

MINUTES

PARK ADVISORY COMMISSION

4:00 p.m. – April 20, 2004

Time: D'Anieri called the meeting to order at 4:04 p.m.

Place: Council Chamber, Second Floor, 100 North Fifth Avenue, Ann Arbor, Michigan.

ROLL CALL

Members Present: Berla, Berauer, Cohen, D'Anieri, Macomber, Reneaud, Riseng,
Satarino

Members Absent: Rodgers

Ex-Officio Members Present: Henderson, Johnson, Woods

Ex-Officio Members Absent: Aeschbach

Staff Present: Borneman, Kuras, Rynard, St. John

PUBLIC COMMENTARY

None.

MINUTES OF PREVIOUS MEETING

a. Minutes of March 2 and 16, 2004 – Moved by Berla, supported by Macomber,
and passed by voice vote.

REHABILITATION AND DEVELOPMENT MILLAGE PROJECT UPDATE

Satarino asked that items that have been completed be taken off the list.

CITY COUNCIL ITEMS UPDATE

None.

OPEN SPACE AND PARKLAND PRESERVATION ORDINANCE

D'Anieri said the Open Space and Parkland Preservation Ordinance (Chapter 42) would have its second reading at the next City Council meeting. He said Mary Fales of the City Attorney's Office and staff were available to answer questions.

Macomber was concerned that the Greenbelt Advisory Commission (GAC) meeting held only quarterly would not be enough to get things done. She thought GAC would have to meet at least as often as PAC does to get the necessary work accomplished.

Johnson said that was a minimum requirement, but GAC could meet weekly if necessary.

Fales added that GAC could decide how often to meet and could adopt its own bylaws.

Satarino said that GAC was given 90 days to respond to PAC regarding a potential site. He thought 60 days would be a more reasonable time period.

Johnson said if PAC recommended changes to the proposed ordinance, it should do so in the form of a resolution.

Berauer asked why 90 days was selected. She thought the time period should be reduced since PAC sometimes has to respond quite quickly to a potential site purchase.

Fales replied that 90 days was consistent with GAC meeting quarterly.

Cohen asked what would be the source of money for parkland purchases within the City that were not in the designated greenbelt district open space areas.

Fales said that GAC's role was to evaluate land outside the corporate boundary of City. She said attached to the ordinance itself was the greenbelt area map. She said land to be considered solely by GAC was outside the City's corporate boundary and within the outside boundary shown on the map. She said the parcels within the City's corporate boundary would still be the responsibility of PAC, including township islands within the City's boundary. She said the millage that was passed lengthened the term and expanded the ability to spend the funds. She said it was one fund for use by both PAC and GAC. She said City Council's resolution recognized that the fund was one fund and it hoped that the fund would be approximately split 1/3 toward City park parcels and 2/3 toward greenbelt parcels. She said the purpose of the greenbelt ordinance was to establish the commission to oversee the millage, to identify the application process and how land was selected, and when and how land might revert back to the landowner. She said PAC's interactions with GAC regarding land outside the corporate limits of the City and the role of PAC not being altered for parcels within the City boundaries was also included in the ordinance.

D'Anieri asked why the allocation of funds was not mentioned in ordinance.

Fales replied that City Council would handle the appropriation of funds.

Johnson added that the allocation of the funds was not listed because that might limit the amount Council would be able to appropriate for a particular site. He said that funds would be not allocated in advance.

Berauer recommended that a PAC member be on GAC.

Johnson said the two commissions were doing different things and should communicate, but did not feel a PAC member needed to be on GAC.

Riseng wondered about Section 3.66 that allowed PAC to pursue land outside the City if GAC did not want it.

Berla noted that GAC would pursue purchasing the development rights of parcels, not purchasing the land for use as a park. He thought that most of the time GAC would be looking for sites that PAC would not be interested in, but there may be a time where that was not the case and Section 3.66 would address that instance.

