

COUNTY OF MILWAUKEE
Inter-Office Communication

Date: November 13, 2024

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

From: Guy Smith, Executive Director for Milwaukee County Parks

Subject: Authorization to enter into a Storm Sewer Easement with the Village of Whitefish Bay at Big Bay Park.

File Type: Action Report

REQUEST

From the Executive Director of Milwaukee County Parks, requesting authorization to enter into an Easement with the Village of Whitefish Bay to install, maintain and operate a Storm Sewer pipe on land owned by Milwaukee County located in Big Bay Park.

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

Related File No's:	
Associated File No's (Including Transfer Packets):	
Previous Action Date(s):	

The Village of Whitefish Bay is seeking to replace a temporary emergency storm sewer pipe that was completed on June 24, 2024. This emergency storm sewer pipe was giving a temporary permit to resolve a sinkhole issue the Village was dealing with. The existing storm sewer pipe that failed had no recorded Easement and did not show up in Parks records. Parks and the Village are looking to record the new Storm Sewer Easement.

The temporary pipe, that was installed with the emergency permit, will be abandoned in place, and its size and location will be included in this new Easement.

It is the Village of Whitefish Bay's sole responsibility to identify, propose, and pay for the project, as well as all required future maintenance and repairs.

With this new Easement, Parks retains the right to require a right-of-entry permit for all work on parkland.

Parks has reviewed this request and based on the size of the easement, the minimal impact to parkland, natural areas, and recreational activities, and the overall benefit to the community as it relates to providing storm water drainage to residents of Whitefish Bay, is recommending approval of this Easement.

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

FISCAL EFFECT

Increase in revenues due to Easement Collection Fee and the ROE Permit Fee

TERMS

- Easement Term of 99 Years
- One Time Easement Fee due at time of Recording
- Right of Entry Permit required for all work on Easement

VIRTUAL MEETING INVITES

Matthew Collins, Village of Whitefish Bay, m.collins@wfbvillage.gov

PREPARED BY:

Robert Senglaub, Contracts Manager Milwaukee County Parks

APPROVED BY:

Guy Smith, Executive Director Milwaukee County Parks *Guy D. Smith*

ATTACHMENTS:

Resolution

Fiscal Note

Attachment 1 - PowerPoint

Attachment 2 - Draft Easement

Attachment 3 - Draft Plat Map

Attachment 4 - Easement Aerial Exhibit

CC: David Crowley, County Executive
Mary Jo Meyers, Chief of Staff, County Executive's Office
Sheldon Wasserman, Committee on Parks & Culture Chairperson
Steve Taylor, Committee on Parks & Culture Vice Chairperson
Priscilla Coggs-Jones, Committee on Parks & Culture Member
Jack Eckblad, Committee on Parks & Culture Member
Felesia Martin, Committee on Parks & Culture Member
Juan Miguel Martinez, Committee on Parks & Culture Member
Anne O'Connor, Committee on Parks & Culture 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
Allyson R. Smith, Committee Coordinator, Office of the County Clerk
Anthony Rux, Budget & Management Analyst, DAS-PSB
Sandy Saltzstein, Research and Policy Analyst