

## **PRESERVE OUR PARKS**

June 11, 2020

Atty. Margaret Daun Milwaukee County Corporation  
County Clerk George Christenson  
Milwaukee County Courthouse  
901 N. Ninth Street  
Milwaukee, WI 53233

Re: File No.20-35; email delivery

Dear Atty. Daun and County Clerk Christenson:

Preserve Our Parks (POP) is an advocacy organization dedicated to preserving our public parks. As part of our ongoing advocacy, the board of directors reviews the agenda of the Parks Committee of the Milwaukee County Board of Supervisors including the most recent agenda posted on the county legistar web page, file no. 20-35.

County government is currently operating under emergency orders and pursuant to opinion of corporation counsel is conducting open meetings by way of teleconference or video. Public input is available only through an email correspondence at least one hour before start of this meeting. The meeting does not provide for public comment and testimony on the items of the agenda after presentations are made to the committee. The County has technology available to allow for individuals to participate online (e.g. Microsoft teams), but the meeting does not include such an option. The meeting, like in-person meetings of the Committee, must be open to such citizen participation. Also the notice in legistar does not include a link to participate in the meeting and the URL referenced in the notice of meeting only returns one to a reference URL.

POP objects to the proposed meeting and particularly to items on the current agenda, 20-331, 20-332 and 20-2333 regarding long term easements for certain telecommunication easements on Lincoln Memorial Drive, Milwaukee River Parkway and the Root River Parkway. These easements would grant up to 35 years of rights on county lands. POP has been reviewing the terms and conditions of these easements and have significant questions and concerns.

The nature of these easements and the long-term duration of same are not appropriate subjects of discussion under emergency orders. These are matters that require significant public input and review regarding the burden to public lands and the protection of the public's access and use of public park land during and after installation of such easement. POP objects to the manner in which publicly elected officials are reviewing these long-term agreements. These easements are not emergency actions, and as such, the non-public meetings violate the public right to open meetings.

*Preserve Our Parks is a non-profit organization that advocates for and promotes Milwaukee area parks and open spaces and strives to protect the tenets of Wisconsin's Public Trust Doctrine.*

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POP requests that the meeting be adjourned until such time as public participation is afforded on-line and that these three items be removed from the Parks Agenda and adjourned until such time as these emergency orders are lifted and in-person open meetings are again reinstituted by the County Board of Supervisor pursuant to the requirements of the Open Meeting laws of the State of Wisconsin. Further, POP requests that Corporation Counsel state how long the emergency orders regarding public meetings shall remain in effect. Thank you for your attention to these requests.

Sincerely,

*/s James Goulee*

James Goulee, President POP

cc:

County Executive David Crowley

County Board Chairwoman, Marcelia Nicholson, ,

Parks Chairperson: Supervisor Sheldon A. Wasserman

Park Committee members Vice Chairperson: Supervisor Steven Shea, Supervisor Felesia Martin, Supervisor Sylvia Ortiz-Velez, Supervisor Liz Sumner

James Goulee contact information: 414-881-8413; jgoulee@gmail.com

*Preserve Our Parks is a non-profit organization that advocates for and promotes Milwaukee area parks and open spaces and strives to protect the tenets of Wisconsin's Public Trust Doctrine.*

**From:** [Sonbury](#)  
**To:** [SH County Board Parks, Energy, and Environment](#)  
**Subject:** resolution file number (20-196)  
**Date:** Thursday, June 11, 2020 2:09:30 PM

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CAUTION: This email originated from outside of Milwaukee County. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I have been a vendor at the Milwaukee Gun Show for the past six years. I am also a resident of Franklin, WI.  
I have met people at this show from all over Wisconsin and northern Illinois, many spend time and money in local restaurants and motels while attending the show.

While the main attraction is hunting and firearm related, it is also a social gathering place. I have had many pleasant conversations with people from all walks of life. I especially enjoyed talking to veterans from WW2, Korea, and the Vietnam, and Middle Eastern wars. They are walking history books. I always look forward to their stories and thank each and everyone of them for their service to this great country.

I never have had a bad experience, or seen anyone causing any trouble, while at the show. I see no reason for discontinuing this event.

Thank you for your time.

Daniel Johnson

Ace In The Hole Holster Company  
Franklin, WI.

