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Settlemnt: The public is biggest loser in Jean Klock Park fiasco

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The settlement regarding Jean Klock Park in Benton Harbor was described by one of the lawyers involved in the case as a "win-win."

Hardly, unless the "win-win" remark refers to what the developers and lawyers stand to gain from the deal. There most certainly was a prominent loser in the deal - the public, which will now stand by as a section of what should have been valuable protected parkland gets plowed under to make way for 27 new McMansions along or near the lake.

If this is victory, we'd hate to see what defeat looks like.

The controversy began last year when the Benton Harbor City Commission foolishly OK'd a plan to develop 3.8 acres of Jean Klock Park. Advocates for the preservation of the park sued, winning a temporary injunction to halt the project.

We don't blame the cash-starved city for wanting to raise additional tax revenue, but there has to be a better way than selling off a piece of the city's most valuable recreational asset, not to mention altering a piece of its heritage that has great meaning for all who have enjoyed the park over nearly a century of use.

In exchange for the settlement, the plaintiffs in the case won an agreement from the city to swear off any future development of the park. The city also agreed to tear down a fence that currently prevents many people from enjoying the park.

This is some consolation, but not that much. If city commissioners had merely said "no" to the project in the first place, there would not be a need for a legal settlement to prevent developers from plundering a section of the park.

We assume that the plaintiffs felt their case was weak, and they needed to accept this less-than-desirable settlement or risk running up large legal bills over time with little chance of preventing the development.

If so, then the decision to settle makes sound legal sense. Still, we can't help but look beyond the legalities of the situation to what most people know is right: The lakefront park was donated to the city for all time for public use. The only true "win" would have been to preserve the intent of that most generous gift.

(An opinion of The Herald-Palladium editorial board)

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