

COMMISSION FILE NO: 25-151-11 **DATE INTRODUCED:** November 3, 2025

INTRODUCED BY: Executive Director (Signature on File in the Office of the Commission)

REFERRED BY COMMISSION CHAIRPERSON TO: Policy, Finance, and Personnel Committee

RELATING TO: Declaration of the Public Necessity and Approval of the Acquisition Plat (Relocation Order) for the 43rd Street Ditch Project, W42003

SUMMARY:

The Commission is requested to approve the acquisition plat for the 43rd Street Ditch Project, W42003, and to authorize the Executive Director to approve future minor changes to the identified parcel and to approve the addition of new parcels where they have a minor impact on the overall project and land rights acquisition process.

The approval of the acquisition plat also authorizes the Executive Director to execute deeds, easements, purchase agreements, intergovernmental cooperation agreements, and any other related real estate documents with property owners and governmental agencies that have real estate that is affected by the project.

Upon approval and within 20 days, the acquisition plat (relocation order) will be filed with the Milwaukee County Clerk's Office as required by law, thereby allowing acquisition matters to proceed.

The purpose of the 43rd Street Ditch Project is to reduce roadway flooding at the intersection of W. Lincoln Avenue and S. 43rd Street. Currently, a large portion of the 43rd Street Ditch is either enclosed in culverts or concrete-lined. The 43rd Street Ditch flows into the Kinnickinnic River in Jackson Park through large culverts under the Union Pacific Railroad. This project will increase the flow capacity of culverts at 43rd Street and Lincoln Avenue, remove 550 feet of the concrete-lined channel, and create an area to store floodwaters during heavy rains.

ATTACHMENTS: **BACKGROUND** ☐ **KEY ISSUES** ☐ **RESOLUTION** ☒

FISCAL NOTE ☐ **S/W/MBE** ☐ **OTHER** ☒ Acquisition plat

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COMMITTEE ACTION: _____ **DATE:** _____

COMMISSION ACTION: _____ **DATE:** _____

SUMMARY (Cont'd)

Declaration of the Public Necessity and Approval of the Acquisition Plat (Relocation Order) for the 43rd Street Ditch Project, W42003

One of the major components of the 43rd Street Ditch project is the construction of a detention basin. Detention basins are areas specifically designed to store floodwater. After digging the detention basin, the District will plant native vegetation (grasses and flowers) on the sides and bottom of the basin to improve the aesthetics and wildlife habitat at this former industrial property. Most of the time, the basins will remain dry; however, during heavy rain, water will flow into the detention basin from the 43rd Street Ditch, where it will be held, thereby reducing the flood flows on the Kinnickinnic River. When the floodwater levels recede on the Kinnickinnic River, the detention basin will slowly empty into the Kinnickinnic River in Jackson Park.

The proposed project will primarily be constructed within existing public rights-of-way and land rights owned by the District or other government entities. To accommodate the construction of this project, a new permanent easement and a temporary easement will be required from one private property owner at the southeast corner of South 43rd Street and W. Lincoln Avenue. The property is owned by Spiros Bosnos c/o Bridgeman Foods II and is the site of a Wendy's restaurant. There will be impacts to the property during construction, including impacts to their parking and access to W. Lincoln Avenue.

The Commission is requested to determine that a permanent easement and a temporary easement on the Spiros Bosnos c/o Bridgeman Foods II parcel is necessary for construction of the project.

The cost of the acquisition is anticipated to be within the Executive Director's spending authority.

RESOLUTION

Declaration of the Public Necessity and Approval of the Acquisition Plat (Relocation Order) for the 43rd Street Ditch Project, W42003

RESOLVED, by the Milwaukee Metropolitan Sewerage Commission, that

1. The acquisition plat (relocation order) is approved, and the public necessity is hereby declared for Parcels 1 and 2.
2. The Executive Director is authorized to approve future changes to the identified parcels and to approve the addition of new parcels where they have a minor impact on the overall project and the land rights acquisition process.
3. The Executive Director may accept and execute on behalf of the Commission all project related easement documents, memorandums of understanding, intergovernmental cooperation agreements, jurisdictional offers, awards of compensation damages, leases, purchase agreements, deeds of conveyance, permits, or any other related real estate documents.