

December 1, 2004

To the Public Improvements Committee

Subject: Common Council Resolution
File Number 030313

Dear Honorable Members:

Return herewith is Common Council Resolution File 030313, being a petition from Holmes Simpson for a special privilege to allow a trash enclosure to be located in the public right-of-way adjacent to the premise of 1437 East Brady Street.

The enclosure is essentially a 3-sided fence. Our recent field viewing reveals that there are two enclosures. The larger one is for the metal dumpsters and the smaller one is for recycling containers similar to a residential type. We also found several wooden, so-called moveable stands into which planters with evergreens have been inserted. In addition there are several "whiskey barrel" moveable planters flanking the other planters.

These items are placed within the fully concrete paved, 13-foot sidewalk area on the south side of East Brady Street. One enclosure centered approximately 43 feet west of North Farwell Avenue, extends 5 feet 8 inches into the public way and has a moveable gate on the north side of the enclosure to allow access to the dumpster. The second enclosure, centered approximately 54 feet west of North Farwell Avenue, extends 4 feet 11 inches into the public way and has a moveable gate on the west side of the enclosure to allow access to the dumpsters. A total of nine moveable planters, four of them square and five round, currently are located within the sidewalk area. These planters are centered 33 feet, 35 feet, 50 feet, 67 feet, 70 feet, 81 feet, 93 feet, 96 feet and 100 feet west of the westline of North Farwell Avenue and extend a maximum of 3 feet 8 inches into the public right-of-way. Finally, a 7.6-foot wide concrete step was found to encroach into the public way by one foot. A minimum clear path of approximately 5 feet exists between the most easterly fence enclosure and a City harp light.

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We are not aware that the presence of the aforementioned items has had an adverse effect upon the general use of the public right-of-way. We have, therefore, prepared the attached special privilege resolution, which, if adopted, will formally allow said items to occupy the public right-of-way.

Very truly yours,

Jeffrey S. Polenske, P.E.
City Engineer

Jeffrey J. Mantes
Commissioner of Public Works

Martin G. Collins
Commissioner
Department of Neighborhood Services

MDL:amh

Attachment

CITY OF MILWAUKEE FISCAL NOTE

A) DATE December 1, 2004

FILE NUMBER: 030313

Original Fiscal Note Substitute

SUBJECT: Substitute resolution granting a special privilege to Holmes Simpson to keep and maintain two dumpster enclosures (fences), three large moveable planters and six small moveable planters and a concrete step in the public right-of-way of East Brady Street abutting the premises at 1437 East Brady Street, in the 3rd Aldermanic District in the City of Milwaukee.

B) SUBMITTED BY (Name/title/dept./ext.): Jeffrey S. Polenske, PE / City Engineer / Infrastructure Services Division / extension 2400

C) CHECK ONE:

ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES

ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.

NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO:

DEPARTMENT ACCOUNT(DA) CONTINGENT FUND (CF)

CAPITAL PROJECTS FUND (CPF) SPECIAL PURPOSE ACCOUNTS (SPA)

PERM. IMPROVEMENT FUNDS (PIF) GRANT & AID ACCOUNTS (G & AA)

OTHER (SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:	Annual billing/initial inspection		\$2.77 / 4.04		
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:				\$441.46	
TOTALS			\$2.77 / 4.04	\$441.46	

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN ANNUAL BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT SEPARATELY.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	Annual Cost Billing - \$2.77 / 4.04
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	Annual Fee (Income) - \$441.46
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

H) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

Special Privilege Committee Fee Schedule

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE