

Chairperson: Supervisor Gerry Broderick  
Clerk: Carol Mueller, 278-4228  
Research Analyst: Julie Esch, 278-4430

**PARKS, ENERGY AND ENVIRONMENT COMMITTEE**

Tuesday, January 27, 2009 - 9:00 A.M.

**Milwaukee County Courthouse - Room 201-B**

**MINUTES**

**SCHEDULED ITEMS:**

**PRESENT:** Supervisors Sanfelippo, Coggs\*, Dimitrijevic, Rice, Larson, Lipscomb and Broderick (Chair)

*\*Supervisor Coggs was not present at roll call but appeared shortly thereafter.*

**Corporation Counsel – 1**

1. 06-366 (a) An opinion from Corporation Counsel on an adopted resolution regarding the Southeastern Wisconsin Regional Planning Commission Study Committee's report on its findings and recommendations. **(10/08 referred to Corporation Counsel) (INFORMATIONAL UNLESS OTHERWISE DIRECTED BY THE COMMITTEE.)**

**APPEARANCE:**

John Jorgensen, Principal Assistant Corporation Counsel

Mr. Jorgensen stated upon review of the recommendations, he sees no legal impediments. Some recommendations affect entities that the County Board has no authority or power over.

**The Committee took no action on this informational item.**

**Parks - 11**

2. 08-182 (a)(b) A. From the Fiscal and Budget Administrator, a due diligence report on an adopted resolution regarding an agreement with Bartolotta Restaurant Group for management of the Northpoint Snack Bar. **(RECOMMENDATION: To Receive and Place on File.)**

**APPEARANCES:**

Sara Jankowski, Fiscal and Budget Analyst, DAS

El Schneider, Parks Contract Analyst

John Schapekahn, Principal Assistant Corporation Counsel

Joe Bartolotta, Bartolotta Restaurant Group

**SCHEDULED ITEMS (CONTINUED):**

Ms. Jankowski relayed to the Committee that most of the recommendations requested in their review have been incorporated into the most recent draft of the contract.

Mr. Schneider confirmed that the vendor was current with all rents and payments regarding his other partnerships with Milwaukee County.

Mr. Bartolotta gave the Committee a rendering of his plans for the building (copy attached to the original of these minutes). In addition, he discussed his vision to create a family friendly atmosphere with the menu including burgers, fries and custard.

A lengthy discussion ensued regarding parking issues and possible payments in lieu of taxes.

Mr. Schapekahm spoke to the issue of private business on public lands.

Supervisor Broderick requested a written opinion from Corporation Counsel to the Parks Committee for the March cycle, on possible justifiable payment in lieu of property taxes to include in future contracts with private business.

Supervisor Dimitrijevic voiced her concerns regarding public parking near the snack bar.

**MOTION BY: (Sanfelippo)** To receive and place on file the said due diligence report. **(Vote 7-0)**

**AYES:** Sanfelippo, Coggs, Dimitrijevic, Rice, Larson, Lipscomb and Broderick (Chair) - 7

**NOES:** - 0

- 08-182  
(a)(a) B. From the Director, Parks, Recreation and Culture, requesting authorization to enter into a five-year agreement with two possible two-year extensions with Bartolotta Restaurant Group for management of the Northpoint Snack Bar.

**APPEARANCES:**

Sue Black, Director, Parks Recreation and Culture

Elroy Schneider, Parks Contract Analyst

Ms. Black spoke to the concerns of long-term contracts with outside vendors. She said the request for proposals was advertised in numerous publications and this resulted in only two responses. If these agreements aren't entered into what are the alternatives? The building is not up to code and would remain vacant.

**SCHEDULED ITEMS (CONTINUED):**

Supervisor Coggs said these agreements help bring people out to enjoy the parks and keep the lakefront a jewel of the County. This is a good private/public partnership.

**MOTION BY: (Rice)** Approve. **(Vote 7-0)**

**AYES:** Sanfelippo, Coggs, Dimitrijevic, Rice, Larson, Lipscomb and Broderick (Chair) - 7

**NOES:** - 0

3. 08-183 (a)(b) A. From the Fiscal and Budget Administrator, a due diligence report on an adopted resolution regarding an agreement with MJE, Inc. GI for management of the Bradford Beach House. **(RECOMMENDATION: To Receive and Place on File.)**

**APPEARANCES:**

Sara Jankowski, Fiscal and Budget Analyst, DAS  
El Schneider, Parks Contract Analyst

Ms. Jankowski spoke to the Committee regarding the due diligence report. Recommendations made in the review have been incorporated in the most recent draft of the contract. At this time there is no proof of funding for Capital Improvements.

