



City of Madison

City of Madison
Madison, WI 53703
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Meeting Minutes - Approved CENTRAL PARK DESIGN AND IMPLEMENTATION TASK FORCE

Wednesday, November 4, 2009

8:00 AM

Madison Municipal Bldg., Room LL-110
215 Martin Luther King, Jr. Blvd.

CALL TO ORDER / ROLL CALL

Present: 10 -

Marsha A. Rummel; Joseph R. Clausius; William W. Barker; Nancy T. Ragland; Joe Sensenbrenner; Bradley C. Mullins; Leslie C. Schroeder; Phyllis Wilhelm; Susan M. Schmitz and Truly Remarkable Loon

Excused: 2 -

M. Nan Cheney and Amy T. Overby

1 APPROVAL OF MINUTES: August 5, 2009

On a question from Ms. Ragland, Mr. Olinger stated that there is \$1 million in the adopted 2010 Capital Budget to start the first phase of improvements to Central Park. An RFP was released by the City. Only two firms responded. As a result, this will move the study of rail crossing back into at least December. The first phase - Few Street crossing may move from the original February date in order to give City's consultant team time to prepare for hearing before the Office of Commissioner of Railroads.

A motion was made by Sensenbrenner, seconded by Ragland, to Approve the Minutes. The motion passed by voice vote.

2 PUBLIC COMMENT

Nicole Craig, Community Action Coalition (Community Gardens) appeared. Ms. Craig stated she is curious about what the current plan for community gardens in Central Park. She wants to know if there is still a community gardens portion because a lot of people are interested in that as the Park develops.

3 [16500](#)

Consideration of the Draft Memorandum of Understanding

Ms. Zellhoefer distributed a Draft Memorandum of Understanding (MOU) - attached. She stated that no public officials have approved this yet. She looked at past Task Force minutes and the draft Nancy Ragland supplied as basis for draft MOU. She still needs the purchase price from the Center of Resilient Cities (CRC). Don Marx, City Real Estate Services, is also present. Mr. Dunbar is the contact from the CRC. She asked when this conveyance would occur. She anticipates a deed restriction that the City uses it solely for public park purposes. A support organization organized as a 501(c)(3) is anticipated. Issues associated with that are who is going to fund it,

insurance and an independent lawyer would be required. Needs to be filed with IRS. City Attorney cannot perform those tasks - can only represent City of Madison. In the draft MOU, the Board would consist of seven members, three appointed by CRC, three by Mayor and one by the Parks Commission. Park development issues - City would be in charge of design and construction over the next several years (2010-2013). City would maintain and operate space. Duties and responsibilities would be similar to Olbrich Botanical Gardens. Central Park Board work collaboratively with City Parks Division and City Parks Commission. The Board's primary functions would be to promote and provide fundraising for the Park.

Ms. Ragland stated that people wanted it to be a not-for-profit board, separate from Parks Division.

Mr. Barker stated that the Board should be modeled after the Olbrich Botanical Society (OBS) as closely as possible. The Parks Commission does not micro-manage OBS. As far as non-profit, does that obviate all the expense of filing with the IRS? Ms. Zellhoefer responded yes. There would need to be an arrangement with the 501(c)(3).

Mr. Barker thought that three local non-profits could support a Central Park Board: Madison Community Foundation, Parks Foundation, and CRC.

Ms. Wilhelm stated that before Mr. Briski was here, they were told the Parks Division didn't have the ability to take on any more parks and this was a private initiative. Since Mr. Briski has become involved, things have changed. She is very pleased with how the tone has changed.

Mr. Barker stated we would have a hard time getting anything approved by Parks Commission if it's going to be totally in control by the Parks Division, particularly if the Commission felt that Central Park was taking resources away from other parks in the city.

Mr. Briski stated that how they vision it is chartered after the Olbrich model. Parks Division has a team in place to manage it. Could be an arm of East Parks maintenance or State Street-Capitol Square. Adding staff to maintain it at a high level is something they support. 501(c)(3) organization or support organization to really raise funds for the maintenance and operational costs that the City will then take on to whatever portion thereof, say 50%.

Have commitment at staff level that they could add, identify what park standards are and partner with a group that can help them achieve those goals and also further development goals as the park gets bigger. As Mr. Olinger mentioned, there is \$1 million in City's 2010 Capital Budget to begin planning and developing construction drawings for Phase 1. The City is "in" on the project. Parks wants to help, support, and make it happen. Development piece of raising funds to help share those costs is also part of the mix. Have been some commitments for development costs. First emphasis is development of the Great Lawn and expenditure of Representative Baldwin's funds.

Ms. Ragland stated that she is still seeing a non-profit Board.

