



Legislation Details (With Text)

**File #:** 211583      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 2/8/2022      **In control:** PUBLIC WORKS COMMITTEE

**On agenda:**      **Final action:** 5/10/2022

**Effective date:**

**Title:** A substitute ordinance granting an air space lease to the DeLong Co., Inc. for an elevated conveyor system over South Carferry Drive.

**Sponsors:** THE CHAIR

**Indexes:** AIR SPACE LEASES

**Attachments:** 1. Site Plan, 2. Letter of Transmittal, 3. Letter of support from Port of Mke, 4. Lease petition, 5. Easement Description, 6. 2022-3-4 Air Space Lease Conveyor Easement.pdf, 7. Airspace Lease, 8. Exhibit A, 9. DPW Letter 4.14.2022.pdf, 10. 211583 City Plan Commission Letter.pdf, 11. Email from OCA 211583

Date	Ver.	Action By	Action	Result	Tally
1/28/2022	0	COMMON COUNCIL	ASSIGNED TO		
4/25/2022	0	CITY PLAN COMMISSION	RECOMMENDED FOR PASSAGE AND ASSIGNED	Pass	5:0
4/27/2022	0	PUBLIC WORKS COMMITTEE	SUBSTITUTED	Pass	5:0
4/27/2022	1	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
5/10/2022	1	COMMON COUNCIL	PASSED	Pass	11:0
5/19/2022	1	MAYOR	SIGNED		
5/27/2022	1	CITY CLERK	PUBLISHED		

211583  
SUBSTITUTE 1  
200590  
THE CHAIR

A substitute ordinance granting an air space lease to the DeLong Co., Inc. for an elevated conveyor system over South Carferry Drive.  
In accordance with state law, this ordinance grants an air space lease to the DeLong Co., Inc. for the purpose of constructing and maintaining an elevated conveyor system over South Carferry Drive between 1711 and 1790 South Carferry Drive, which is necessary for Port Milwaukee’s new Agricultural Maritime Export Facility.

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1: In accordance with the provisions of s. 66.0915(4), Wis. Stats., (2019-2020), the Common Council of the City of Milwaukee authorizes, directs and agrees that the City of Milwaukee, through the proper City officers, enter into an air space lease with the DeLong Company, Inc. for a term that shall run concurrently with the term of the Lease Agreement between the DeLong Company, Inc. and the Board of Harbor Commissioners of the City of Milwaukee, previously authorized by Common Council Resolution No. 200590, for the purpose of allowing Lessee to construct and maintain an elevated conveyor system over South Carferry Drive, as described in the air space lease.

Part 2. The Common Council further finds that the area described in the air space lease is not needed for street, alley or other public purposes and that the public interest will be served inasmuch as the leasing of the air space is necessary for Port Milwaukee's new Agricultural Maritime Export Facility, to be operated by the Lessee, and will thereby promote the economic development of the City of Milwaukee and State of Wisconsin.

Part 3. Attached and made part of Common Council File No. 211583 is a copy of such air space lease in substantially the same form as the lease that will be signed.

Part 4. All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

Part 5. The Department of City Development, through its real estate section, shall process, at the expense of the Lessee, the recording of this ordinance and the executed air space lease with the Milwaukee County Register of Deeds, and shall forward the recording information, along with a final copy of this ordinance and the lease, to the City Engineer and the City Comptroller.

Part 6. This ordinance shall take effect and be in force from and after its passage and publication.

Department of Public Works

TDM/tdm

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4/13/2022