



Legislation Details (With Text)

**File #:** 13078      **Version:** 1      **Name:** Garver Feed Mill building  
**Type:** Resolution      **Status:** Passed  
**File created:** 12/17/2008      **In control:** BOARD OF PARK COMMISSIONERS  
**On agenda:** 2/3/2009      **Final action:** 2/3/2009  
**Enactment date:**      **Enactment #:** RES-09-00099

**Title:** Authorizing the placement on the April 7, 2009 ballot of a binding referendum question relating to the conveyance of the Garver Feed Mill building and abutting lands to Common Wealth Development, Inc. or its assignees for the purpose of constructing an arts incubator and other associated improvements in Olbrich Park.

**Sponsors:** Marsha A. Rummel, Brenda K. Konkell, Julia S. Kerr, Paul E. Skidmore, Lauren Cnare, Joseph R. Clausius, Larry Palm

**Indexes:**

**Code sections:**

**Attachments:** 1. 13078 Registration Stmt.pdf

Date	Ver.	Action By	Action	Result
2/3/2009	1	COMMON COUNCIL	Adopt	Pass
1/14/2009	1	BOARD OF PARK COMMISSIONERS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
1/12/2009	1	BOARD OF ESTIMATES (ended 4/2017)	Return to Lead with the Recommendation for Approval	Pass
1/6/2009	1	BOARD OF PARK COMMISSIONERS	Refer	
1/6/2009	1	COMMON COUNCIL	Referred	
12/17/2008	1	Attorney's Office	Referred for Introduction	

**Fiscal Note**

This referendum question would be voted on during a regularly scheduled election. There would therefore be no additional costs for election officials. As the question is relatively brief, costs for paper ballots should also be unaffected. No appropriation is therefore required.

**Title**

Authorizing the placement on the April 7, 2009 ballot of a binding referendum question relating to the conveyance of the Garver Feed Mill building and abutting lands to Common Wealth Development, Inc. or its assignees for the purpose of constructing an arts incubator and other associated improvements in Olbrich Park.

**Body**

**Preamble**

The City of Madison owns the Garver Feed Mill building, the five acres surrounding the Garver Feed Mill and 17.8 acres north of Garver to Fair Oaks Avenue. All of this property is a part of the Olbrich Park, which borders Starkweather Creek. In 2008, the City accepted the proposal of Common Wealth Development, Inc. to reuse and rehabilitate the Garver Feed Mill property into an arts incubator and associated uses. Common Wealth Development's proposal provides for the sale of the Garver Feed Mill building to Common Wealth, and the conveyance by long-term land lease of the land underneath the building and a portion of the land surrounding the building for use as parking and other related improvements. Section 8.35, Madison General Ordinances, entitled "Preservation of Shoreline Parks" requires voter approval by referendum prior to the change in legal

status of any City public park bordering a lake or navigable waterway or certain construction in any City public park bordering a lake or navigable waterway. "Change in legal status" includes the sale or long-term land lease of City property and would require voter approval prior to the City's conveyance of the Garver Feed Mill building or any lands within Olbrich Park. The redevelopment of the Garver Feed Mill may involve construction that would require voter approval. This resolution places before the voters the approval of such a change in legal status and future construction.

Now therefore, be it resolved, that the Common Council authorizes and directs that the City Clerk place the following question on the ballot at the April 7, 2009 Spring Election as a binding referendum:

"Shall the City of Madison convey the Garver Feed Mill building and abutting lands in Olbrich Park to Common Wealth Development, Inc. or its assignees for the purpose of redeveloping the property into an arts incubator and related improvements and authorize such construction?"

Yes \_\_\_\_\_  
No \_\_\_\_\_"