Questions and comments ensued regarding the months of operation and commission payments.

Mr. Schneider feels confident that commission payments are correct.

**MOTION BY: (Sanfelippo)** To receive and place on file the said due diligence report. **(Vote 7-0)**

**AYES:** Sanfelippo, Coggs, Dimitrijevic, Rice, Larson, Lipscomb and Broderick (Chair) - 7

**NOES:** - 0

- 08-183 (a)(a) B. From the Director, Parks, Recreation and Culture, requesting authorization to enter a five-year agreement with two possible two-year extensions with GI Inc. for management of the Bradford Beach House.

**APPEARANCES:**

El Schneider, Parks Contract Analyst  
Sue Black, Director, Parks Recreation and Culture  
John Schapekahm, Principal Assistant Corporation Counsel  
The following registered to speak:  
Michael Smith, Neighborhood resident

## SCHEDULED ITEMS (CONTINUED):

Jim Barry, Neighborhood resident  
Randy Bryant, Neighborhood resident  
Colleen Henry, Neighborhood resident  
Terry Paulson, Badger Region Volleyball Association  
Andres Deleon, Neighborhood resident  
Deb Lukovich, Friends of Bradford Beach  
Todd Hall Inferno MKB  
Todd Garronski, Owner of G1

Mr. Schneider told the Committee this agreement was put together similar to the Northpoint Snack Bar. A request for proposals was sent to anyone that would be possibly interested in the operation of the Bradford Beach House. The Department received only one proposal. This came from the vendor that operated the Beach House last year.

A discussion regarding commissions and capital improvement investments ensued.

The Committee heard testimony from the registered speakers. A lengthy discussion ensued regarding the noise from amplified music, hours, and number of events. The Committee also applauded the vendor's efforts to help revitalize the beach.

Mr. Barry, acting as the neighborhood spokesman, presented the Committee with suggested changes to the contract and a letter from the Historic Water Tower Neighborhood (both attached to the original of these minutes).

Supervisor Lipscomb made a motion to incorporate the points of concern from the neighborhood and change the wording from days to events. He later withdrew his motion.

The Committee adjourned for a break at 11:30 a.m. They reconvened at 11:45 a.m. A roll call was taken at that time with all members present.

**MOTION BY: (Rice)** Amend the contract language as follows: In Section 7.2 strike the first sentence and replace with "Amplified music shall be permitted no more than six calendar days, subject to the provisions in 7.3." In Section 7.3 starting with the second sentence strike the words, "The Director" and replace with "The Committee on Parks, Energy and Environment." Lastly in Section 7.3 strike the last sentence completely. **(Vote 5-2)**

**AYES:** Sanfelippo, Rice, Larson, Lipscomb and Broderick (Chair) - 5

**NOES:** - Coggs and Dimitrijevic - 2

**SCHEDULED ITEMS (CONTINUED):**

**MOTION BY: (Rice)** Approve as amended. **(Vote 7-0)**

**AYES:** Sanfelippo, Coggs, Dimitrijevic, Rice, Larson, Lipscomb and Broderick (Chair) - 7

**NOES:** - 0

4. 07-175 From the Director, Parks, Recreation and Culture, requesting authorization to  
(a)(a) allow the Zilli Hospitality Group permission to change the Coast Restaurant from a year-round walk-in restaurant to a "reservation only" facility with rental, utility, and commission payment to remain as currently provide for in the existing lease.

**APPEARANCES:**

Sue Black, Director, Parks Recreation and Culture

John Schapekahn, Principal Assistant Corporation Counsel

Julie Esch, Research Analyst

The following registered to speak on the item:

Paul Raasch, Zilli Hospitality Group

Janet Marie Tierney, The Park People of Milwaukee County Inc.

Kris Martinsek

James Zilli, Zilli Hospitality Group

Ms. Esch told the Committee she was contacted by the Department of Audit. They would like to look at the provisions of the lease to evaluate the requested change to a reservation only venue.

Ms. Black voiced her concerns with a delay to the March cycle, and what would happen to any reservations between now and when the Committee would reconsider the item.

Supervisor Broderick would be willing to have a special meeting before Board day if the concerns of the Audit Department could be resolved before then.

