

Chairperson: Supervisor Gerry Broderick, 278-4237  
Clerk: Carol Mueller, 278-4228  
Research Analyst: Julie Esch, 278-4430

## **PARKS, ENERGY AND ENVIRONMENT COMMITTEE**

**Tuesday, April 14, 2009 - 9:00 A.M.**  
**Milwaukee County Courthouse - Room 201-B**

### **MINUTES**

#### **SCHEDULED ITEMS:**

**PRESENT:** Supervisors Coggs, Dimitrijevic, Rice, Larson, Lipscomb and Broderick (Chair)

**EXCUSED:** Supervisor Sanfelippo

#### **Confirmations – 2**

1. 09-131 From the County Executive appointing Ms. Jannette Cazares to serve on the Marcus Center Board of Directors for the period of April 1, 2009 through April 1, 2012, filling a vacancy created by Ms. Nancy Hernandez who reached her term limit as set by the Marcus Center By-Laws.

#### **APPEARANCES:**

Sherry Hill, County Executive Director of Community Relations  
Jannette Cazares, Appointee  
Paul Mathews, Director, Marcus Center

Ms. Cazares told the Committee it is a privilege to be appointed. Mr. Mathews said he is delighted in her appointment

**MOTION BY: (Dimitrijevic) Confirmation. (Vote 6-0)**

**AYES:** Coggs, Dimitrijevic, Rice, Larson, Lipscomb & Broderick (Chair) - 6

**NOES:** - 0

2. 09-171 From the County Executive appointing Mr. Mark E. Lawson to serve on the Milwaukee County Public Art Committee filling a vacant seat on the Committee.

#### **APPEARANCES:**

Sherry Hill, County Executive Director of Community Relations  
Mark Lawson, Appointee

Mr. Lawson would like his time on the Public Art Committee to make a difference.

**SCHEDULED ITEMS (CONTINUED):**

**MOTION BY: (Dimitrijevic) Confirmation. (Vote 6-0)**

**AYES:** Cogg, Dimitrijevic, Rice, Larson, Lipscomb & Broderick (Chair) - 6

**NOES:** - 0

**Zoo – 1**

3. 09-170 From the Zoo Director, requesting authorization to enter into an agreement with the Zoological Society for the design and construction of the Hippo Holding Building.

**APPEARANCE:**

Chuck Wikenhauser, Zoo Director

Mr. Wikenhauser explained the original memorandum of understanding with the Zoological Society requires a formal agreement. The 25-year master plan was completed in 2005 but did not provide funding for the underwater viewing hippo exhibit. In 2008, a donor with a life long interest in hippos came forward with \$750,000 for the design of the hippo exhibit. He has also established an additional \$1 million endowment fund for the long-term operation of the project.

Recently, the Zoological Society was notified of the closing of the National Zoo hippo exhibit. The donor advanced \$1.5 million to acquire the National Zoo's male hippo "Happy" to join the Milwaukee County Zoo's two female hippos "Patti and Puddles" as part of this exhibit.

**MOTION BY: (Dimitrijevic) Approve. (Vote 6-0)**

**AYES:** Cogg, Dimitrijevic, Rice, Larson, Lipscomb & Broderick (Chair) - 6

**NOES:** - 0

**Transportation and Public Works – 1**

4. 07-111 (a) A report on an adopted resolution creating an environmental and conservation "Green Print" initiative for Milwaukee County. **(TPW Department status report.) (Also considered by the Committee on Transportation, Public Works and Transit) (INFORMATIONAL UNLESS OTHERWISE DIRECTED BY THE COMMITTEE.)**

**APPEARANCES:**

Steven Keith, Sustainability Engineer

Sue Black, Director, Parks, Recreation and Culture

Lori Schloesser, Parks Safety and Training Manager

Mr. Keith explained the Honeywell pilot program that encompassed the Courthouse and the Criminal Justice Facility is complete with projected savings of

## SCHEDULED ITEMS (CONTINUED):

\$220,000. AMERESCO involved projects for Parks buildings and the Coggs Center. These projects are 75% complete and should be done in June with projected savings of \$250,000. Johnson Control performed projects at the Zoo, with a completion date in May 2009. The projected saving from this project is \$195,000. Mr. Keith went on to review the report in depth.

The Committee thanked the workgroup and Mr. Keith for their efforts in this initiative. It was pointed out that at this time Mr. Keith is acting in a dual role, whereby he is still involved in projects from his previous position.

Supervisor Dimitrijevic requested a report from the workgroup on more information of the full financial cost of the Sustainability Director and if the position was fully funded and included in the 2008 and 2009 Adopted Budgets.

