



## Legislation Details (With Text)

|                        |   |                      |                |
|------------------------|---|----------------------|----------------|
| <b>File #:</b>         | 161599  | <b>Version:</b>      | 0              |
| <b>Type:</b>           | Resolution  | <b>Status:</b>       | Passed         |
| <b>File created:</b>   | 3/1/2017  | <b>In control:</b>   | COMMON COUNCIL |
| <b>On agenda:</b>      |   | <b>Final action:</b> | 3/28/2017      |
| <b>Effective date:</b> |   |                      |                |
| <b>Title:</b>          | Resolution approving a Memorandum of Understanding between the City of Milwaukee and Milwaukee County relating to the design, construction, and maintenance of storm water facilities and park improvements and amenities in Dineen Park. |                      |                |
| <b>Sponsors:</b>       | ALD. MURPHY   |                      |                |
| <b>Indexes:</b>        | AGREEMENTS, PARKS, STORMWATER MANAGEMENT  |                      |                |
| <b>Attachments:</b>    | 1. Dineen Park Master Plan, 2. Memorandum of Understanding, 3. Presentation, 4. Fiscal Impact Statement   |                      |                |

| Date      | Ver. | Action By              | Action                   | Result | Tally |
|-----------|------|------------------------|--------------------------|--------|-------|
| 3/1/2017  | 0    | COMMON COUNCIL         | ASSIGNED TO              |        |       |
| 3/8/2017  | 0    | PUBLIC WORKS COMMITTEE | RECOMMENDED FOR ADOPTION | Pass   | 5:0   |
| 3/28/2017 | 0    | COMMON COUNCIL         | ADOPTED                  | Pass   | 15:0  |
| 4/6/2017  | 0    | MAYOR                  | SIGNED                   |        |       |

161599

Original

Ald. Murphy

Resolution approving a Memorandum of Understanding between the City of Milwaukee and Milwaukee County relating to the design, construction, and maintenance of storm water facilities and park improvements and amenities in Dineen Park.

This resolution approves a Memorandum of Understanding (MOU) between the City of Milwaukee and Milwaukee County for the purpose of delegating the City's and County's responsibilities and specifying conditions relating to the design, construction, and maintenance of storm water facilities and park improvements and amenities to be undertaken by the City of Milwaukee in Dineen Park in the City of Milwaukee. The storm water facilities are anticipated to help reduce property damage, economic losses, and unsafe conditions caused by historic and repeated flooding within the park and the surrounding neighborhood areas. The park improvements are anticipated to enhance use, circulation, and safety of existing park areas, while providing additional new amenities to improve the quality of the park.

Whereas, Dineen Park is a Milwaukee county Park located at 6901 West Vienna Ave in the City of Milwaukee; and

Whereas, The properties in the vicinity of the intersection of North 63<sup>rd</sup> Street and West Melvina Street in the City of Milwaukee have experienced repeated surface flooding and basement back-ups during heavy storm events; and

Whereas, Dineen Park contains an open channel and lagoon immediately upstream of these properties that, during heavy rain events, causes surface flooding in the park, on City streets, and on nearby properties resulting in water

entering basements by way of basement window wells and foundation drains causing property damage; and

Whereas, Said water in basements empties via basement floor drains, contributing excessive amounts of clearwater in local City sanitary sewers and Milwaukee Metropolitan Sewerage District (MMSD) sewers, causing additional basement back-ups in surrounding properties; and

Whereas, In order to ascertain the cause of the flooding and basement back-ups, the City, County and the MMSD retained the services of a consultant to prepare the "Dineen Park Neighborhood Storm Water Study", hereinafter referred to as the "Storm Water Study" and attached to this resolution by reference, and said study recommended the construction of a storm water detention facility in Dineen Park to mitigate the aforementioned flooding; and  
Whereas, The City selected and funded a consultant to prepare the "Dineen Park Master Plan", hereinafter referred to as "Master Plan" and attached to this resolution by reference, that comprehensively incorporated the recommendations of the Storm Water Study, and a variety of park amenities and recreation elements identified by key stakeholders that included City and County officials and the Dineen Park Neighborhood Association; and

Whereas, The City and County entered into negotiations to create an MOU that establishes the scope of a "Storm Water Project" that includes several elements of the Master Plan, and also establishes the City's and County's responsibilities regarding the design, construction, and maintenance of the Storm Water Project; and

Whereas, The County has previously set forth a policy regarding the use of park land in cooperation with other governmental units by which the MOU is governed; and

Whereas, Milwaukee County File 16-703 authorizing the County to enter into the MOU was approved by the Milwaukee County Board of Supervisors on February 2, 2017; and

Whereas, The City agrees to pay for the design, construction, and maintenance of the items detailed in the MOU, subject to available funding; now, therefore be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works and the Comptroller are hereby authorized to execute the Memorandum of Understanding (MOU) with the County of Milwaukee, the MOU being attached to this Common Council Resolution File Number 161599 and incorporated into this resolution by reference as though set forth in full, for the design, construction, and maintenance of park improvements and amenities and storm water facilities in vicinity of Dineen Park is approved; and, be it

Further Resolved, That the City is authorized to make minor changes to the MOU which do not change the intent of the agreement prior to the execution; and, be it

Further Resolved, That any of the potential future agreements which may be necessary as a result of execution of the MOU that may require financial consideration will be brought forth for Common Council consideration and approval.

Department of Public Works  
Infrastructure Services Division  
Environmental Engineering Section  
NMJ/adj  
February 22, 2017