

**COUNTY OF MILWAUKEE**  
Inter-Office Communication

Date: May 16, 2024

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

From: Guy Smith, Executive Parks Director for Milwaukee County Parks

Subject: Temporary easement with Crown Castle LLC for an aerial fiber optic cable that spans the Milwaukee River.

File Type: Action report

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**REQUEST**

From the Executive Director of County Parks, requesting authorization to execute a temporary easement with Crown Castle LLC to install, operate and maintain an aerial fiber optic line spanning the Milwaukee River in Glendale, 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 Crown Castle LLC is looking to install fiber optic conduit with the interest of providing wireless cellular service to a large portion of Glendale, Wisconsin. This line would be approximately located where Silver Spring crosses the Milwaukee River. Milwaukee County owns the land that the utility poles are located on, the land the fiber optic cables will travel over, and the land Crown Castle will have to access to install and maintain their fiber optic cable.

Crown Castle has redesigned a large portion of its fiber network route to avoid crossing and installing on the Milwaukee River Parkway. This instance was unavoidable if they wished to feed the remaining nodes east of this intersection.

During the course of the reviewing the application, it was determined that Wisconsin

Electric Power Company currently has an easement covering the utility poles and the areal space that the fiber cable would go through. The Wisconsin Electric Power Company easement does not explicitly allow for the installation of the line Crown Castle is requesting without the permission of both parties, WE Energies and Parks. Therefore, Crown Castle has received permission from We Energies to Co-Locate on the easement, and now is requesting that we grant them permission as well.

Parks is recommending approval of up to .251 acre or 11,000 square feet temporary easement at the current rate of \$5.00/linear foot with an annual 3% increase, effective from July 1<sup>st</sup>, 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**

Sam Franklin, Supervisor, Permitting – Central Region, Crown Castle

[samuel.franklin@crowncastle.com](mailto:samuel.franklin@crowncastle.com)

Chris Kubacki, Landscape Architect Engineer Supervisor, Parks Department

[chris.kubacki@milwaukeecountywi.gov](mailto:chris.kubacki@milwaukeecountywi.gov)

**PREPARED BY:**

Robert Senglaub, Contracts Manager, Milwaukee County Parks

**APPROVED BY:**

Guy Smith, Executive Director Milwaukee County Parks



**ATTACHMENTS:**

Exhibit A: Map

Exhibit B: Easement Exhibit

Exhibit C: Draft Easement

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