

COUNTY OF MILWAUKEE
Inter-Office Communication

Date: November 8, 2023

To: Marcelia Nicholson, Chairwoman, Milwaukee County Board of Supervisors

From: Guy Smith, Executive Director, Milwaukee County Parks

Subject: From the Executive Director of Milwaukee County Parks providing an informational report in response to 2023 Adopted Amendment 69

File Type: Informational Report

BACKGROUND

During budget deliberations for the 2023 budget, amendment number 69 was adopted at the Finance Committee on November 4, 2022. The amendment requested the Parks Department engage with the Lake Park Friends and neighbors on Wahl Avenue regarding obligations of bluff maintenance in Lake Park and requested a report back to the County Board.

After budget adoption, Parks sought an opinion from the Office of Corporation Counsel. Parks provided historical documentation provided by the residents of Wahl Avenue and any other documentation requested to determine the requirements of bluff maintenance.

On December 30, 2022, the Office of Corporation Counsel issued a memo entitled “Advisory Opinion re Milwaukee County’s Obligations of Record with Respect to the Wahl Avenue Bluffs”. The memo states that -

While Milwaukee County certainly must maintain the land in question as a public park and may have some obligation to trim trees if necessary for maintenance of the park generally, there is nothing in the recorded deed restrictions that expressly requires Milwaukee County to ensure lake views from the bluff, whether by cutting down trees or otherwise, nor does anything in the recorded deed restrictions entitle the residents of Wahl Avenue to do so either.

Parks has continued dialogue with the residents on Wahl Avenue toward executing an approach historically approved by the Department with a more limited scope. Park staff have met multiple times with Lake Park neighbors and Friends group members throughout 2023. Parks has sought to establish an approach for bluff vegetation maintenance that meets the needs of the community while also protecting the stability of the bluff. Parks is in continued discussion with the neighbors of Lake Park to address concerns around bluff stabilization, invasive species and aesthetics.

Related File No's:	22-1040
Associated File No's (Including Transfer Packets):	
Previous Action Date(s):	11/17/22

POLICY

The 2023 adopted budget included amendment 69 which requested an informational report to which this report is responsive.

Wisconsin State Statutes:	
Milwaukee County Code of General Ordinances:	
Specific Adopted Budget:	2023
Specific Adopted Budget Amendment:	69

ALIGNMENT TO STRATEGIC PLAN

This item is informational however the negation of this amendment supports the strategic plan through 2A: Determine what, where and how we deliver services to advance health equity, 2C: Apply a racial equity lens to all decisions & 3C: Dismantle barriers to diverse and inclusive communities.

FISCAL EFFECT

This amendment had no fiscal effect.

TERMS

None

VIRTUAL MEETING INVITES

None

PREPARED BY:

Jeremy Lucas, Director of Administration & Planning, Milwaukee County Parks

APPROVED BY: *Guy Smith*

Guy Smith, Executive Director Milwaukee County Parks

ATTACHMENTS:

Advisory Legal Opinion – County Obligations re Milwaukee County's Obligations of Record with Respect to the Wahl Avenue Bluffs

CC: David Crowley, County Executive
Mary Jo Meyers, Chief of Staff, County Executive's Office
Sheldon Wasserman, Supervisor District 3, PEEC Chair
Steven Shea, Supervisor District 8, PEEC Vice Chair
Felesia Martin, Supervisor District 7, PEEC Member
Juan Miguel Martinez, Supervisor District 12, PEEC Member
Steve Taylor, Supervisor District 17, PEEC Member
Kelly Bablitch, Chief of Staff, Milwaukee County Board of Supervisors
Janelle M. Jensen, Legislative Services Division Mgr., Office of the County Clerk
Aaron Hertzberg, Director, Department of Administrative Services
Joseph Lamers, Fiscal & Budget Director, DAS
Vince Masterson, Fiscal & Strategic Asset Coordinator, DAS
Pamela Bryant, Capital Finance Manager, Comptroller's Office
Justin Rodriguez, Capital Finance Analyst, Comptroller's Office
Kelsey Evans, Committee Coordinator, Office of the County Clerk
Ciara Miller, Research & Policy Analyst, Office of the Comptroller
Anthony Rux, Budget & Management Analyst, DAS-PSB