**From:** [gayle.reynolds](#)  
**To:** [SH County Board Parks, Energy, and Environment](#)  
**Subject:** Resolution number 20-196  
**Date:** Wednesday, June 10, 2020 12:49:09 PM

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CAUTION: This email originated from outside of Milwaukee County. Do not click links or open attachments unless you recognize the sender and know the content is safe.

The Bob & Rocco Gun Shows at the Franklin Sports Complex is the best show around for WOMEN for several reasons; talk with other women about firearms, female training, garments, and concealed garments that you surely cannot find in any store around! I got involved with firearms for protection against guys a 100 pounds bigger than me and have grown into the target shooting sport. This has given me the confidence and self-assurance to lead my life. Further, where else can I find home decorating items and handicrafts that that make a more enjoyable room? Or gag stuff to get back at some men? Every time I attend, I get more information and products than anywhere else, so let's keep Bob and the exhibitors there, and more shows there too!

And this isn't just me, I meet-up with other women there and invited others to attend. It is actually a family activity, not just for the guys. AND I feel safer there than any home remodeling shows at State Fair Park.

Thanks

**From:** [REYNOLDS](#)  
**To:** [SH County Board Parks, Energy, and Environment](#)  
**Subject:** Resolution number 20-196  
**Date:** Wednesday, June 10, 2020 9:08:29 AM

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CAUTION: This email originated from outside of Milwaukee County. Do not click links or open attachments unless you recognize the sender and know the content is safe.

For over 12 years I have been actively involved with the Bob & Rocco and Take Your Kids Hunting Gun Shows in Waukesha and Franklin as an exhibitor. In all those show days, there has never been an unsafe incident. Bob Pucci runs a tight and respective operation for the public to enjoy and procure numerous firearm and non-firearm products at fair prices. Equally important, these innovative and hi-tech items are readily available for customers to take with them when leaving the booths. The exhibitors follow his lead in maintaining professional treatment and very often extend their knowledge and experiences to customers for them to gain and be involved. As a professional engineer that has attended numerous trade shows for over 30 years, Bob operates at that same level.

As for being at the Franklin Sports Complex, he has paid his dues being there, as well the fees required, the advertising even getting to Illinois people to attend, and show promotion and development. I seriously doubt that any other private entity using the complex could or would do a better and safer presentation. He is very youth oriented and attending the shows there is also being in a museum seeing and understanding issues not taught and discussed in schools from the Revolution forward.

I want his shows at the complex, they are worth it being there.

**From:** [CitizenDoug@PawPat.Com](mailto:CitizenDoug@PawPat.Com)  
**To:** [SH County Board Parks, Energy, and Environment](#)  
**Subject:** Subject: 20-331 20-332 and 20-420 "Underground" Telecommunications Easements Files at 2020-06-12 Milwaukee County Board Parks Energy and Environment Committee Meeting  
**Date:** Friday, June 12, 2020 1:05:01 AM  
**Importance:** High

CAUTION: This email originated from outside of Milwaukee County. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear PEEC members:

I write in regards to all three of the above-named "Underground" Easement proposals before you, and for the time being urge you to table the three matters for further study, public input, discussion, and action. Those Files are 20-331 Lincoln Memorial Drive Easement, 20-332 Milwaukee River Parkway Easement, and 20-420 Root River Parkway Easement.

The following "bullet points" give overview to reasons to take more considered action at a future date:

