



## Legislation Text

---

**File #:** 101256, **Version:** 0

---

101256  
ORIGINAL

### THE CHAIR

Resolution approving a conduit occupancy license agreement between the City of Milwaukee and Kentucky Data Link for occupying a portion of the City's communications conduit system.

This resolution approves a conduit occupancy license agreement between the City of Milwaukee and Kentucky Data Link to occupy a portion of the City's communications conduit system in accordance with s. 98-7 of the Milwaukee Code of Ordinances.

Whereas, The City of Milwaukee owns and operates a conduit system located in the public right-of-way within the City; and

Whereas, Kentucky Data Link has registered in accordance with the provisions and criteria specified in s. 98-7, Milwaukee Code of Ordinances, for permission to place and maintain telecommunications facilities in the portions of the City's conduit system; and

Whereas, Section 98-7 provides for negotiation of a conduit occupancy license agreement specifying the terms and extent of the use of the City's conduit system; and

Whereas, A conduit occupancy license agreement has been developed, a copy of which is attached to this file as Exhibit A, describing the extent of Kentucky Data Link's use of the City's conduit system; and

Whereas, Kentucky Data Link has agreed pursuant to s. 98-5 of the Code of Ordinances to permit for, under certain conditions and for a 4-year renewable term at the City's option, on a license basis, the placement of Kentucky Data Link's facilities within the portions of the City's conduit system designated in Kentucky Data Link's conduit maps on file in the Department of Public Works and summarized in Exhibit A of the conduit occupancy license agreement; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the conduit occupancy license agreement between the City of Milwaukee and Kentucky Data Link, a copy of which is attached to the file, is approved; and, be it

Further Resolved, That the Commissioner of Public Works is authorized to make minor revisions to the agreement that do not change the intent of the license agreement; and, be it

Further Resolved, That the Commissioner of Public Works is authorized to execute the license agreement on behalf of the City.

DPW - Administration Division  
LRB125128-1

Mary E. Turk  
2/1/11  
dh