



Legislation Details (With Text)

**File #:** 140464      **Version:** 2  
**Type:** Resolution      **Status:** Passed  
**File created:** 6/24/2014      **In control:** COMMON COUNCIL  
**On agenda:**      **Final action:** 9/22/2015  
**Effective date:**

**Title:** Substitute resolution amending a special privilege to Artistic Plating Company Incorporated to construct and maintain a private sewer, manhole structure, gas meter and exhaust vent duct in the public right-of-way for the premises at 428 West Vliet Street, in the 6th Aldermanic District.

**Sponsors:** THE CHAIR

**Indexes:** PERMITS

**Attachments:** 1. Cover Letter.pdf, 2. Application & Plan.PDF, 3. Map.pdf, 4. Photos.pdf

Date	Ver.	Action By	Action	Result	Tally
6/24/2014	0	COMMON COUNCIL	ASSIGNED TO	Fail	
6/25/2014	0	PUBLIC WORKS COMMITTEE	REFERRED TO		
9/9/2015	1	PUBLIC WORKS COMMITTEE	SUBSTITUTED	Pass	4:0
9/9/2015	2	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	4:0
9/22/2015	2	COMMON COUNCIL	ADOPTED	Pass	15:0
9/29/2015	2	MAYOR	SIGNED		

140464  
SUBSTITUTE 2  
980952  
THE CHAIR

Substitute resolution amending a special privilege to Artistic Plating Company Incorporated to construct and maintain a private sewer, manhole structure, gas meter and exhaust vent duct in the public right-of-way for the premises at 428 West Vliet Street, in the 6<sup>th</sup> Aldermanic District.

This resolution amends a special privilege to Artistic Plating Company Incorporated to construct and maintain a private sewer, manhole structure, gas meter and exhaust vent duct in the public right-of-way for the premises at 428 West Vliet Street.

Whereas, Artistic Plating Company Incorporated had requested permission to keep and maintain two raised planter areas, a drawbridge type loading dock, and two excess door swings in the public rights-of-way adjacent to the subject premises; and

Whereas, Permission for said items was granted under Common Council Resolution File Number 980952 in 1998; and

Whereas, Said door swings and raised planters have been removed from the public right-of-way; and

Whereas, Artistic Plating Company is currently requesting permission to construct and maintain a private force sewer main in the public right-of-way; and

Whereas, A site visit revealed that the presence of a exhaust vent duct, a manhole structure and a gas meter in the public right-of-way; and

Whereas, Said items may only legally encroach into the public right-of-way by granting of a special privilege resolution adopted by the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Common Council Resolution File Numbers 980952 is hereby rescinded; and, be it

Further Resolved, That Artistic Plating Company Incorporated, c/o Reinhart Boerner Van Deuren S.C., N16 W23250 Stone Ridge Drive, Suite 1, Waukesha, Wisconsin 53187 is hereby granted the following special privileges:

1. To construct and maintain a private force sewer main package between 428 West Vliet Street and 1433 North 4<sup>th</sup> Street. Said sewer package commences at a point approximately 46 feet north of the northline of West Vliet Street along the westline of the north-south alley; then extends east 10 feet 4 inches; then extends north 164 feet; then extends east 39 feet; and finally extends north 9 feet 6 inches to the northline of the east-west alley adjacent to 1433 North 4<sup>th</sup> Street. The main package consists of one, 3-inch diameter and four, 6-inch diameter pipes. Total length of the force sewer package is 222 feet 10 inches.
2. To construct and maintain an exhaust ventilation duct projecting 1 foot 6 inches into the north, 15-foot wide sidewalk area of West Vliet Street. Said ventilation duct, which occupies a space 2 feet 8 inches long, is centered approximately 116 feet east of the eastline of North 5<sup>th</sup> Street. The bottom of the ventilation duct is approximately 1 foot above the adjacent sidewalk grade and extends up to the roof of the building.
3. To construct and maintain a manhole structure in the north, 15-foot wide sidewalk area of West Vliet Street. The manhole cover and a portion of the manhole chimney extend approximately 18 inches above the adjacent grade. The 3-foot diameter manhole chimney is centered 2 feet 6 inches south of the northline of West Vliet Street and approximately 129 feet east of the eastline of North 5<sup>th</sup> Street.
4. To construct and maintain a gas meter and appurtenant piping projecting 1 foot 8 inches into the north, 15-foot wide sidewalk area of West Vliet Street. Said meter occupies a space that commences at a point approximately 125 feet east of the eastline of North 5<sup>th</sup> Street and extends west 7 feet 6 inches.
5. To keep and maintain a 9-foot long drawbridge-type loading platform located along the westline of the north-south alley adjacent to the subject premises centered about a point approximately 55 feet north of the northline of West Vliet Street. The loading platform, when not in use, is contained within the east building façade on private property. When in use, the loading platform extends 11 feet into the 20-foot wide public alley.

Said above-mentioned items shall be used, kept and maintained to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services. All necessary permits shall have been obtained prior to the granting of this special privilege.

Said items shall be maintained or removed from the public right-of-way, at such future time as it is no longer needed, to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

; and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Artistic Plating Company Incorporated, shall:

1. Become primarily liable for damages to persons or property by reason of the granting of this special privilege.
2. File with the Commissioner of Public Works a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$25,000 covering bodily injury to any one person and \$50,000 covering bodily injury to more than one person in any one accident and \$10,000 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. The insurance policy shall provide

that it shall not be cancelled until after at least thirty days' notice in writing to the Commissioner of Public Works.

3. Pay to the City Treasurer an annual fee, which has an initial amount of \$295.77. 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 and 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 66.0425 of the Wisconsin Statutes (1999), or the amount of the annual fixed fee, payable on or before July 1<sup>st</sup> 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 Neighborhood Services shall have the authority to seek, by resolution, revocation of said special privilege.

7. Join and continue to be a member of Digger's Hotline, the one call system that operates in the Milwaukee area, as long as there are private underground facilities in the public right-of-way as required in Section 182.0175(lm)(6) of the Wisconsin Statutes.

Department of Public Works

Administration Division

MICHAEL LOUGHRAN/DAWN SCHMIDT/C. MURPHY

August 11, 2015