the natural world.”*
- *“...there is a healing quality to the Spring Harbor Neighborhood, whose winding streets feel as though they were carved through a forest.”* Indeed, they were.

It should tell you something that half of the 235 neighborhood survey respondents don’t even live on LMD, yet opposition to sidewalks on LMD is strong throughout the whole neighborhood, even from residents who live across University Ave. to the south (a walkable distance from LMD that involves crossing extremely dangerous sections of that major thoroughfare street). That same news story should also make it clear why residents bristle at the project description the City gives when presenting on it: a **“rural to urban conversion” project**.

There is indeed a healing quality to this rural-like setting that is Spring Harbor, including Lake Mendota Drive. I felt incredibly drawn to that quality when I moved here from Stoughton in 2013 with my two young sons after their father passed away and I needed to be closer to work. In the midst of our grief, we found peace and solace in this neighborhood. Walking the wide streets, seeing and smelling the lake, looking up at the centuries old trees—this was medicine I didn’t realize how much we needed at the time. My appreciation for this neighborhood as a rural oasis at the most western edge of the City has grown stronger with each passing year. I don’t share any of that lightly because it is very personal. But when I sit back and really think about what makes me so upset about the callous City process and contemptuous behaviors and comments from our representatives and governing bodies, it isn’t even the horrible way that residents have been treated. It is the impending loss of what is almost indescribable if you haven’t experienced it yourself. The majority of us who live throughout Spring Harbor understand what we are about to lose, but more importantly, we understand what the City of Madison, as well as future Spring Harbor residents, are about to lose. And we know that when you get to replacing the narrow side streets with even thicker tree canopies, hundreds upon hundreds of trees will ultimately be lost all to achieve the City’s dream of urbanizing every rural oasis left in Madison. When City leaders make decisions about this neighborhood without even taking the time to visit or genuinely listen to residents, and our alder repeatedly states that the neighborhood is *“no different than other neighborhoods,”* it is an extremely difficult pill to swallow.

Madison used to be a City that prided itself on environmental stewardship. This is going away under current leadership. There isn’t even an active entity charged with ensuring environmental protections or advocating on behalf of the environment at the City, despite our Mayor’s claim that the environment is a huge priority and having run for office on a pledge to protect it. This LMD project, situated along the largest lake in the region and one of the few lakeside neighborhoods to be found in Madison, won’t involve an environmental impact study because *“we aren’t required to do one”* (due to lack of reliance on federal funds for the project), and because *“we’re too short-staffed.”* These statements perfectly sum up City leaders’ stance

on the importance of the environment. The rest of the story I've recounted above sums up how the City feels about residents—we are to be managed not engaged. We are a mere obstacle to work around. "The City knows best" is the message we hear loud and clear.