Mr. Barker stated there would be less paper work. Every year have to file with IRS. Partner with Madison Community Foundation or CRC.

Ms. Ragland stated that she has dealt with a 501(c)(3) for 20 years. Had a lawyer do some pro bono work to help file paper work. Easier for fundraising if you're a separate, non-profit agency. Asked if the Council approves OBS members, Ms. Ragland stated that the OBS Board is not appointed by the Mayor's Office, but that one Parks Commissioner as well as the District Alder has a seat.

Ms. Wilhelm stated she is concerned that there isn't a major property owner, particularly along East Washington, on Board. Need to ensure their representation on Board.

Mr. Barker stated he is more comfortable with Board than the draft MOU prepared by City Attorney's Office. Talk about details of who should be on Board later. More important to talk about structure itself.

Alder Rummel brought up the land being sold. That was never her understanding.

Mr. Sensenbrenner stated that the likely sale price would be one dollar.

Mr. Loon stated that he recently set up a Board for a friend. Used umbrella organization. Two-page document. A couple neighborhood organizations have been trying to get 501(c)(3) status, but haven't been able to. It's a very difficult process.

Mr. Barker stated that years ago they set up their neighborhood association as a 501(c)(3).

Ms. Schroeder stated it's hard to get 501(c)(3) status if you've been operating otherwise for years.

Ms. Zellhoefer asked if there would be a deed restriction. Mr. Sensenbrenner stated that all that they have contemplated is language from Evjue note which enabled them to purchase the land originally dedicated for park purposes. Earlier conversation about limiting the number of festival events. Not the right place to put that - could be in a policy.

Mr. Barker mentioned earlier deed restrictions about money. Mr. Sensenbrenner stated that funding restrictions would have to be grandfathered in, County money, State Stewardship, etc. Apply to projects across the state.

Ms. Zellhoefer stated that the City has ordered a title report on the properties.

Mr. Barker stated that we need to tweak the Board membership.

Ms. Zellhoefer stated that we need three directors to start with. Support organization - important thing is number of directors and how you would like them to be selected or just designate what category they should be, an alder, Parks Operations Manager, etc.

Ms. Ragland suggested meeting as an MOU Committee later on this to go over details.

Ms. Zellhoefer brought up Park development issues. City being in charge of development, construction and operation.

Mr. Barker stated that after the basic skeleton of the park is constructed, Great Lawn, Skate Park, gardens, and later rose gardens want to be added and if funds are available, that should be able to be done. Contribute to maintenance fees as we go along. Concern that if this thing ends up taking an inordinate amount of money to keep it up.

Alder Rummel asked about a maintenance endowment.

Ms. Zellhoefer asked if she meant that 501(c)(3) would fundraise. Is there a dollar amount in mind?

Mr. Loon stated that the Living Wall or fountain should be supported by maintenance endowment.

Ms. Schroeder brought up naming rights. She doesn't recall that being discussed by Task Force.

Ms. Zellhoefer stated that she took that from the original conveyance documents. We can delete it if necessary.

Ms. Schroeder suggested fundraising to sell the name. Under the purpose, F., she is very concerned the number of large festivals is not explicitly limited to three.

Mr. Barker stated there is strong consensus from the group that large events be limited to three.

Ms. Wilhelm stated that regarding the endowment, she assumes there's a way to segregate the funds for maintenance or something else, like a tree.

Ms. Ragland stated that the endowment fund is separate. Board decides whether it's in the endowment or operational funds. Haven't gotten there yet. Separate entities.

Mr. Olinger stated that regarding the issue of three large events, define large. "La Fete de Marquette" is a large festival. What constitutes large - at some point we need to decide that.

Mr. Barker stated that the Parks Commission would provide ongoing

support. Don't know how to codify this in this type of document. Could also be that the neighborhood comes to the Board and asks for a fourth special event.

Mr. Olinger stated that the Saturday Farmer's market around the square started out small. You may have something that starts small, gets popular, and then what? Mr. Barker stated that the Parks Commission will have to grapple with that.

Ms. Schroeder asked who appoints the Board of Directors.

Ms. Ragland stated that it hasn't been decided.

Mr. Barker asked Ms. Ragland to call an MOU Subcommittee meeting before the next Task Force meeting.

4 [16501](#)

FINAL REPORT

Mr. Barker distributed a copy of the draft Final Report (attached).

Ms. Schroeder that Willy Street Park is not mentioned in the list of nearby parks. Mr. Barker stated it's not a City park, but it can put it in as private park.

Ms. Ragland stated that she would like a little more time to respond to the draft report.

Mr. Barker asked that the Task Force send text suggestions to him by email, and please, no "CCs" to all.

