

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47

From the Director, Department of Parks, Recreation, and Culture, requesting authorization to execute a Memorandum of Understanding with the Milwaukee Metropolitan Sewerage District to acquire a property located at 5300 North Milwaukee River Parkway through the Wisconsin Department of Natural Resources, Municipal Flood Control Grant Program, by recommending adoption of the following:

**A RESOLUTION**

WHEREAS, since 1994, the Department of Parks, Recreation, and Culture (DPRC) 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 (SEWRPC); and

WHEREAS, the DPRC 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 DPRC; and

WHEREAS, the subject property is comprised of a single-family residence built in 1939; and

WHEREAS, the 1,024-square foot residence is on a 25,800-square foot lot zoned RS4, Residential-Single Family; and

WHEREAS, per the appraisal, the market value of the fee simple interest in the property as of April 14, 2016, was \$130,000; and

WHEREAS, the property has been identified as a flood prone property, being in the 1 percent probability flood plain of which the Milwaukee Metropolitan Sewerage District (MMSD) has jurisdiction over for flood management purposes; and

WHEREAS, the property was identified as eligible for grant funding by Milwaukee County (the County) and MMSD staff; and

WHEREAS, the MMSD is authorized by Wisconsin State Statutes to mitigate flood risk within the sewerage service area and the Wisconsin Department of Natural Resources (WDNR) through its Municipal Flood Control Grant Program (the Grant Program) offers grants to assist municipalities and eligible governmental agencies, such as MMSD, to pursue flood management efforts; and

WHEREAS, these grants include funding for property acquisition; and

WHEREAS, the County is not eligible for the Grant Program and requested assistance from MMSD to submit a grant application on its behalf to obtain grant funding for this acquisition; and

48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72  
73  
74  
75  
76  
77  
78  
79  
80  
81  
82  
83  
84  
85  
86  
87  
88  
89  
90  
91  
92  
93

WHEREAS, the MMSD and the County agree that acquisition and removal of all structures at the property is the preferred method for addressing flooding at this property; and

WHEREAS, 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 parklands; and allows for the uniform management of the parkway, focusing on the preservation of natural landscape features and natural resources; and

WHEREAS, the total cost to acquire the property, remove all structures, and restore the site is approximately \$211,000; and

WHEREAS, the 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; and

WHEREAS, the MMSD is financially partnering with the County by providing approximately \$2,000 for environmental inspections and \$18,000 for the structure removal costs for a total amount not-to-exceed \$20,000; and

WHEREAS, the remaining balance of the acquisition will come from DPRC's operating budget, per adopted File No. 15-526; and

WHEREAS, the Memorandum of Understanding contains, but is not limited to, the following list of terms:

1. The County agrees to administer and comply with the WDNR Grant #MFC-40702-16
2. 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
3. The property is being acquired with the consent of the property owner and will be owned by the County in fee simple
4. The County will administer and complete the acquisition of the property, removal of all structures on the property, and landscaping restoration of the site
5. MMSD shall submit invoices provided by the County to the WDNR and provide reimbursement up to the total amount provided by the grant
6. MMSD shall retain a drainage / flood easement and Greenseams® conservation easement at the property

; and

94 WHEREAS, the Committee on Parks, Energy, and Environment, at its meeting of  
95 September 19, 2017, recommended adoption of File No. 17-631 (vote 4-0); now,  
96 therefore,

97

98 BE IT RESOLVED, the Milwaukee County Board of Supervisors hereby  
99 authorizes the Department of Parks, Recreation, and Culture to execute a  
100 Memorandum of Understanding with the Milwaukee Metropolitan Sewerage District to  
101 coordinate acquisition efforts through the Wisconsin Department of Natural Resources'  
102 Municipal Flood Control Grant Program of the property located at 5300 North Milwaukee  
103 River Parkway.

104

105

106

ars

107

09/19/17

108

S:\Committees\2017\Sep\PE&E\Resolutions\17-631 MOU MMSD Property Acquisition.docx