Supervisor Dimitrijevic introduced a motion for an audit of the County's recycling plan. (Attached to the original of these minutes.) Supervisor Rice questioned the need for this item to be heard by the Finance and Audit Committee. Supervisor Coggs, the Chair of the Finance and Audit Committee agreed to have the item referred and added to the agenda for consideration by that Committee at the April 20, 2009 meeting.

Ms. Black informed the Committee that storm water runoff was included in Mr. Keith's report. The Parks Department won Best in State award at Bradford Beach for the storm water initiative.

Ms. Schloesser provided the Committee with handouts explaining where the Parks have planted native gardens and seven future projects. Additionally, a map showing the Parks recycling locations, and in partnership with the City of Milwaukee the location of regional drop-off points. (Handouts attached to the original of these minutes.)

**MOTION BY: (Dimitrijevic)** Authorize and direct the Director of Audits to perform an audit of Milwaukee County's recycling program. The audit should identify the amount and types of recycling currently being done and compare the County's program with recycling programs in other cities and/or counties within the region. In addition, the audit should review and evaluate the County's current recycling contracts. A report on the audit findings should be presented to the Committee on Parks, Energy and Environment and Transportation, Public Works and Transit in advance of the County Board deliberating the 2010 budget for Milwaukee County. This motion in the form of a resolution will be referred to the Committee on Finance and Audit for consideration in the April cycle. **(Vote 6-0)**  
**AYES:** Coggs, Dimitrijevic, Rice, Larson, Lipscomb & Broderick (Chair) - 6  
**NOES:** - 0

SCHEDULED ITEMS (CONTINUED):

Resolutions – 2

5. 09-185 A resolution by Supervisors De Bruin and Broderick, reaffirming and reinforcing Milwaukee County's policy of providing cultural opportunities to all county residents and visitors through its continued ownership of the Marcus Center for the Performing Arts and the Charles Allis/Villa Terrace Decorative Arts Museums.

**APPEARANCES:**

Supervisor Lynne De Bruin, District #15  
Paul Mathews, Director, Marcus Center  
Dave Fantle, Member, Marcus Board of Directors  
Supervisor Gerry Broderick, District #3

Supervisor De Bruin explained the history of the cultural partnerships and how they are some of the most successful private/public partnerships within Milwaukee County. The County Executive's interest of having the Wisconsin Center District take over these entities initiated this resolution to reaffirm the continued partnership with the aforementioned entities. She stated it is unfortunate that the County Executive didn't work together with the Board and the representatives of the cultural institutions involved.

Supervisors Dimitrijevic and Larson asked to be cosponsors. There being no objection, it was so ordered.

Mr. Mathews explained that speaking for the Marcus Center, approximately 29% of their support is from Milwaukee County with the other 71% coming from pledges and donations. Any changes in this partnership could adversely affect fund raising from the private sector. This is the Marcus Center's 39<sup>th</sup> year of balanced budgets.

Mr. Fantle spoke to the Committee on the Marcus Center as an invaluable cultural asset. (Statement attached to the original of these minutes.)

*Supervisor Coggs was Chair for the balance of this item.*

Supervisor Broderick introduced a substitute resolution for the Committee's consideration.

**MOTION BY: (Broderick)** Approve the substitute resolution. **(Vote 5-1)**

**AYES:** Broderick, Dimitrijevic, Larson, Lipscomb & Coggs (Chair) - 5

**NOES:** Rice – 1

**SCHEDULED ITEMS (CONTINUED):**

6. 09-183 A resolution by Supervisor Lipscomb, authorizing and directing the Director of the Department of Parks, Recreation and Culture to perform repairs to the Estabrook Dam as stipulated in the Wisconsin Department of Natural Resources (WDNR) Order dated September 26, 2008.

**APPEARANCES:**

Supervisor Lipscomb, District 1  
Art Harrington, Godfrey and Kahn  
Murray Sim, Titus  
Tanya Meyer, WDNR  
Will Wawrzyn, WDNR Biologist  
Sharon Gayan, WDNR  
Richard Yahr, Registered to speak for repair of Dam  
Herb Oechler, Registered for removal of Dam (didn't speak)

Supervisor Lipscomb introduced two amendments to his resolution. The core reason for the original resolution is to have the Parks Department comply with the WDNR order. The first amendment is for a request for proposals (RFP) for debris removal. The second amendment is to apply for grant funds to do a hydroelectric dam analysis.

Supervisor Lipscomb stated that Supervisors Sanfelippo and Johnson asked to be cosponsors. There being no objection, it was so ordered.