5 **REVISIONS TO "3" DOCUMENT**

Mr. Olinger stated that he sent out draft a long time ago. Here's how he sees the final report laid out. Mr. Barker's Final Report will be lead document. Recommend that we include copy of interim report and copy of "3" report. Mr. Olinger is suggesting minor text edits in "3" report. For example, original document included nothing about phasing; and there was not a good lead introduction to budget recommendation. Got a couple of comments back from two or three Task Force members. Not quite done yet. Front piece text and little bit in back about green space will also be changed. Will get them done and send it back to "3." Didn't do anything with maps.

Mr. Barker stated that he tried to make the report readable and brief. Don't want to see it turned into a 10-page document.

Mr. Olinger stated that "3" had a sense of the budget, especially at the conceptual level, approximately \$18 million. What the final budget and phasing plan will be is not tally known at this time, but it will be somewhat different than the phasing plan in "3's" Master Plan.

Two elements in 2010 budget. \$1 million of City funds to help design Phase

1 of the Park. Phase 1 of the Park is those lands within City right-of-way, like Few Street or lands for the Great Lawn owned by CRC. That will occur in 2010. Initiative will be to plan for the South Arrival Plaza, the North Arrival Plaza, Few Street crossing, the Great Lawn area and to do some preliminary schematic engineering for the Skate Park. With the Representative Baldwin funds and additional City resources, the Mayor is supportive of the project getting the Great Lawn and Few Street crossing done. Those are the two items we will do in 2010. After selection of the engineering and design firm, they will commence doing the work; and provide technical support for the application to the Office of Commissioner of Railroads (OCR) for the Few Street crossing. If we get the approval by the OCR, they will work on developing the Great Lawn. The Great Lawn design process will be approximately a year-long process. It is estimated that construction will commence in 2011. The second is funding for making three railroad crossings in vicinity of Central Park function as "quiet zone" crossings.

The budget, as proposed, does not include three items that were in the conceptual plan - 1) The water feature on Ingersoll (however plumbing could be installed); 2) Underground storage facility at the Living Wall, 3) "Egg beater" wind turbines. Eliminating these items will save approximately \$2 million out of "3's" budget. With Representative Baldwin funds, we have enough money to do South Arrival Plaza, North Arrival Plaza and Great Lawn. The RFP asked the design team to engage a public artist as part of the project. Lots of opportunity for public art. Could be a portion of the safety fence, walks, etc. Each team will have a public artist on board. The contract is tentatively scheduled to be on the December 8 Council agenda.

Mr. Olinger stated we also need to talk about how involved the Task Force wants to be in design/review/recommendations. Could have one more meeting or 14 more meetings. Does the Task Force want to hand off the design development piece to someone else? Reconstitute as smaller group? Don't have to decide now, but should at our December meeting.

Ms. Schroder suggested having that Board start - some members could be standing members until Board is assigned.

Mr. Olinger stated there are three tracks: Staff track (Parks, Planning, Traffic, Engineering, etc, maybe CRC on the nuts and bolts of the Park); neighborhood stakeholder track (public meetings and presentations); track for the Task Force in some manner or other as keeper of institutional memory. That's an option that we should talk about.

Ms. Ragland stated she would love to be on something like that. Mr. Barker stated there are members at the table interested in being on this.

Mr. Loon asked what the goals for 2010 and what about Sands' property.

Mr. Olinger stated that the playground doesn't happen in 2010 because we don't own it.

Mr. Loon stated we could proceed with south side of Few Street.

Mr. Barker asked what's preventing us from making an offer to Sands.

Mr. Olinger responded the review process from Federal Funds would need environmental impact statement. Better to use City funding to make the acquisitions in a future year.

Mr. Sensenbrenner stated he read in the paper some reference to other money. Is this entirely Baldwin money in next 12 months?

Mr. Olinger stated that it's entirely City 2010 money which will be our match to cover Representative Baldwin's funds. Representative Baldwin's funds will be used in 2011 for construction.

Mr. Barker stated if we could close Brearly, except for pedestrians, would be better for park. Mr. Mullins stated that when they start crossing East Washington Avenue, it doesn't matter.

Mr. Olinger suggested canceling the November 18th and December 2nd meetings. The Task Force decided that the next meeting would be held on December 16.

AGENDA: MOU, Final Report, "3" plan revisions, role of Task Force during Phase 1 final design/engineering.

Mr. Barker stated this will be the last meeting for final report. May continue to meet on design implementation.

Alder Rummel stated that Ald. Rhodes-Conway and she met with Skate Park people. They will come to next meeting.

6 ADJOURNMENT

The meeting adjourned at 9:13 a.m.

A motion was made by Barker, seconded by Mullins, to Adjourn. The motion passed by voice vote.