



CHRIS ABELE, MILWAUKEE COUNTY EXECUTIVE
JOHN DARGLE, JR., DIRECTOR OF PARKS, RECREATION AND CULTURE

Date: August 28, 2017
To: Theodore Lipscomb, Sr., Chairman, County Board of Supervisors
From: John Dargle, Jr., CPRP, Director, Milwaukee County Parks
Subject: **Authorization to Execute a Memorandum of Understanding with the Milwaukee Metropolitan Sewerage District to acquire property located at 5300 North Milwaukee River Parkway (ACTION)**

POLICY

Authorization for Milwaukee County Parks (Parks) to enter into a Memorandum of Understanding (agreement) with the Milwaukee Metropolitan Sewerage District (MMSD) to coordinate property acquisition efforts through the Wisconsin Department of Natural Resources (WDNR), Municipal Flood Control Grant Program (Grant) to acquire a property located at 5300 North Milwaukee River Parkway (Property).

BACKGROUND

Since 1994, Parks has taken steps to acquire and consolidate the parcels in the area of 5200-5300 North Milwaukee River Parkway in accordance with recommendations made by the Southeastern Wisconsin Regional Planning Commission. Parks has made efforts to acquire these properties when available and the owner of a property located at 5300 North Milwaukee River Parkway adjacent to the Milwaukee River Parkway and the Milwaukee River has offered to sell the property to Parks.

The subject property is comprised of a single-family residence built in 1939. The 1,024-square foot residence is on a 25,800-square foot lot zoned RS4, Residential - Single family. Per the appraisal, the market value of the fee simple interest in the property as of April 14, 2016, was \$130,000. The property has been identified as a flood prone property, being in the 1% probability flood plain of which MMSD has jurisdiction over for flood management purposes. The property was identified as eligible for grant funding by County and MMSD Staff.

MMSD is authorized by statute to mitigate flood risk within the sewerage service area and the WDNR, through its Municipal Flood Control Grant Program, offers grants to assist municipalities and eligible governmental agencies, such as MMSD, to pursue flood management efforts. These grants include funding for property acquisition.



The County is not eligible for the Municipal Flood Control Grant Program and requested assistance from MMSD to submit a grant application on its behalf to obtain grant funding for this acquisition.

The total acquisition cost to acquire the property, remove all structures, and restore the site is approximately \$211,000. MMSD, on behalf of the County, has obtained a WDNR Grant in an amount up to \$105,500 to be used to purchase the Property and for the removal of all structures. MMSD will pay up to \$2,000 for the cost of environmental inspections of the property and up to \$18,000 for the structure removal costs for a total not to exceed amount of \$20,000. The remaining balance of the acquisition or approximately \$85,500 will come from Parks operating budget per File #15-526.

Acquisition of this property eliminates an existing gap in the Milwaukee River Parkway environmental corridor, eliminates the possibility for land use conflicts such as private encroachments on Parks lands, allows for the uniform management of the parkway, focusing on the preservation of natural landscape features and natural resources, the opportunity to acquire the property will likely not be available again for many years into the future, and acquisition of Milwaukee River Parkway lands are recommended in the Parks and Open Space Plan. File 96-518 references a recommendation by SEWRPC to consolidate parcels along the Milwaukee River Parkway when they become available that includes the Liebl property.

This proposed acquisition was approved on August 3, 2017 by the Consolidated Facilities Planning Steering Committee.

The Agreement is structured around the following terms:

- The County agrees to administer and comply with the WDNR Grant #MFC-40702-16.
- The County shall provide the full payment for acquisition, removal and disposal of all structures on the Property and will be reimbursed by MMSD up to \$105,500 from the WDNR grant and an additional not to exceed amount of \$20,000 for removal of the structure and environmental inspections.
- The Property is being acquired with the consent of the property owner and will be owned by the County in fee simple.
- The County will administer and complete the acquisition of the Property, removal of all structures on the Property, and landscaping restoration of the site.
- MMSD shall submit invoices provided by the County to the WDNR and provide reimbursement to the County up to the total amount provided by the grant.
- MMSD shall retain a drainage / flood easement and Greenseams® conservation easement at the property.

RECOMMENDATION

Authorize Parks to prepare, execute, record all documents, and take all actions as required to execute and implement the agreement between Milwaukee County Parks and the Milwaukee Metropolitan Sewerage District to coordinate acquisition efforts through the Wisconsin Department of Natural Resources, Municipal Flood Control Grant Program.

Prepared by: Megan Haeger, MSL, Contract and Project Manager

Approved by:



John Dargle, Jr., CPRP, Director

Attachments:

- Attachment 1 – Fiscal Note
- Attachment 2 – Resolution
- Attachment 3 – Agreement
- Attachment 4 – Site Map
- Attachment 5 – Appraisal
- Attachment 6 – File No. 15-526
- Attachment 7 – Agreement Exhibit A
- Attachment 8 – Agreement Exhibit B

Copy:

- Chris Abele, County Executive
- Raisa Koltun, Chief of Staff, County Executive's Office
- Jason Haas, Chairman, Parks, Energy & Environment Committee
- Marcelia Nicholson, Vice-Chair, Parks, Energy & Environment Committee
- Kelly Bablitch, Chief of Staff, County Board of Supervisors
- Allyson Smith, Committee Coordinator, Office of the County Clerk
- Jessica Janz-McKnight, Research & Policy Analyst, Office of the Comptroller
- Jeremy Lucas, Fiscal Mgt. Analyst, Admin & Fiscal Affairs/DAS
- James Tarantino, Director, Economic Development