



Legislation Details (With Text)

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File created: 1/19/1999 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:** 3/23/1999

Effective date:

Title: Substitute resolution amending a special privilege granted to Vilter Manufacturing Corporation, to install and maintain an aerial voltage line over and across the public right-of-way of South 1st Street, approximately 500 feet north of Lincoln Avenue, near 2217 South 1st Street, to now change the name of the grantee of the special privilege to Asset Acquisitions, Inc., in the 14th Aldermanic District in the City of Milwaukee.

Sponsors: THE CHAIR

Indexes: SPECIAL PRIVILEGE PERMITS

Attachments:

| Date | Ver. | Action By | Action | Result | Tally |
|-----------|------|------------------------|--------------------------|--------|-------|
| 1/19/1999 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 1/20/1999 | 0 | PUBLIC WORKS COMMITTEE | REFERRED TO | | |
| 3/4/1999 | 0 | PUBLIC WORKS COMMITTEE | HEARING NOTICES SENT | | |
| 3/8/1999 | 1 | CITY CLERK | DRAFT SUBMITTED | | |
| 3/10/1999 | 1 | PUBLIC WORKS COMMITTEE | RECOMMENDED FOR ADOPTION | Pass | 3:0 |
| 3/23/1999 | 1 | COMMON COUNCIL | ADOPTED | Pass | 17:0 |
| 4/1/1999 | 1 | MAYOR | SIGNED | | |

981439
SUBSTITUTE
61-547, 74870
THE CHAIR

Substitute resolution amending a special privilege granted to Vilter Manufacturing Corporation, to install and maintain an aerial voltage line over and across the public right-of-way of South 1st Street, approximately 500 feet north of Lincoln Avenue, near 2217 South 1st Street, to now change the name of the grantee of the special privilege to Asset Acquisitions, Inc., in the 14th Aldermanic District in the City of Milwaukee.

- Analysis -

This resolution amends a special privilege granted to Vilter Manufacturing Corporation to install and maintain an aerial voltage line over and across the public right-of-way of South 1st Street, approximately 500 feet north of Lincoln Avenue, near 2217 South 1st Street, to now change the name of the grantee of the special privilege to Asset Acquisitions, Inc.

Whereas, Vilter Manufacturing Corporation, was granted a special privilege under Common Council Resolution File Number 610547, on May 16, 1961, to install and maintain an aerial voltage line over and across the public right-of-way of South 1st Street, approximately 500 feet north of Lincoln Avenue near 2217 South 1st Street; and

Whereas, This special privilege amended a previous special privilege, Common Council Resolution File Number 74870, adopted on September 23, 1942, by changing the name of the grantee of the special privilege; and

Whereas, The property has changed ownership again; and

Whereas, Permission for the aerial voltage line in the public right-of-way can only be given by the adoption of a special privilege resolution by the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that Common Council Resolution File Numbers 61-547 and 74870, are hereby rescinded; and, be it

Further Resolved, By the Common Council of the City of Milwaukee, that Asset Acquisitions, Inc., 445 West Oklahoma Avenue, Milwaukee, WI 53207, is hereby granted the following special privilege:

To maintain an aerial 13,200 voltage line over and across the public right-of-way of South 1st Street, approximately 500 feet north of the northline of Lincoln Avenue, near 2217 South 1st Street. Said cable shall have a minimum vertical clearance of 18 feet above the public right-of-way.

Said voltage line shall be kept and maintained to the approval of the Departments of Public Works and Neighborhood Services and all permits shall be procured from the Departments of Public Works and Neighborhood Services. No alteration or replacement may be made without the written approval of those Departments.

;and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Asset Acquisitions, Inc., shall:

1. Become primarily liable for damages to persons or property by reason of the granting of this special privilege.
2. File with the City Clerk a bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$5,000 such bond to be approved by the City Attorney. The applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$250,000 covering bodily injury to any one person and \$500,000 covering bodily injury to more than one person in any one accident and \$100,000 covering property damage to any one owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured.
- Both bond and insurance policy shall provide that they shall not be canceled until after at least thirty days' notice in writing to the City Clerk.
3. Pay to the City Treasurer an annual fee which has an initial amount of \$76.00. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.
4. Whenever this special privilege is discontinued for any reason whatsoever, including public necessity whenever so ordered by resolution adopted by the Common Council not only remove all construction work executed pursuant to this special privilege, but shall also restore to its former condition and to the approval of the Commissioner of Public Works any curb, pavement or other public improvement which was removed, changed or disturbed by reason of the granting of this special privilege. Such grantee shall be entitled to no damages due to the alteration and/or removal for such purposes.
5. Waive the right to contest in any manner the validity of Section 66.045 of the Wisconsin Statutes (1979), or the amount of the annual fixed fee, payable on or before July 1st of each year.
6. Put this special privilege into use within one year after approval by the Common Council of the City of Milwaukee; failing to do so in the time specified, the Commissioner of the Department of Neighborhood Services shall have the authority to seek, by resolution, revocation of said special privilege.

Infrastructure Services Division

JJM:cjt

March 3, 1999

981439