Johnson said GAC's purchases would not be part of a park system. He said monitoring the land would be farmed out. He said PAC-purchased land becomes a park with a different level of responsibility.

Satarino thought that in Section 3.73(2) the acreage size should be made smaller; maybe 25 acres instead of 100 acres.

Macomber said in Section 3.75 it stated that six percent of the millage would be taken to cover the cost of staff and she had heard that the City Administrator was considering creating a staff position. She was concerned that six percent was too much.

Johnson said other communities were looked at regarding salary and legal costs.

Macomber was concerned that if a position was not created and existing staff were not able to do the work, where the money would be spent.

Cohen thought the language of Section 3.75 was not clear enough.

Berauer was concerned about the word "target" in the second paragraph of Section 3.75 and thought it should be deleted.

Berla said that City Council would make the decision regarding where the money was spent since the money would come from one pool. He thought it was important that there be a structure in place that promoted good communication on a regular basis between PAC and GAC.

Cohen thought a companion piece needed to be drafted that outlined how the millage was used because this ordinance language only addressed the greenbelt acquisitions and the millage would be used for both greenbelt and park acquisitions.

Berauer thought that, in theory, PAC or GAC purchases could go over the 1/3-2/3 monetary allocation and wondered if more specific language was needed in the ordinance to address this.

D'Anieri asked if adding more specific language in the ordinance regarding 1/3-2/3 millage provision would be legal.

Fales responded that anything could be recommended to be added and City Council would decide if it wants the language added.

Macomber was still concerned about the six percent administrative cost being too high with no language on how it was to be used and who was to receive it. She said if more specific language were added showing that it would fund a staff position to administer the millage, she would support it. As she understood it, PDR rights most likely would be purchased within ten years for all available land around the City, so she was concerned that the six percent administrative charge could continue to be taken for an additional 20 years.

Macomber thought the ordinance should be revised to read that the six percent administrative charge is taken from the millage for five years, at which point it would be looked at again.

Satarino felt that Section 3.68(5) restricted action on the timely purchase of property.

Fales replied that in Section 3:68(2) GAC could accept an application at any time.

Satarino said with bonding, it would make a lot of money available in the early years.

Fales understood that the potential of bonding was being evaluated.

Johnson added that it was thought that many applications would occur at first, so bonding was being considered.

Cohen asked why only a minimum of six people on GAC would be City residents (Section 3:64).

Johnson replied that it was a compromise since the land being affected would be in the township and money being spent was from City residents.

Cohen thought Section 3:65 (2) was confusing since it mentioned land being used as parkland.

Cohen wanted the feature of views added to the open space land criteria used in Section 3:68 (3b).

D'Anieri said in Section 3:68(3) the land acquisition criteria does not say what it prefers and was numerous and vague. He thought that might cause a problem when evaluating a parcel for purchase. He felt since using the millage was the expenditure of City tax dollars, the composition of GAC should be entirely City residents. He asked if Section

3:64 that dealt with the terms of the committee was comparable to other City boards and commissions.

Fales replied yes. She said the Environmental Commission had similar terms.

Berauer felt there was a need for the addition of stronger language for township cooperation in the form of contributions.

Fales said that, under state law, a matching program could not be done unless the participating township had developed its own ordinance.

Riseng asked if the City could partner with the county's program.

Johnson replied yes.

Berla asked if there was a state program.

Johnson replied there was, but it was oversubscribed.

D'Anieri said there was a significant fund balance in the current fund and wondered if it would be put into the new millage fund in July or kept separate and only used for City parks acquisitions.

Fales replied that whatever was not already appropriated from the current fund would be placed into the new fund and be subject to the terms and conditions for expenditure based on the new millage.

Satarino thought the existing millage monies should be kept separate from the new millage that starts in July. He understood there were still proceeds from the current millage that have not yet come in that would be available just for the purchase of parkland for the City. He said the current millage that PAC was operating under right now was made on the basis of certain promises to taxpayers in terms of how that money would be used that was different than the new millage starting in July.