Mr. Harrington and Sim gave a presentation on the possibility of a hydroelectric dam using the Estabrook Dam. (Power Point attached to the original of these minutes.) Cost estimates, possible locations and sales of generated energy were included in the presentation. Comments and questions ensued.

The representatives from the WDNR said they are willing to work with Milwaukee County to explore hydropower, but they don't feel Estabrook Dam is a candidate for this kind of dam. Other items to consider are license fees, permits and the high capital outlay needed. Transfer of ownership of the dam cannot be to a private entity based on municipal codes.

Based on the WDNR order, plans for repairs need be submitted to the WDNR for review and must be signed off by a licensed professional engineer. They went on to explain that the repairs to the stop logs and clean up of debris doesn't fully comply with the requirements of the order. There are multiple items that need to be addressed. Based on the repairs requested in the resolution, the WDNR will issue another order requiring immediate repairs listed in the STS report completed prior to any change in the status of the operation of the dam.

**SCHEDULED ITEMS (CONTINUED):**

Supervisor Lipscomb voiced his frustrations with the WDNR toward the first good faith effort to address the WDNR order.

A lengthy discussion ensued.

**MOTION BY: (Rice)** Approve resolution.

**MOTION BY: (Lipscomb)** Approve amendment #1. **(Vote 6-0)**

**AYES:** Coggs, Dimitrijevic, Rice, Larson, Lipscomb and Broderick (Chair) - 6

**NOES:** - 0

**MOTION BY: (Lipscomb)** Approve amendment #2. **(Vote 6-0)**

**AYES:** Coggs, Dimitrijevic, Rice, Larson, Lipscomb and Broderick (Chair) - 6

**NOES:** - 0

**MOTION BY: (Rice)** Approve resolution as amended. **(Vote 6-0)**

**AYES:** Coggs, Dimitrijevic, Rice, Larson, Lipscomb and Broderick (Chair) - 6

**NOES:** - 0

**Parks - 8**

7. 09-165 From the Director of Parks, Recreation and Culture, requesting authorization for partial closure of Lincoln Memorial Drive for the staging of the Great Circus Parade, on July 12, 2009.

**See Item #8 for the Committees actions.**

8. 09-166 From the Director of Parks, Recreation and Culture, requesting authorization to close of a portion of Lincoln Memorial Drive, from Lafayette Hill Road north to Kenwood Boulevard, on July 16 and July 22, 2009, from 9 a.m. until 3 p.m. for two international amateur bicycle races.

**APPEARANCE:**

Chuck Ward, Parks Chief of Operations

Mr. Ward explained the Department met with the organizers and the Milwaukee County Sheriff's Department to ensure limited disruption for access to the lakefront. The bicycle races will be held if all permits and requirements are met.

**MOTION BY: (Dimitrijevic)** Approve Items #7 & #8 together. **(Vote 6-0)**

**AYES:** Coggs, Dimitrijevic, Rice, Larson, Lipscomb and Broderick (Chair) - 6

**NOES:** - 0

**SCHEDULED ITEMS (CONTINUED):**

9. 09-182 From the Director of Parks, Recreation and Culture, requesting authorization to apply for a 2009 Congestion Mitigation/Air Quality Program (CMAQ) grant for the development of the Union Pacific (UP) corridor between Estabrook Park and 2700 West Mill Road.

**APPEARANCES:**

Sue Black, Director, Parks, Recreation and Culture  
Kevin Haley, Parks Landscape Architect

Ms. Black stated this might be the most important piece of legislation the Committee is currently considering. This acquisition of property is the next step in the "Rails to Trails" program and is the missing link to connect sections of the Oak Leaf Trail.

Mr. Haley explained that once this piece of trail is completed it would connect the lakefront trail all the way to Ozaukee County line. The Union Pacific has recently abandoned the rails near Estabrook Park. Applications for grant money will be pursued to fund the majority of this acquisition. There is a possibility that Milwaukee County will need to provide a 10 to 20% local match or in kind service.

**MOTION BY: (Dimitrijevic) Approve. (Vote 5-0)**

**AYES:** Dimitrijevic, Rice, Larson, Lipscomb and Broderick (Chair) - 5

**NOES:** - 0

**EXCUSED:** Coggs – 1

10. 01-444 A. An adopted resolution regarding the Milwaukee Community Sailing Center, (a) relative to long-term lease negotiations. **(LDAC recommendation in favor of plans.) (INFORMATIONAL UNLESS OTHERWISE DIRECTED BY THE COMMITTEE.)**

**APPEARANCES:**

William Lynch, LDAC Chairman  
Chuck Ward, Parks Chief of Operations

*Items 10A and B were taken out of order and considered together.*

Mr. Lynch presented the Committee with LDAC's recommendation to approve the plans of the Milwaukee County Sailing Center. He explained a public hearing was held with public support for the plans. Requests for approval have been applied to the City and County of Milwaukee.

