



Legislation Details (With Text)

File #: 110702 **Version:** 1
Type: Resolution **Status:** Passed
File created: 9/20/2011 **In control:** COMMON COUNCIL
On agenda: **Final action:** 12/17/2013
Effective date:

Title: Substitute resolution amending a special privilege for change of ownership to Wrought Washer Manufacturing Incorporated to keep and maintain a back up driveway and for addition of picnic tables and a concrete platform in the public right-of-way for the premises at 2100 South Bay Street, in the 14th Aldermanic District.

Sponsors: THE CHAIR

Indexes: SPECIAL PRIVILEGE PERMITS

Attachments: 1. Petition, 2. Cover Letter, 3. Map, 4. Photos, 5. Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
9/20/2011	0	COMMON COUNCIL	ASSIGNED TO		
9/22/2011	0	PUBLIC WORKS COMMITTEE	REFERRED TO		
11/27/2013	1	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
12/4/2013	1	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
12/17/2013	1	COMMON COUNCIL	ADOPTED	Pass	14:0
12/23/2013	1	MAYOR	SIGNED		

110702
SUBSTITUTE 1
59-509
63-140
THE CHAIR

Substitute resolution amending a special privilege for change of ownership to Wrought Washer Manufacturing Incorporated to keep and maintain a back up driveway and for addition of picnic tables and a concrete platform in the public right-of-way for the premises at 2100 South Bay Street, in the 14th Aldermanic District. This resolution amends a special privilege for change of ownership to Wrought Washer Manufacturing Incorporated to keep and maintain a back up driveway serving five loading dock doors and for addition of picnic tables and a concrete platform in the public right-of-way for the premises at 2100 South Bay Street. Whereas, Wrought Washer Manufacturing Company had requested permission to construct and maintain a backup driveway, underground conduit and heating pipes in the public right-of-way; and

Whereas, Permission for said items was granted under Common Council Resolution File Numbers 59-509 and 63-140; and

Whereas, The underground conduit and heating pipes are now located in right-of-way that has been vacated; and

Whereas, A site visit revealed the presence of three picnic tables and a concrete platform 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 59-509 and 63-140 are hereby rescinded; and, be it

Further Resolved, That Wrought Washer Manufacturing Incorporated, 2100 South Bay Street, Milwaukee, Wisconsin 53207 is hereby granted the following special privileges:

1. To construct and maintain a concrete platform projecting 3 feet into the easterly, variable width sidewalk area of South Bay Street. Said platform measures 4 feet in length and is centered approximately 313 feet east of the eastline of South Lenox Street as measured parallel to the South Bay Street roadway.
2. To install and maintain three picnic tables in the easterly, variable width sidewalk area of South Bay Street. Said picnic tables are 8 feet long and 4 feet 8 inches wide. The tables are centered approximately 57, 83 and 304 feet east of the eastline of South Lenox as measured parallel to the South Bay Street roadway.
3. To keep and maintain a backup driveway in the easterly, variable width sidewalk area of South Bay Street that serves five loading dock doors. Said loading dock doors are each approximately 8 feet wide and are centered approximately 382, 400, 455, 500 and 518 feet east of the eastline of South Lenox Street as measured parallel to the South Bay Street roadway. Vehicles may occupy the sidewalk area and a portion of the roadway and shall be parked in such a way so as not to project more than 13 feet beyond the easterly curb of South Bay Street. The grantee is to provide sufficient traffic control to ensure continued northwesterly bound traffic while the backup driveway is in use.

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, Wrought Washer Manufacturing 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 \$313.44. 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 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 Neighborhood Services shall have the authority to seek, by resolution, revocation of said special privilege.

7. Owner must ensure sufficient traffic control while using the backup driveway to allow continued, safe traffic flow on South Bay Street. Traffic control measures may include, but are not limited to flag persons and traffic cones.

Department of Public Works
Infrastructure Services Division

MDL:clm

November 7, 2013