

COUNTY OF MILWAUKEE
Inter-Office Communication

Date: June 23, 2023

To: Marcelia Nicholson, Chairwoman, Milwaukee County Board of Supervisors

From: Guy D. Smith, Executive Director, Milwaukee County Parks

Subject: From the Executive Director of Milwaukee of County Parks, requesting authorization to execute an amendment to reroute and reduce the size of an underground telecommunication easement with MCImetro Access Transmission Services along Lincoln Memorial Drive

File Type: Action Report

REQUEST

Authorization to amend an underground telecommunication easement with MCImetro Access Transmission Services (MCImetro) to allow for the construction, operation, and maintenance of an underground telecommunication system across parkland. The amendment relocates the current easement and reduces the size of the easement.

POLICY

§ 59.17(2)(b)3., Wis. Stats., states that the “county board may continue to exercise the authority under s. 59.52(6) with regard to land that is zoned as a park...”. In the law of property, authority over “land” includes authority over all rights appurtenant to the land.

Wisconsin State Statutes:	§ 59.17(2)(b)3.
Milwaukee County Code of General Ordinances:	
Specific Adopted Budget:	
Specific Adopted Budget Amendment:	
Specific Adopted Capital Project:	

BACKGROUND

In File No. 20-331, adopted on February 4, 2021, the Milwaukee County Board of Supervisors authorized Parks to grant a ten-year easement with two (2) ten-year renewals for an underground telecommunication system within Lincoln Memorial Drive to MCImetro. Due to unforeseen conflicts with the City of Milwaukee design plans for the trolley track expansion on E. Michigan St., MCImetro needs to reroute its telecommunication installation, which requires amending the existing easement.

Although the easement document was fully executed, construction on Lincoln Memorial Drive never took place. The current easement runs North and South along Lincoln Memorial Drive while the proposed easement runs East and West from Prospect

Avenue as depicted in the attached aerial view. MCImetro proposes to exchange the current exhibit for the new exhibit attached to this file. The current easement is 1,212 linear feet and the new easement is a reduction of 888 linear feet, for a final total of 324 feet. The payment will not be reduced, and no other terms of the easement are being amended.

Parks has reviewed this request and based on the minimal impact to parkland, natural areas, and recreational activities, and the overall reduction of the easement, is recommending approval of this amendment.

Related File No's:	20-331
Associated File No's (Including Transfer Packets):	
Previous Action Date(s):	2/4/2021

ALIGNMENT TO STRATEGIC PLAN

Describe how the item aligns to the objectives in the [strategic plan](#):

3B: Enhance the County's fiscal health and sustainability

Revenue from easements helps Parks meet its revenue goals.

FISCAL EFFECT

None.

TERMS

The current amendment is for ten years with two ten-year renewals. The first term expires on August 16, 2032. The first lineal mile is \$5,000 annually and will increase 10% at each renewal. Because both the current easement and the proposed easement are under one mile, the fees will not change. No terms of the existing easement change except for the size and location of the easement, which is detailed in the easement exhibit.


VIRTUAL MEETING INVITES

Erica Goblet, Contracts Manager

PREPARED BY:

Erica Goblet, Contracts Manager, Milwaukee County Parks

APPROVED BY:

Guy Smith, Executive Director Milwaukee County Parks 

ATTACHMENTS:

Resolution
Fiscal
Executed Easement
Draft Easement Exhibit

Draft Easement Map
Aerial View

CC:

David Crowley, County Executive
Mary Jo Meyers, Chief of Staff, County Executive's Office
Sheldon A. Wasserman, Supervisor District 3, PEEC Chair
Steven Shea, Supervisor District 8, PEEC Vice Chair
Felesia A. Martin, Supervisor District 7, PEEC Member
Juan Miguel Martinez, Supervisor District 12, PEEC Member
Steve F. Taylor, Supervisor District 17, PEEC Member
Kelly Bablitch, Chief of Staff, Milwaukee County Board of Supervisors
Janelle M. Jensen, Legislative Services Division Mgr, Office of the County Clerk
Aaron Hertzberg, Director, Department of Administrative Services
Joseph Lamers, Fiscal & Budget Director, DAS
Vince Masterson, Fiscal & Strategic Asset Coordinator, DAS
Pamela Bryant, Capital Finance Manager, Comptroller's Office
Justin Rodriguez, Capital Finance Analyst, Comptroller's Office
Kelsey Evans, Committee Coordinator, Office of the County Clerk
Ciara Miller, Research & Policy Analyst, Office of the Comptroller
Anthony Rux, Budget & Management Analyst, DAS-PSB