

February 5, 2001

To the Public Improvements Committee

Subject: Common Council Resolution File Number 980976

Dear Honorable Members:

Returned herewith is Common Council Resolution File Number 980976, being a request by Miller Compressing Company, Inc. for an amendment to a special privilege granted to keep, use and/or maintain two overhead cables, an area for parking and storage, chain link fences and to construct and maintain a private sanitary sewer, all of which encroach into the public rights-of-way adjacent to the property at 1640 West Bruce Street, beneath or near the 16th Street Viaduct.

The existing special privilege, Common Council Resolution File Number 891932, which was adopted on March 20, 1990, granted permission to keep, use and maintain two overhead cables attached to the underside of the 16th Street Viaduct and that also continued easterly across South Muskego Avenue, being attached to existing WEPCO poles; to use and maintain an area beneath the 16th Street Viaduct, north of West Bruce Street, for parking and storage; to keep and maintain a 7-foot high chain link fence on the north side of West Bruce Street and on the west side of South Muskego Avenue; and to construct and maintain a 4-inch diameter private sanitary sewer under and across the right-of-way beneath the 16th Street Viaduct, north of West Bruce Street.

The present request is generally housecleaning in nature (fee adjustment) and is to delete reference to the private sanitary sewer, as it has not been and will not be constructed in the public right-of-way and also the chain link fence within South Muskego Avenue, that has been removed. Other dimensional clarifications are also made in our review.

A recent on-site viewing revealed that there is an existing beam-guard type fence located within the right-of-way of South Muskego Avenue. In addition also observed was an electric service line coming to and that also runs along this fence with some attachments to it. This arrangement appears to be for vehicles to plug into on cold evenings. No previous permission has been revealed for the fence or the electric lines to be in the right-of-way. Permission for them to remain was also included in our review.

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It does not appear that the use of the overhead cables, parking and storage area, chain link fence and beam-guard type fence has had or will have an adverse effect upon the use of the public rights-of-way in these areas. We have, therefore, prepared the attached resolution which, if adopted, would allow the overhead cables, parking and storage area, fences and electric line to occupy the public rights-of-way.

Very truly yours,

Jeffrey S. Polenske, P.E.
City Engineer

Mariano A. Schifalacqua
Commissioner of Public Works

Martin G. Collins
Commissioner
Department of Neighborhood Services

JJM:cjt