

**City of Placerville**  
**M E M O R A N D U M**

DATE: February 14, 2006

TO: Placerville City Council

FROM: Ron Mueller, Public Services Director

SUBJECT: **OFFER OF PEACE POLE ON PUBLIC PROPERTY**

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**RECOMMENDATION**

That the City Council consider a request from the El Dorado Peace & Justice Community and Friends of Peace Pilgrim to place a Peace Pole on public property (turf area adjacent to District Attorney's Office) near the intersection of Bedford and Main Streets.

**BACKGROUND**

Shirley Schildmen, spokesperson for the El Dorado Peace and Justice Community and Friends of Peace Pilgrim (Committee), has met with City staff to explore the possibility of placing a Peace Pole on public property. The site currently being considered is the turf area next to the District Attorney's office and near the City's Redwood Christmas Tree.

Shirley indicates that peace poles are becoming fixtures in communities throughout the United States. The organization feels the Peace Pole within the City limits represents a physical acknowledgement and support for the already proclaimed "No Hate Zone" within El Dorado County. The Peace Pole further represents our community's commitment to compassion for all people and the resolving of conflicts in non-violent ways.

The actual Peace Pole itself is a 4" X 4" cedar post that will stand about 6' (six) feet above ground. Each face of the pole will have "Peace on Earth" in one of four languages: Miwok, Spanish, English and Japanese. The words will be formed in ceramic and attached to the pole.

Members of the El Dorado Peace and Justice Community and Friends of Peace Pilgrim will be present at the meeting to make this formal request. Staff has attached a letter from Shirley Schildmen detailing the request and additional Peace Pole information intended to assist the City Council with this request.

**ANALYSIS**

Staff has reviewed the placement of a Peace Pole on public property and shares the following analysis/concerns as the City Council considers this request:

- The project would involve little or no cost to the City and members the organization would prepare and install the pole.
- Graffiti would be a possibility and staff would want assurance that the Peace and Justice Committee would be responsible for all maintenance associated with the project.
- Staff and the Committee are aware that this site will realize some renovation due to the Highway 50 project and the Committee is willing to remove the pole, if necessary, during the construction period.
- The Committee has indicated that they may wish to hold ceremonies at the site.
- The City should also consider whether this sets a precedent for other organizations wishing to display their mission or message on public property.

There is an additional concern that staff has with respect to this request. The site was deeded to the City in April of 1926 and the deed to the City contained a condition and restriction which, in essence, provided that no building shall ever be erected, placed or maintained on the land and that no part of the land shall ever be used for commercial or business purposes. The condition further provided that if the condition was violated, the property would immediately revert to the grantor or her heirs.

Subsequently, the heirs of the grantor and the City, in January of 1948, executed an agreement entitled Modification of Restrictions. By that document, the restrictions were modified to allow a building to be placed upon the rear or northerly portion of the property for the purpose of preserving, safeguarding and displaying an historic stagecoach owned by the Native Sons of the Golden West.

Apparently, a small museum building was erected on the property and housed the stagecoach for a period of time, but the stagecoach is now at the El Dorado County Historical Museum and the building is no longer on the property. There are, however, two historical items located on the property. One of the items is a commemorative plaque as a landmark for Placerville placed on a stone structure. The other item is a bell purchased in 1865 and originally hung on the Bell Tower as a "fire bell." After developing a crack, it was retired and eventually placed at this site. Photos are attached to this staff report. It is unclear exactly when these items were placed on the property and, further, whether they were done with the consent of the grantor or the grantor's heirs. However, the placement of an additional pole (structure) on the property raises the question of whether or not it would be in violation of the deed restrictions. While staff doubts that this would be a problem, it is certainly another issue that needs to be considered in making a decision on the Committee's request.

**ALTERNATIVES**

Consider other sites throughout the community and possibly suggest looking at potential sites on private property.

Ron Mueller  
Public Services Director

Approved for Submittal to City Council:

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John Driscoll, City Manager/Attorney