



OFFICE OF THE COUNTY EXECUTIVE

DAVID CROWLEY

MILWAUKEE COUNTY EXECUTIVE

Honorable members of the Milwaukee County Board of Supervisors:

Pursuant to Wis. Stat. § 59.17(6), I have vetoed File Number 22-980, “A resolution authorizing and directing the Department of Parks, Recreation and Culture to collaborate with the Office of Strategy, Budget and Performance and the Office of Corporation Counsel to petition the Wisconsin State Historic Preservation Office to nominate and register the Mitchell Park Domes on the National and State Register of Historic Places.”

My objection to this resolution is rooted in the thoughtful and robust discussion of your honorable body during the meeting of the Committee on Parks and Culture, as well as discussion and advisement by leadership in both the Department of Parks, Recreation, and Culture, and the Office of Corporation Counsel. The overarching theme of the discussion during that committee meeting centered on continuing the important work of finding a sustainable, long-term plan for both Mitchell Park and the Mitchell Park Horticultural Conservatory. I have the utmost respect for the authors of this resolution – one of which represents the district in which the park sits – and the goal in mind when this resolution was drafted.

I do, however, have concerns over whether this resolution will help Milwaukee County achieve that goal. Based on feedback from subject-matter and legal experts, there is a risk in applying for the Domes’ inclusion on the National Register of Historic Places. The Office of Corporation Counsel has promulgated an opinion that cautions against taking this step prematurely, stating that “[i]f the Domes were to be listed on State and/or National Register of Historic Places, and alteration of the Domes would be subject to review (and effectively, approval) by state and federal government. ... [T]he OCC strongly advises against any step that invites the state or federal government into the decision-making process regarding County cultural assets at this time, especially given the lack of any agreed upon plan ... for the Domes.”¹

Further, there is virtually nothing to gain by taking this step *now* rather than, as you have made clear is the goal of the Board, as part of a long-term, sustainable plan on the future of Mitchell Park. If applying for the Register is deemed an integral part of that long-term plan, then we can take this step to make that application as part of that larger plan. But, if in the future we deem that pursuing this designation would be disadvantageous to that plan, we cannot walk back that step.

I recognize the frustration of delays and hear the voice of your honorable body seeking decisive action on this issue, one that has been weighing on Milwaukee County for many years. But decisiveness in and of itself is not a virtue; given the financial constraints of our County, we must take measured action that is reasonably likely to lead to the success of Mitchell Park and this important architectural and cultural landmark in Milwaukee County.

¹ Milwaukee County Office of Corporation Counsel Opinion, re: *File No. 22-980*, issued October 31, 2022.



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Going forward, I hope to have many productive conversations on what that long-term, sustainable framework would look like. In my estimation, and assuming no change to the financial situation of the County (as we must do, until known otherwise), I would put forth these principles as a starting point for discussions:

- The plan must be fiscally sound, and Milwaukee County should not necessarily be first payor or payor of last resort.
 - The plan must include full exploration of funding mechanisms, including solidification of a business plan, identification and commitment of private or philanthropic dollars, and, if necessary, identification of a potential private entity partner(s) and corporate structure.
 - Any financial projections (costs and revenues) included in the plan must be based on historical data and be verifiable and realistic, not speculative or aspirational.
 - The plan must also include all forward looking operational, administrative, compliance, and debt financing costs.
 - The plan should not include any largely speculative development assumptions related to tax credit structures or private donations or other investment.
- The plan should include an assessment by knowledgeable scientific experts of the fitness of the Domes for their original intended purpose – preservation of unique local and global plant species, coupled with an affordable and culturally appropriate and inclusive atmosphere for County residents to visit and engage with the exhibited plant species.
- The plan should be focused on determining what best serves the specific community in which Mitchell Park sits, and what best serves the County's mission and financial future.
- The plan should consider and analyze options that may or may not include preservation of the Domes in their current form, and if not, suggest other investments to support the specific community in which Mitchell Park sits, as well as the County's mission and financial future, and alternatives to preserve the plant species and other flora currently housed at the Domes.

Using these reference points, I urge your honorable body to delay the action requested in File Number 22-980 until we are at a place where the benefits, costs, opportunity costs, strengths, and weaknesses of such an action are adequately vetted as part of a long-term, sustainable plan for Mitchell Park and the Domes.

Respectfully,

David Crowley
Milwaukee County Executive