



Legislation Details (With Text)

File #: 971795 **Version:** 1
Type: Resolution **Status:** Passed
File created: 2/26/1998 **In control:** PUBLIC WORKS COMMITTEE
On agenda: **Final action:** 5/5/1998
Effective date:

Title: Substitute resolution amending a special privilege granted to Sorgel Electric Company to keep and maintain a backup driveway and loading beam in the public right-of-way adjacent to their property located at 838 West National Avenue, to now change the name of the grantee of the special privilege to Milwaukee Area Technical College, in the 12th Aldermanic District in the City of Milwaukee.

Sponsors: THE CHAIR

Indexes: SPECIAL PRIVILEGE PERMITS

Attachments:

Date	Ver.	Action By	Action	Result	Tally
2/26/1998	0	COMMON COUNCIL	ASSIGNED TO		
3/4/1998	0	PUBLIC WORKS COMMITTEE	REFERRED TO		
4/20/1998	1	CITY CLERK	DRAFT SUBMITTED		
4/22/1998	1	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	3:0
5/5/1998	1	COMMON COUNCIL	ADOPTED	Pass	15:0
5/14/1998	1	MAYOR	SIGNED		

971795
SUBSTITUTE
680287
THE CHAIR

Substitute resolution amending a special privilege granted to Sorgel Electric Company to keep and maintain a backup driveway and loading beam in the public right-of-way adjacent to their property located at 838 West National Avenue, to now change the name of the grantee of the special privilege to Milwaukee Area Technical College, in the 12th Aldermanic District in the City of Milwaukee.

- Analysis -

This resolution amends a special privilege granted to Sorgel Electric Company to keep and maintain a backup driveway and loading beam in the public right-of-way on the east side of South 9th Street, adjacent to the premises known as 838 West National Avenue, to now change the name of the grantee of the special privilege to Milwaukee Area Technical College.

Whereas, Sorgel Electric Company was granted a special privilege under Common Council Resolution File Number 680287, on May 14, 1968, to maintain a backup driveway and loading beam encroaching into the public right-of-way on the east side of South 9th Street adjacent to the premises at 838 West National Avenue; and

Whereas, The current owner of the property is Milwaukee Area Technical College and should now be named as the grantee of the special privilege; and

Whereas, The backup driveway and loading beam may only occupy the public right-of-way through 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 Number 680287 is hereby rescinded; and, be it

Further Resolved, By the Common Council of the City of Milwaukee that Milwaukee Area Technical College, 700 West State Street, Milwaukee,

WI 53233, is hereby granted the following special privileges:

1. To keep and maintain a 30-foot wide driveway between the curb and property line on the east side of South 9th Street, approximately 113 feet north of the northline of West National Avenue serving an approximately 6-foot wide overhead door. The sidewalk area is 15 feet wide at this location, and the roadway width is 46 feet. Vehicles using said driveway during loading and unloading operations may occupy and obstruct the public right-of-way to the centerline of South 9th Street.

2. To keep and maintain a steel loading beam extending a maximum distance of 8 feet over the public sidewalk area occupied by the aforementioned driveway, with a minimum clear height of 10 feet above the sidewalk.

Said backup driveway and loading beam shall be used and maintained to the satisfaction of the Commissioners of Public Works and Building Inspection.

Said items shall be removed from the public right-of-way, at such future time that it is no longer needed, to the satisfaction of the Commissioners of Public Works and Building Inspection.

and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Milwaukee Area Technical College, 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 \$2,000.00 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 \$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. 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 \$35.00. 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 Building Inspection shall have the authority to seek, by resolution, revocation of said special privilege.

Infrastructure Services Division

JJM:cjt

April 14, 1998

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