At this time, the restaurant is closed and is in violation of the lease.

Mr. Zilli spoke to the Committee on his reluctance to request this change in venue. The business isn't viable as a regular restaurant open to the public. The County would still receive the utility and rent revenue as before. Commissions are based on a percentage of a fixed amount of sales and haven't been reach for months.

**MOTION BY: (Larson)** Refer the item to the Department of Audit and Corporation Counsel for review. **(Vote 6-1)**

**AYES:** Coggs, Dimitrijevic, Rice, Larson, Lipscomb and Broderick (Chair) - 6

**NOES:** Sanfelippo – 1

**SCHEDULED ITEMS (CONTINUED):**

5. 09-59 From the Director, Parks, Recreation and Culture, requesting authorization to grant a permanent easement near Wisconsin Avenue in Honey Creek Parkway to the Milwaukee Metropolitan Sewer District (MMSD) with review by the appropriate County Departments to approve, execute and record the necessary required permits and documents.

**APPEARANCES:**

Kevin Haley, Landscape Architect  
Sue Black, Director, Parks, Recreation and Culture  
The following registered to answer questions if necessary:  
Steven Franks TN & Associates  
Jennifer Wright, Milwaukee Metropolitan Sewerage District

Mr. Haley stated this is a straightforward permanent easement. The permanent structure will be atheistic to the area.

Ms. Black said that both Supervisor Schmitt and Mayor Didier are in support of the easement.

**MOTION BY: (Dimitrijevic) Approve. (Vote 7-0)**

**AYES:** Sanfelippo, Coggs, Dimitrijevic, Rice, Larson, Lipscomb and Broderick (Chair) - 7

**NOES:** - 0

6. 09-60 From the Director, Parks, Recreation and Culture, requesting authorization to grant a permanent easement to Edgerton Contractors, Inc. to allow storm water discharge to Oak Creek across County land at 545 West Ryan Road with review by the appropriate County Departments to approve, execute and record the necessary required permits and documents.

**APPEARANCES:**

Kevin Haley, Landscape Architect  
The following registered to answer questions if necessary:  
James Leedem, Sigma Development/Edgerton Contractors  
Jeremy Craven, Edgerton Contractors  
Chad Nicpon, Design 2 Construct  
Steve Nachzemer, Edgerton Contractors, Inc.  
Mark Reinders, Parkside Land Group

Mr. Haley said this land is from a previous land swap whereby the County received wooded land for agricultural land.

Mr. Reinders noted this is a detail leftover that was not previously addressed.

**SCHEDULED ITEMS (CONTINUED):**

**MOTION BY: (Sanfelippo)** At a point on line 43 after the words “storm sewer” add “and drainage way.” **(Vote 7-0)**

**AYES:** Sanfelippo, Coggs, Dimitrijevic, Rice, Larson, Lipscomb and Broderick (Chair) - 7

**NOES:** - 0

**MOTION BY: (Sanfelippo)** Approve as amended. **(Vote 7-0)**

**AYES:** Sanfelippo, Coggs, Dimitrijevic, Rice, Larson, Lipscomb and Broderick (Chair) - 7

**NOES:** - 0

7. 09-65 From the Director, Parks, Recreation and Cultures, requesting authorization to execute payment for services by Midwest Irrigation Inc., for the installation of a new irrigation system for Hansen Golf Course with funds to be paid by the Milwaukee Metropolitan Sewage District (MMSD).

**APPEARANCE:**

James Keegan, Chief of Planning and Development

Mr. Keegan explained that MMSD had a burrowing project that destroyed the current irrigation system on the ninth hole. This change order was issued to allow for the timely opening of the Hansen Golf Course for the 2009 season.

**MOTION BY: (Sanfelippo)** Approve. **(Vote 7-0)**

**AYES:** Sanfelippo, Coggs, Dimitrijevic, Rice, Larson, Lipscomb and Broderick (Chair) - 7

**NOES:** - 0

8. 08-345 **Adopted Budget Amendment 1B001** regarding Capital Improvement WP057 Dog (a)(b) Park Phase II, directing the specific sites be reviewed in a public informational meeting and presented to the County Board for review and approval.

**APPEARANCES:**

Sue Black, Director, Parks, Recreation and Culture

Julie Esch, Research Analyst

The following registered to speak:

Robin Barry, Residents for off-leash Milwaukee Parks

Joey Zucker, Urban Ecology Center

Janet Marie Tierney, The Park People of Milwaukee County, Inc.

