



## Legislation Text

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**File #:** 17221, **Version:** 1

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### **Fiscal Note**

No expenditure required.

### **Title**

Authorizing the Common Council to accept ownership from Spring Harbor Neighborhood Association of rain garden and turtle-shaped garden plantings, bench and commemorative plaque to be located in the intersection of Spring Court and Lake Mendota Drive.

### **Body**

WHEREAS, The Spring Harbor Neighborhood Association wishes to assist the City Engineering and Parks Division in the installation and maintenance of rain garden and turtle shaped garden plantings, bench, and commemorative plaque to be located at the intersection of Spring Court and Lake Mendota Drive, as shown on Exhibit A; and

WHEREAS, the Spring Harbor Neighborhood Association, in conjunction with the Indian Hills Garden Club, have raised matching funds for the garden plantings, bench, and commemorative plaque installation in memory of Mr. Mike Tierney; and

WHEREAS, the Spring Harbor Neighborhood Association and Indian Hills Garden Club have agreed to perform maintenance of the garden plantings, bench and commemorative plaque, and watering and weeding of the rain garden area; and

WHEREAS, the City Engineering and Park Divisions have conditionally approved of the garden designs, plant species, and placement of native plantings, wooden bench and plaque; and

WHEREAS, the Privilege in Streets Committee has reviewed this request and approved it with conditions; and

WHEREAS, the Spring Harbor Neighborhood Association will transfer ownership of the garden plantings, bench and commemorative plaque to the City after they have been installed, in exchange for the ongoing maintenance of these site improvement by the Spring Harbor Neighborhood Association.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Madison accepts ownership, from the Spring Harbor Neighborhood Association of the rain and turtle garden plantings, bench and commemorative plaque located in the intersection of Spring Court and Lake Mendota Drive, as shown on the attached Exhibit A; subject to the following conditions:

1. The Spring Harbor Neighborhood Association shall be provide matching funds to the City Engineering and Parks Divisions for costs for the construction and installation of the gardens, and the purchase of a bench, and commemorative plaque, as agreed upon in previous discussions and as shown in the site plan.
2. The Spring Harbor Neighborhood Association work with the City to locate the gardens, bench and plaque within specific areas, as approved by the City Engineering and Parks Divisions.
3. The Spring Harbor Neighborhood Association shall assist the City Engineering and Parks Divisions in the design, plant selection, and planting of the native prairie grasses and flowers. The Spring Harbor Neighborhoods Association shall be responsible for planting, weeding and watering the gardens areas.

4. The Spring Harbor Neighborhood Association shall agree that the City shall not be held responsible for any damage to the garden plantings, bench and commemorative plaque that may be caused by the City, its employees, contractors, or others.
5. The City may remove the garden plantings, bench and commemorative plaque if not properly maintained, by giving the Spring Harbor Neighborhood Association sixty (60) days written notice prior to removal.
6. The City may remove the garden plantings, bench and commemorative plaque if the area occupied by said items is required for transportation or other public purposes, by giving the Spring Harbor Neighborhood Association sixty (60) days written notice prior to removal. Transportation purposes include, without limitation because of enumeration, public alleys, streets, highways, bike paths, sidewalks, and facilities for the development, improvement and use of public mass transportation systems.