

**COUNTY OF MILWAUKEE**  
Inter-Office Communication

Date: June 21, 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 temporary easement with Midwest Fiber Networks, LLC.

File Type: Action Report

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**REQUEST**

From the Executive Director of County Parks, requesting authorization to execute a temporary easement with Midwest Fiber Network LLC to install, operate and maintain an underground fiber optic line in Juneau Park located in Milwaukee, Wisconsin.

**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**

The company Midwest Fiber Network LLC is looking to install fiber optic conduit with the interest of providing fiber optic service to St. Johns on the Lake which is located at 1840 North Prospect Avenue. Milwaukee County owns the land that the fiber optic line will travel under, and the land Midwest Fiber Network will have to access to install and maintain their fiber optic cable.

Midwest Fiber Network looked for ways to avoid crossing or installing on Milwaukee County Parks land, however this instance was unavoidable due to existing utilities belonging to WE Energies preventing Midwest Fiber from staying off parkland.

Parks is recommending approval of up to .0063 acre or 272.85 square feet temporary easement at the current rate of \$5.00/linear foot with an annual 3% increase, effective from August 1st, 2024, for a ten-year term, with the possibility of a 10-year extension.

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

**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**

Annual rent to increase Parks revenue.

**TERMS**

The term of this Easement shall be for an initial period of ten (10) years, subject to early revocation or termination pursuant to the terms of this Easement.

Renewal: This Easement may be renewed for one (1) consecutive ten (10) year term upon agreement of the Parties.

Annual 3% increase in rent

**VIRTUAL MEETING INVITES**

Sandra Falatyk, Director of Engineering  
[sfalatyk@midwestfibernetworks.com](mailto:sfalatyk@midwestfibernetworks.com)

**PREPARED BY:**

Robert Senglaub, Contracts Manager, Milwaukee County Parks

**APPROVED BY:**

Guy Smith, Executive Director Milwaukee County Parks



**ATTACHMENTS:**

- Attachment A: Draft Easement
- Attachment B: Easement Description
- Attachment C: PowerPoint Presentation

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  
Felesia Martin, Committee on Parks & Culture Member  
Juan Miguel Martinez, Committee on Parks & Culture Member  
Jack Eckblad, 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  
Ciara Miller, Research & Policy Analyst, Office of the Comptroller  
Anthony Rux, Budget & Management Analyst, DAS-PSB