Ms. Black held public meetings throughout the County. Through these meetings she compiled a list of site areas that are the least controversial and most cost effective. The funding for this project is \$248,000. Ms. Black will complete as many dog parks as possible without exceeding the project funds. Different areas

**SCHEDULED ITEMS (CONTINUED):**

may get partnerships from “friends” groups and allow for an increase in the number of dog parks in the area.

**MOTION BY: (Dimitrijevic)** Approval for completion of as many recommended sites possible, utilizing the funding as approved in the 2009 Capital Improvement Budget **(Vote 6-0)**

**AYES:** Sanfelippo, Dimitrijevic, Rice, Larson, Lipscomb and Broderick (Chair) - 6

**NOES:** - 0

**EXCUSED:** Coggs - 1

9. 01-444 (a) From the Milwaukee Community Sailing Center, a verbal update on their building plans for a new facility that will be located on the leased property.  
**(INFORMATIONAL UNLESS OTHERWISE DIRECTED BY THE COMMITTEE.)**

*This item was taken out of order following Item 2B.*

**APPEARANCES:**

Helen Miller, President, Board of Directors, Milwaukee Community Sailing Center

D’Andre Willis, HGA Architects and Engineers

Peter Rieck, Milwaukee Community Sailing Center

Barb Velez, Milwaukee Community Sailing Center

Ms. Miller gave a visual presentation regarding the history and mission of the sailing center. The goal is to allow anyone in Milwaukee County an opportunity to access Lake Michigan through sailing. The group reaches out specifically to at-risk teens and the disabled. There are over 100 volunteer instructors with primarily 30 seasonal youth employees.

Ms. Willis spoke to the current building and grounds. She presented a model of the new building and reviewed the upgrades for the area.

Currently, the Sailing Center has raised sufficient funds in money and pledges to construct the buildings and improve the grounds. They are continuing the fund raising for possible pledges that may not materialize and future operations.

Supervisor Dimitrijevic requested a written report including technical aspects of their plan for the next meeting.

Ms. Black will provide to the Committee a copy of the lease agreement between the Sailing Center and Milwaukee County.

**The Committee took no action on this informational item.**

**SCHEDULED ITEMS (CONTINUED):**

10. 08-R22 A verbal update on the vacant Park East land. **(From Supervisor Sanfelippo) (INFORMATIONAL UNLESS OTHERWISE DIRECTED BY THE COMMITTEE.)**

**APPEARANCE:**

Supervisor Joseph Sanfelippo, District #17

Supervisor Sanfelippo gave the Committee a letter that he sent to the City of Milwaukee (copy attached to the original of these minutes). He explained that no funds are available for improving this area, but with some flexibility and cooperation from the City of Milwaukee, it would be advisable to consider temporarily using the area as a parking lot. Revenue generated could be used for other Park projects. Supervisor Sanfelippo will report back to the Committee after his meeting with the City of Milwaukee.

**The Committee took no action on this informational item.**

This meeting was recorded. Committee files contain copies of the subject reports, communications, resolutions, and ordinances, which may be reviewed upon request to the Chief Committee Clerk. The official copy of these minutes, along with the audio recording of this meeting, are available in the County Board Committee Services Division.

Length of meeting: 9:10 a.m. until approximately 1:00 p.m.  
Carol Mueller, Committee Clerk

Staff Present:

Mr. John Jorgensen, Principal Assistant Corporation Counsel  
Mr. Sara Jankowski, Fiscal and Budget Analyst  
Mr. El Schneider, Contract Services Officer, Parks, Recreation and Culture  
Mr. John Schapekahn, Principal Assistant Corporation Counsel  
Ms. Sue Black, Director, Parks, Recreation and Culture  
Ms. Julie Esch, Research Analyst  
Mr. Kevin Haley, Landscape Architect  
Mr. James Keegan, Chief of Planning and Development

**DEADLINE FOR THE PARKS, ENERGY AND ENVIRONMENT COMMITTEE:**

The next regular meeting for the Parks Committee is March 10, 2009. **All items for the agenda must be in the Committee Clerk's possession by the end of the business day on Tuesday, February 24, 2009.**

***ADA accommodation requests should be filed with the Milwaukee County Office for Persons with Disabilities 278-3932 (voice) or 278-3937 (TTY) upon receipt of this notice.***