



Parks & Recreation Department
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MEMORANDUM

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To: Common Council, City of Whitewater
From: Kevin Boehm, Director of Parks
Date: August 8, 2024
Re: Determination of Jurisdiction for Public Park Maintenance Needs

Introduction:

The City of Whitewater is responsible for the upkeep and maintenance of public parks, which serve as vital spaces for recreation, cultural heritage, and community well-being. However, given the overlapping responsibilities outlined in the city code for the Landmarks Commission and the Parks Board, it is necessary to clarify which entity holds jurisdiction over the determination of maintenance needs for these parks.

Key Points on Jurisdiction:

The city code outlines the following relevant responsibilities:

1. **Landmarks Commission: Chapter 17**
 - The Landmarks Commission is tasked with the protection, enhancement, and perpetuation of historically significant sites and properties.
 - Their focus is on safeguarding the city's historical and cultural heritage, promoting civic awareness, and fostering education regarding these properties.
 - Importantly, the Landmarks Commission's role is centered on preservation, education, and promotion.
2. **Parks Board: Chapter 2.52**
 - The Parks Board is responsible for the acquisition, development, maintenance, and operation of public parks and recreational facilities.
 - The Parks Board shall have control and jurisdiction over all playgrounds, recreation centers and other places which have been dedicated for the purpose of public recreation.
 - Their role includes ensuring that the parks are maintained for public use and benefit.
3. **Director of Parks and Recreation: Chapter 2.20.030**
 - The Director is charged with managing, controlling, improving, caring and maintaining all public parks, parkways, boulevards and conservancy areas in coordination with the Director of Public Works. This role includes ensuring that the parks are equipped and maintained for various recreational activities.

Properties of Dual Significance:

Several properties under the jurisdiction of the Parks and Recreation Department are also listed as Historic Local Landmarks. These properties can be grouped based on their characteristics and maintenance requirements:

Historic Structures:

- 1. Whitewater Passenger Depot**
- 2. Birge Fountain**
- 3. White Memorial Building**
- 4. Armory**
- 5. Starin Park Water Tower** (Note: This is under Whitewater Utility care but located in a City Park)

Maintenance and upkeep of these historic structures are primarily the responsibility of the Parks and Recreation Department. The Landmarks Commission provides guidance and recommendations to ensure that preservation efforts honor and maintain the city's historical and cultural heritage, as outlined in the Landmarks Chapter of the city code.

Natural Landmarks:

- 1. Walton Oaks Park**
- 2. Whitewater Effigy Mounds Preserve**

These sites are natural areas treated as public parks. The Parks and Recreation Department oversees their care, focusing on preserving their natural beauty and ensuring they remain accessible and enjoyable for public use. The Landmarks Commission may offer insights on the historical significance of these sites to support informed maintenance practices.

Recommendation:

To ensure clear and effective governance over public park maintenance, I recommend the Common Council consider the following:

- 1. Primary Jurisdiction:** Assign primary jurisdiction to the Parks Board and Director of Parks and Recreation for general maintenance, improvement, and operational needs of public parks. This ensures that day-to-day and seasonal maintenance is managed efficiently.
- 2. Consultative Role:** Designate the Landmarks Commission as a consultative body for maintenance decisions affecting historically significant sites within public parks. This would allow the commission to provide input on matters related to preservation without overriding the primary operational duties of the Parks Board and Director.
- 3. Coordination Mechanism:**
A formal subcommittee will be established under the Parks Board to facilitate collaboration between the Parks Board, Director of Parks and Recreation, and the Landmarks Commission. This subcommittee will address cases where maintenance needs and historical preservation concerns intersect, ensuring that both areas are properly managed with mutual respect and cooperation.

Subcommittee Members:

- 1 Park Board Member
- 1 Landmarks Commission Member

- Director of Parks and Recreation
- Director of Public Works
- Director of Economic Development

Subcommittee Structure and Oversight:

- The Parks Board will oversee the subcommittee, ensuring that all coordination efforts and decisions are carefully evaluated and align with city objectives.

Requesting Meetings:

- The Park Board or the Landmarks Commission may initiate subcommittee meetings by submitting a written request to the Director of Parks. This request should clearly outline the specific areas of concern or topics for discussion.

Vegetative Maintenance Responsibilities:

- The Parks and Recreation Department will maintain primary responsibility for the upkeep of native landmarks, including sites such as Walton Oaks Park and the Whitewater Effigy Mounds Preserve. Their approach will prioritize natural preservation and public enjoyment.
- The Landmarks Commission is welcome to provide input on the historical or cultural significance of these sites. However, operational decisions regarding maintenance will ultimately be determined by the Parks Board and the Director of Parks and Recreation.

This subcommittee aims to ensure that decisions are made collaboratively, balancing the preservation of our city's heritage with the need to maintain our public parks to the highest standards.

Conclusion:

Clarifying the jurisdictional responsibilities will help streamline park maintenance processes while respecting the historical and cultural significance of specific sites. I recommend that the Council adopt a resolution to this effect, ensuring all parties are aligned in their roles and responsibilities.

Please let me know if further discussion or clarification is needed on this matter.

Sincerely,

Kevin A. Boehm
Director of Parks, Recreation and Facilities