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Title: Resolution authorizing the Commissioner of Public Works to issue a permit to the Enderis Park Neighborhood Association for site improvements, consisting of artwork, on the City of Milwaukee’s Enderis Playfield, in the 10th Aldermanic District in the City of Milwaukee.

Sponsors: ALD. MURPHY

Indexes: NEIGHBORHOOD DEVELOPMENT, PLAYGROUNDS, PUBLIC IMPROVEMENTS

Attachments: 1. Buildings and Fleet Services Cover Letter.pdf, 2. Fiscal Note.pdf

Date	Ver.	Action By	Action	Result	Tally
2/7/2006	0	COMMON COUNCIL	ASSIGNED TO		
2/9/2006	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
2/9/2006	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
2/9/2006	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
2/15/2006	0	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	3:0
2/28/2006	0	COMMON COUNCIL	ADOPTED	Pass	15:0
3/8/2006	0	MAYOR	SIGNED		

051332
ORIGINAL

Ald. Murphy

Resolution authorizing the Commissioner of Public Works to issue a permit to the Enderis Park Neighborhood Association for site improvements, consisting of artwork, on the City of Milwaukee’s Enderis Playfield, in the 10th Aldermanic District in the City of Milwaukee.

The Enderis Park Neighborhood Association is sponsoring site improvements on Enderis Playfield, 2938 North 72nd Street, to be totally funded through private donations. Enderis Playfield is a City of Milwaukee facility under control of the Department of Public Works and work may not proceed without a permit from the Department. Because the Enderis Park Neighborhood Association is a non-profit, community-based organization, it is appropriate to issue a no-fee permit. This resolution authorizes the Commissioner of Public Works to issue a no-fee permit as needed to allow site improvements consisting of artwork.

Whereas, The Enderis Park Neighborhood Association is sponsoring site improvements consisting of artwork. Site improvements on Enderis Playfield to be totally funded through private donations; and

Whereas, Enderis Playfield is a City of Milwaukee facility under control of the Department of Public Works; and

Whereas, The Enderis Park Neighborhood Association is a non-profit, community based organization; and

Whereas, The Enderis Park Neighborhood Association will either be directly responsible for the maintenance of the site improvements or will assign such responsibility upon notification to the City; and

Whereas, The proposed site improvements may only be developed on City property upon approval of the Common Council; and

Whereas, The development of site improvements at this playfield will have a positive effect not only on the individuals involved in activities at Enderis Playfield, but also on the surrounding neighborhood; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works is hereby authorized to issue the respective permit for the development of site improvements on City property known as Enderis Playfield located at 2938 North 72nd Street subject to the following:

1. The Enderis Park Neighborhood Association shall submit a final development plan for the proposed site improvements to the Department of Public Works for approval before work may begin on the site. The improvements shall be developed in the approved location and in a manner which does not interfere with existing public improvements and the delivery of public services;
2. The Enderis Park Neighborhood Association shall hold the City of Milwaukee or its agents harmless and accept responsibility for any and all liabilities that may arise through implementation of the permission granted herein;
3. The Enderis Park Neighborhood Association shall agree that if and when this development is deemed by its owner to be no longer desirable in its location or if ordered removed for public necessity, not only to remove the site improvements but to restore to its former condition, or a condition determined to be acceptable by the Commissioner of Public Works. The Enderis Park Neighborhood Association shall not be entitled to any damages for such removal and site restoration regardless of the circumstances for removal of the site improvements;
4. The Enderis Park Neighborhood Association shall agree to assume all responsibility for maintenance of the park improvements and shall commit to maintain them in an appropriate manner. Should the site improvements not be adequately maintained, the Commissioner of Public Works may, at his discretion and after notice to the Enderis Park Neighborhood Association, remove the site improvements or undertake the maintenance and bill the Enderis Park Neighborhood Association for the cost;

; and be it

Further Resolved, That the rights and privileges herein granted and obligations herein assigned may be reassigned or transferred by the Enderis Park Neighborhood Association to another party upon the written permission of the Commissioner of Public Works.

Bldgs & Fleet

MS/mbm

2/1/06