Johnson said anything that City Council had encumbered would be used as allocated and added that PAC most likely would have even more money to use than now with the new millage for park acquisition.

Henderson said any balance on July 1 would be included with the new millage and available to both PAC and GAC.

Riseng said PAC had traditionally tried to be fiscally conservative so, quite often; funds were available from a previous fiscal year.

Cohen said PAC should tell City Council that voters expected the current fund to be allocated toward the purchase of City parks only and Council should honor the voters' expectations by allocating the current fund balance as of July 1 to PAC only.

Satarino thought this was an important issue since PAC had been planning acquisitions for months and years based on that the funds would be available to PAC and it came as a shock to him that these funds would no longer be available.

Johnson understood PAC's position and felt a strong resolution stating its position to City Council would be appropriate and he would support it.

Cohen asked if Section 3:74, Enforcement, was patterned after other communities.

Fales replied that the section simply states to bring it to the City Attorney's attention if the process was violated. She said the text was typical for this type of ordinance. She added that the public hearing before City Council on the proposed ordinance was scheduled for May 3.

Proposed by D'Anieri, supported by Riseng, the following resolution to present to City Council regarding the proposed Open Space and Parkland Preservation Ordinance:

RESOLUTION OF THE PARK ADVISORY COMMISSION
April 20, 2004

WHEREAS, The Park Advisory Commission has several concerns regarding the proposed Open Space and Parkland Preservation Ordinance;

THEREFORE, be it resolved that PAC urges the City Council to take the following steps:

1. Amend the ordinance to require that not less than 30%, nor more than 40%, of the annual revenue generated from the Parks and Greenbelt Millage be spent on land acquisition within the City of Ann Arbor.
2. Pass a resolution binding City Council to the commitment that the entire fund balance in the Land Acquisition Millage in place on June 30, 2004 be spent on land acquisition within the City of Ann Arbor.
3. Amend the ordinance to "sunset" after five years the authorization for 6% of acquisition expenses to be charged to the Parks and Greenbelt Millage, and strike the word "target" from section 3.75, second paragraph, and clarify the language of the entire paragraph.
4. Amend the ordinance to require that all members of the Greenbelt Advisory Commission be residents of the City of Ann Arbor.
5. Amend the ordinance to require that one of the Greenbelt Advisory Commission members be a member of the Park Advisory Commission.
6. Amend the ordinance to limit Greenbelt Advisory Commission members to two, rather than three, consecutive terms.

7. Amend the ordinance to reduce the amount of time, from 90 days to 60 days, in which the Greenbelt Advisory Commission must respond to the Park Advisory Commission regarding its interest in PAC-nominated acquisition targets.
8. Amend the ordinance to require that a public referendum be held on the buy-back of development rights on all parcels 25 acres or larger, in place of the proposed 100-acre threshold.
9. Amend the ordinance to make the financial participation of other local units of government a top priority of the acquisition process.

Resolution was approved by all PAC members in attendance.

Woods suggested this resolution be sent to City Council before it received the packet for the May 3 City Council meeting so there would be enough time to review it prior to the meeting.

CITY OF ANN ARBOR ORGANIZATION AND RESOLUTION TO CITY COUNCIL

Johnson handed out three pages from the city budget for the Public Services Area and the Community Services Area, since that was where the Parks and Recreation Department duties were located. He said issues that had been raised were: the separation of NAP and what function NAP should have.

Macomber thought NAP's duties had already moved to the Public Services Area.

Johnson replied that the final reorganization was not complete. He said more changes could occur even after the reorganization was approved by City Council. He said feedback from citizens and staff was welcome.

Macomber wanted to hear from NAP members.

D'Anieri thought it was ok to ask Dave Borneman for his thoughts on the impact of NAP's duties being moved to the Public Services Area.

