



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

DATE: May 22, 2017

TO: Supervisor Theodore Lipscomb, Chair, County Board of Supervisors

FROM: John Dargle, Jr., CPRP, Director, Milwaukee County Parks

SUBJECT: **Authorization to enter into a Lease and Partnership Agreement between the Milwaukee County Parks and the City of Greenfield for Kulwicki Park (ACTION)**

POLICY

Authorization to enter into a Lease and Partnership Agreement between the Milwaukee County Parks (MCP) and the City of Greenfield for Kulwicki Park.

BACKGROUND

Previous Legislation

- File #14-950 – informational report of potential lease of Kulwicki Park by the City of Greenfield
- File #15-596 – authorization to negotiate a management and development agreement with the City of Greenfield for Kulwicki Park
- File #15-680 – informational report on the history of Kulwicki Park

PROJECT

In 1987 and 1988 Milwaukee County conveyed surplus parklands in the area of Highway 100 and West Layton Avenue to a developer for the purpose of the construction of an aquatic park (referenced in File No. 88-629). The developer was required by the U.S. Army Corps of Engineers to mitigate that so the County allowed the developer to construct and maintain eight (8) acres of wetland mitigation on County lands adjacent to said property. This is currently the site of Kulwicki Park at 10777 W. Cold Spring Rd. in the City of Greenfield.

In 1993, the Alan Kulwicki Foundation approached the County to develop a Little League complex and pavilion in the park. Cold Spring Park was formally renamed Alan D. Kulwicki Park by County Board Resolution. Throughout the early to mid-1990's, the park was developed and programmed in partnership with the City of Greenfield, the Alan Kulwicki Park Memorial Committee, and Greenfield Little League. In 1994, Parks approached the City of Greenfield with its plans to develop the north part of the park (north of Wildcat Creek) into a neighborhood park. The south end, south of the creek,



was the proposed Greenfield Little League complex which would be constructed with private funds. Alan Kulwicki Park and Brooks Pavilion opened in 1998.

MCP constructed a service facility for the park north of Cold Spring Road in 1994. The Kulwicki Foundation assigned the operation and maintenance of the pavilion to the Greenfield Lions Club.

The City of Greenfield has recently approached the County with the request to fund improvements and assume the obligations of maintenance and operations of the entirety of Kulwicki Park. In doing so, the City of Greenfield would agree to operate Kulwicki Park as a public park under the same rules and regulations of a Milwaukee County Park, but would also assume the financial obligations that are currently the responsibility of Milwaukee County due to the County's ownership. The City of Greenfield would like to enter into this agreement as they have a number of capital improvements that they would like to install in the park for the benefit of the public, the Greenfield Little League and the Greater Greenfield Lions Club. The terms of the agreement are outlined below and the Lease and Partnership Agreement is attached for your review.

Currently the Park is subject to two separate agreements:

1. A Use Agreement between the County and the Greater Greenfield Lions Club ("GGLC") and the Alan Kulwicki Park Memorial Committee ("AKPMC") dated February 16, 2005, for the use and programming the park; and
2. A Use Agreement between the County, GGLC, AKPMC and the Greenfield Little League dated January 6, 1999 pertaining to the use and programming of the pavilion and ballfields.

The City of Greenfield would assume the obligations of the County under these existing agreements and the operators that are listed would continue to enjoy use of Kulwicki Park under the same terms of the existing agreements. Milwaukee County Parks has coordinated several meetings with the AKPMC, the GGLC, the Greenfield Little League and Supervisor Staskunas to develop this Agreement.

This proposal would save the County the following costs, which have been estimated based on actual expenses from 2015 and 2016 and recent capital budget requests:

Annual Operating Expense	Amount
Baseball and softball diamonds	\$12,000
Electrical	\$3,000
Painting	\$1,300
Forestry services	\$2,750
Supplies	\$2,100
Grounds and other maintenance	\$39,000
Annual Operating Total	\$60,150

Capital Replacement	Amount
Pavilion roof	\$5,000
Pavilion repair	\$2,500
Pavilion exterior	\$6,500
Ball field bleachers	\$16,000
Playground	\$275,000
Capital replacement total	\$305,000*

*Estimate, does not include unknown infrastructure replacement needs such as repaving the parking lot, maintenance facility costs, stormwater management improvements, or repairs to other improvements as needed.

Stormwater Management

Kulwicki Park is located adjacent to the Wild Cat Creek which feeds into the Root River. Under the terms of the Lease and Partnership Agreement, the City would be prevented from allowing pollutants to directly or indirectly enter the watershed. The City would also take proactive measures to prevent pollutants from entering the watershed and is working with the Metropolitan Milwaukee Sewerage District (MMSD) on stormwater management best practices in this area. The cost and maintenance of any new improvements would be the responsibility of the City.

Terms

The Lease and Partnership Agreement is attached, as a summary the following are the terms and conditions of that agreement.

Term	Description
Term Length	15 years with three 5 year options to renew
Utilities	Paid by the City
Use	Non-exclusive right for public park use
Public Access	Guaranteed
Trash and garbage	Maintained by City
Improvements	Funded by the City with prior approval of the County
Maintenance and Repair	Sole cost of the City
Stormwater management	Responsibility of the City
Targeted Business Participation	25%
Insurance requirements	Yes
Compliance with ADA, non-discrimination, affirmative action	Yes

RECOMMENDATION

Approve the Lease and Partnership Agreement with the City of Greenfield for Kulwicki Park.

Prepared by: James Tarantino, Director, Economic

Approved by:



John Dargle, Jr., CPRP, Director

Attachments:

- Attachment 1 – Resolution
- Attachment 2 – Fiscal Note
- Attachment 3 – Lease and Partnership Agreement
- Attachment 4 – Map
- Attachment 5 – 1999 Agreement
- Attachment 6 – 2005 Agreement

Copy:

- Chris Abele, County Executive
- Jason Haas, Chair, Parks, Energy and Environment Committee
- Parks, Energy and Environment Committee Members
- Anthony Staskunas, County Supervisor, 17th District
- Teig Whaley-Smith, Director, Department of Administrative Services
- Raisa Koltun, Chief of Staff, Office of the County Executive
- Kelly Bablitch, Chief of Staff, County Board of Supervisors
- Scott Manske, Comptroller
- Steve Cady, Research & Policy Director
- Allyson Smith, Committee Coordinator