- \* Drawings are woefully inadequate to convey detail of property impacts.
- \* Neither maps nor renderings conveying sense of placement of "Surface Location Markers" (those five foot high white and orange "danger fiber here" posts), "hand hole" access vaults, or other impediments to other park users.
- \* Financial impact analysis fails to address increased time and expense to mow and trim around Surface Location Markers, surface protuberance of "underground" hand-holes (they are often NOT flush to the ground!), or subsequent electric meter pedestals or towers, or to avoid the same hazards during road and pathway plowing operations, or to clean up the additional weeds, pet waste, and other flotsam which will accumulate around the protuberances.
- \* Financial "Rents" are based on 'comparables' with other projects - - but are those other projects on the LakeFront Made Lands which the County Land Information Website indicates is worth in excess of \$18 million?
- \* No integrated view of entire plan for the entire project utilization, a requirement laid out years ago by Lakefront Development Advisory Commission (LDAC). No electric utility line easements to feed power, no electric pedestals, no facilities that "light" the fiber, no towers.
- \* No LDAC review despite radical impact upon Lakefront.
- \* Placement in zoned flood plain - Root River Parkway.
- \* Placement in Single Family Residential Areas which the laws and regulations \_would\_ allow some public input - - \_except\_ for the fact that parkway runs through it. What was once the "Emerald Necklace" now becomes the "Emerald Noose", strangling the County - Root River Parkway and Milwaukee River Parkway.
- \* Bradford Beach Placement immediately adjacent to National Register of Historic Places site (Lake Park) or within State-indicated Designated Wetlands or Potentially Designable Wetlands (Veterans Park) - Lincoln Memorial Drive.
- \* Parks Dept. has denied Small Cell Tower applications for Veterans Park and McKinley Park, yet apparently has now approved Bradford Beach. Why must the Lincoln Memorial Drive run then emanate from the Art Center to service just one distant tower? Why not run in from the north, or bore directly east out of Lake Park? Approving a run from the South will undoubtedly cause towers to appear in the denied areas. "No Means No".
- \* LMD Placement in "lake bed" (everything east of the 1870's waterline) landfill -- as \_reinforced\_ most recently by State Law 2014-140 -- in violation of Public Trust Doctrine as promulgated in State Constitution, State Statute, and DNR Regulation.
- \* Granting of Proprietary Operations that are not Free and Open To All as required by original State Statutes and Land Covenants establishing the Parks.
- \* County Facilities Steering Committee 6/11/2020 meeting, item 2020-015 seemed to include a conceptual resignation to "hands are tied because already submitted to PEEC Agenda" despite their expressed interest to explore NON-EXCLUSIVE easement so as to anticipate inevitable blossoming demand by the other facilities-based Mobile Network Operators (i.e. AT&T, T-Mobile, US Cellular) - - i.e. one easement area for all carriers rather than an 1890's-style hodge-podge of cables, cable markers, and towers, as well as the missing full details of the project (e.g. Monument Markers, etc).
- \* Lack of context given Parks Education Environment Committee's specific request during May meeting in Item 20-194 specifically requesting additional details.
- \* Failure to consider less impactful Other Potential Easements areas (e.g. run along the bike trail and the base of the 1890's bluff, etc. so as to lessen impact on Safety and General Welfare of the primary users of the park lands). For instance, how are current frisbee throwers going to feel as they slam into new hazards as they're running down to catch?
- \* As expressed in Facilities Steering Committee discussion, the opinion is that, especially given lack of Policy Pronouncements or promulgation of Evaluation Criterion by the County Board, Small Wireless Facilities will \_not\_ come for evaluation or approval by the County Board; ONLY the land easements for the underlying cable runs are thought to require Board Approval, and the Public will have no opportunity for input. Once you approve the cable easements, this rocket is going to launch as-is.
- \* In discussions with a co-writer of the League of Wisconsin Municipalities' Model Legislation, from the Madison law firm of Boardman and Clark, the idea was reiterated that there \_are\_ ways that local government can cope or influence aspects of Telecommunications Facilities Placement - - it is a matter of Will and Careful Consideration of the nuances of the Laws and Regulations. Despite FCC Rulings which anticipated Local Governments implementing enabling legislation within six months of Rules Publication in 2018, and despite nearly ONE YEAR of passage of State 2019 Act 14 (which also allows for local government to craft legislation), the County Board has yet to act. It is possible that the Board could ask Corporation Council could engage Specific Legal Experts in this field to further explore the possibilities to balance the various interests.
- \* Conflicts of Laws between those promoting Green Space, Recreational Space, Exclusive Jurisdiction by Parks Commission, Due Process, etc. versus Telecomm Laws.
- \* Possible Failure of State Legislature to comply with State Law requiring certain matters to be reviewed by Dept of Natural Resources prior to consideration and passage of Statute.
- \* Avoid Joni Mitchell's "Big Yellow Taxi" problem: (Don't It Always Seem To Go, That You Don't Know What You've Got 'Till It's Gone; They Pave Paradise And Put Up A Parking Lot.)

Your august body has had little time to mull, discuss, or solicit input on this complex problem. The above reasons indicate many factors which should embolden you to table the matter so as to facilitate continued careful consideration.

I invite and welcome further discussion at my previously communicated phone or email address.

Sincerely,

Douglas R Bomberg

PS Your attention is invited to specific details of the fiber installations, the accompanying towers, elements of Conflicting State and Federal Laws, and other germane matters

in your prior committee's File 19-895 Small Wireless Facilities "Submitted Materials" as tagged on the County CLIC site from December 2019. That write-up includes links and reference to underlying laws, regulations, and other primary source materials.