Macomber thought that when people are separated into different administrative trees, communication breakdowns might occur, so she wondered how long this reorganization had been in place and how it had affected communication.

Borneman replied that NAP had been a part of the Public Services Area since October/November 2003 and there had been pros and cons. He said communications with some had improved as well as with others had worsened. He was not sure how the proposed changes would effect communications in the long run. He thought communication within NAP would be ok, and Field Operations and Forestry should be ok as well.

D'Anieri pointed out that not just NAP was moved or reorganized but that the Parks Department was not a stand-alone department anymore.

Satarino was concerned about workload and NAP being assigned things that were not under the NAP preview before.

Borneman said that NAP being in the Public Services Area might involve NAP in re-naturalizing lawns on City property for water utilities. He was not sure if these additional duties would become too much in the future. He thought the first mission should be expanding the natural areas in the City, and then additional things might be added. He thought the greenbelt initiative might be a logical area that NAP's work might be extended to.

Satarino thought that the support by the public for parks was support for natural area preservation and he was concerned that NAP would be underutilized in supporting the open space initiative. He would like NAP to retain its ability for its own decision-making. He also wanted NAP tied in more with the greenbelt initiative.

Borneman would like clearer information regarding what NAP would be responsible for.

Rynard noted that work done for other areas are funded in those areas. She said when NAP and other parts of the Parks Department moved to the Public Services Area, it made new partnerships as well as kept previous partnerships.

D'Anieri thought there were two issues to discuss, the first being whether NAP should be located in the Public Services Area, and second, whether to combine the work NAP does with the greenbelt work, or make it a stand alone organization reporting directly to the City Administrator.

Johnson felt PAC's input was valuable to determine if NAP should be involved with the greenbelt initiative.

Berauer wondered if there would be enough staff if the greenbelt were added to responsibilities of NAP.

Borneman saw the proposed changes as an expansion of what he currently did with PAC. He thought NAP should be involved with the greenbelt.

Woods said the reorganization was very fluid and not set in stone. She asked Borneman how his day-to-day responsibilities have changed in the last year.

Borneman replied that in the past, NAP was isolated from other areas of the Parks Department and the reorganization had given NAP a better sense of the bigger picture, getting it involved with other issues of the whole service area.

Cohen thought reorganization in general was difficult, but felt that what mattered was that the key people understood the mission and were behind it. She felt that PAC had to articulate what was important to PAC and make sure staff and City Council know what was important, and if the organizational structure interferes with that, that PAC set up

other mechanisms to get it done. She felt that the new structure would make long-term park planning difficult. She thought they should focus on what PAC wants to get done.

Berla asked why Fuller Park's fields were in such bad shape and was that something that would fall through the cracks.

Henderson said staff felt it was important that the public does not get runaround because of the reorganization.

Rynard said field maintenance would be handled by one person who would spend 30% of his/her time on field maintenance. She said the biggest issue at the Fuller Park site was availability of water and field over-usage.

Berla was concerned that the public may be confused about whom to contact with questions regarding parks. He noted that New York City had a call center.

Rynard said a consolidated call center was being explored. She said that the Public Services Area had one already.

Johnson felt NAP's expertise would be great for the greenbelt.

D'Anieri thought it would be appropriate to discuss this again at the next PAC meeting.

Cohen originally thought the reorganization was to make things run more efficiently, but wondered if it would be efficient to have NAP work on the greenbelt and reporting to the City Administrator.

Johnson said whomever runs the greenbelt initiative would report to the City Administrator directly.

Macomber's main concern was that NAP would be marginalized, but she now was reassured and felt that the natural areas preservation program was very important. She asked if NAP would be moved from the Leslie Science Center.

Rynard said no decision had been made yet but that Borneman had lobbied hard to keep it where it was.