**The Committee took no action on this informational item.**

**SCHEDULED ITEMS (CONTINUED):**

- 01-444 B. From the Director, Parks Recreation and Culture, requesting authorization for  
(a)(a) approval of the Milwaukee County Sailing Center site improvement documents and the issuance of a Right of Entry permit upon certification by the Department of Administrative Services that the required 75% of improvement costs is available.

**APPEARANCE:**

Chuck Ward, Parks Chief of Operations

Mr. Ward explained the conditions of the agreement. The Department is comfortable that the Sailing Center will achieve their goals and will submit the necessary financial reports.

**MOTION BY: (Dimitrijevic) Approve. (Vote 6-0)**

**AYES:** Coggs, Dimitrijevic, Rice, Larson, Lipscomb and Broderick (Chair) - 6

**NOES:** - 0

11. 09-111 An adopted resolution for a permanent easement for the City of South Milwaukee  
(a) (CSM) to construct, operate and maintain a relief storm sewer near 15<sup>th</sup> Avenue in Oak Creek Parkway. **(Department report back on criteria for easements and reciprocal agreements.) (Also considered by the Committee on Economic and Community Development.) (INFORMATIONAL UNLESS OTHERWISE DIRECTED BY THE COMMITTEE.)**

**APPEARANCE:**

Kevin Haley, Parks Landscape Architect

Supervisor Rice thanked the Department for the information. He pointed out the policy only affects the associated fees, easements still require County Board approval.

**The Committee took no action on this informational item.**

12. 08-182 An adopted resolution authorizing and directing the Director of Parks Recreation  
(a) and Culture, to solicit request for proposals for an exclusive food and beverage concession at the North Point Snack Bar for an initial five year term. **(Opinion from Corporation Counsel on possible justifiable payment in lieu of property taxes to include in future contracts with private business.) (INFORMATIONAL UNLESS OTHERWISE DIRECTED BY THE COMMITTEE.)**

**APPEARANCE:**

John Schapekahm, Principal Assistant Corporation Counsel

## SCHEDULED ITEMS (CONTINUED):

Mr. Schapekahm gave examples regarding the City of Wauwatosa and how it aggressively pursues getting additional revenue from non-profit agreements. He noted that each Milwaukee County public/private agreement is different and should be reviewed on a case-by-case basis.

Supervisor Broderick requested this information, specifically where agreements involve a for profit business that is located on public land. These agreements may be misconstrued to provide an unfair advantage over another business in the near vicinity that pays property taxes.

Supervisor Rice clarified that the term "payment in lieu of taxes" may not be the proper term. Milwaukee County is trying to find equitable funds from contractors with public/private partnerships.

Mr. Schapekahm also noted that some agreements call for major capital improvements to public buildings that are part of the contract, which is a form of revenue for Milwaukee County.

### **The Committee took no action on this informational item.**

This meeting was recorded. Committee files contain copies of the subject reports, communications, resolutions, and ordinances, which may be reviewed upon request to the Chief Committee Clerk. The official copy of these minutes, along with the audio recording of this meeting, are available in the County Board Committee Services Division.

Length of meeting: 9:03 a.m. until approximately 12:05 p.m.  
Carol Mueller, Committee Clerk

#### Staff Present:

Ms. Sherry Hill, County Executive Director of Community Relations  
Mr. Chuck Wikenhauser, Zoo Director  
Mr. Stevan Keith, Director of Sustainability  
Ms. Sue Black, Director, Parks, Recreation and Culture  
Ms. Lori Schloesser, Parks Safety and Training Manager  
Mr. John Schapekahm, Principal Assistant Corporation Counsel  
Mr. Chuck Ward, Parks Chief of Operations  
Mr. Kevin Haley, Landscape Architect  
Ms. Julie Esch, Research Analyst

**SCHEDULED ITEMS (CONTINUED):**

**DEADLINE FOR THE PARKS, ENERGY AND ENVIRONMENT COMMITTEE:**

The next regular meeting for the Parks Committee is May 12, 2009. **All items for the agenda must be in the Committee Clerk's possession by the end of the business day on Tuesday, April 28, 2009.**

***ADA accommodation requests should be filed with the Milwaukee County Office for Persons with Disabilities 278-3932 (voice) or 278-3937 (TTY) upon receipt of this notice.***