Kuras added that the PROS Plan update was an opportunity to look at what was the best way to define parks. She said there was an alternative transportation team that included a group of staff members who dealt with alternative transportation issues but there were no park planning staff on board.

ART PROJECT AT LIBERTY PLAZA

Henderson said the Commission on Art in Public Places (CAPP) provided its recommendations and Kuras provided her opinion on the proposed art project and this information was provided in the meeting packet.

Macomber agreed with the proposed changes that the proposed art be original art, rather than taking illustrations from children's books, and the process proposed for submitting art and having it reviewed and selected for display.

Satarino was concerned about giving up the role to the public regarding what was considered acceptable to be displayed in the public space at the park.

Peter Pollack, as a member of CAPP, said since the original concept was not supported by CAPP, CAPP now proposed a different process to select art: a two-step jury process where there would be a competition with artists being reviewed by a jury of their peers (a panel of 2 or 3), with the panel selecting 15 or so works of art and the final selection being made by a second jury made up of a large group of citizens (broad cross-section of people). He said CAPP could facilitate the process. He said with this process, the final selection would be reviewed by a broad cross-section of the community. He said PAC could be part of the process as well. He said the money to accomplish this project would be raised by a volunteer group.

Berauer agreed with the two memorandums presented to PAC, but hoped that if the original proposal was not approved here, that another location could be found.

Satarino said PAC had never had a general discussion on the use of park areas for art. He felt PAC should set standards for art in parks, but he hoped PAC could make a decision on this proposal today.

Cohen did not think PAC had to come up with its own process on reviewing art projects. She wondered if the Magic Carpet Mornings children could provide their own original art to be displayed as well.

Riseng supported children's book illustrations being displayed as art in this park. She said it could be scaled back to a smaller area within the park. She thought the proposal would bring more families to the park. She felt the more families that can be brought to the park, the safer it would appear. She felt people of all ages would appreciate seeing representations of books they have read.

Satarino asked the other PAC members if there was support for the display of children's book illustrations on the permanent surfaces of Liberty Plaza.

Macomber thought artwork from local artists or even local children would be great.

Riseng and Satarino supported displaying children's book illustrations at the park.

Cohen and Reneaud said since CAPP did not support the proposal to display children's book illustrations, they did not support it.

Berauer would like to see original art displayed, and even a combination of art from adults and children.

Woods agreed and thought CAPP's input was valuable.

Pollack suggested a working session in the future with CAPP regarding art in public spaces for all of the City's parks, not just the downtown.

Henderson noted that CAPP was making a presentation in May to city managers.

LAND ACQUISITION AND DONATIONS WITH
PARK PURCHASES PROCESS RECOMMENDATION

Henderson briefly described the changes made to the form since PAC's last meeting.

Berauer asked if receiving donations was still acceptable to PAC.

All attending PAC members replied yes.

Berauer said that Reneaud gave her a grant application packet used by the Michigan Natural Resources Trust Fund for land acquisitions that she felt dealt with donations quite well. She said the grant application added points for monetary contributions and added points for lower income neighborhoods that gave donations. She thought another criteria could be added to the City's evaluation form regarding monetary donations being given by lower income neighborhoods.

Woods asked if economic data was available on neighborhoods within the City.

Johnson thought the criteria should be added to the form and staff could then find out if economic data was available.

Satarino thought a decision on this did not have to be made today.

D'Anieri said it could return to the next meeting for more discussion.

REPORT FROM MANAGER OF PARKS AND RECREATION SERVICES

None.

REPORT FROM COMMUNITY EDUCATION AND RECREATION

None.

REPORT FROM RECREATION ADVISORY COMMISSION

None.

PUBLIC COMMENTARY

None.

COMMISSION PROPOSED BUSINESS

None.

CLOSED SESSION TO DEAL WITH LAND ACQUISITION ISSUES

None.

ADJOURNMENT

D'Anieri declared the meeting adjourned at 6:55 p.m.

Jill St. John, Secretary
5/12/04