



Legislation Text

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140507

SUBSTITUTE 1

ALDERMAN BAUMAN

Substitute resolution granting a special privilege to Northwestern Mutual Life Insurance Company to install and maintain various amenities in the public right-of-way for the premises at 720 East Wisconsin Avenue and 800 East Wisconsin Avenue, in the 4th Aldermanic District.

This resolution grants a special privilege to Northwestern Mutual Life Insurance Company to install and maintain bollards; security cameras; electrical outlets, electrical control boxes, and appurtenant wiring; monument signs; trash cans; private landscape drains; security cameras; security camera, card reader, and phone on a bollard; private light fixtures; pavers in the sidewalk area; and a backup driveway in the public right-of-way for the premises at 720 East Wisconsin Avenue and 800 East Wisconsin Avenue.

Whereas, The applicant is requesting permission to install and maintain various amenities in the public right-of-way to define its office campus on the block bounded by East Mason Street North Prospect Avenue, North Van Buren Street and East Wisconsin Avenue; and

Whereas, A site visit revealed the presence of a back up driveway 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 Northwestern Mutual Life Insurance Company, c/o Tax Unit, 720 East Wisconsin Avenue N16NE, Milwaukee WI 53202 is hereby granted the following special privileges:

1. To install and maintain three monument signs with appurtenant electrical wiring and conduit in the public right-of-way adjacent to the subject premises. Said signs are clad in granite and measure 1 foot 6 inches long, 9 inches wide, and approximately 10 feet 6 inches tall. The signs will be illuminated. Said signs are located as follows:

- a. Southeast corner of East Mason Street and North Van Buren Street centered approximately 17 feet east of the eastline of North Van Buren Street and 12 feet 6 inches north of the southline of East Mason Street
- b. Southwest corner of East Mason Street and North Prospect Avenue centered approximately 17 feet north of the southline of East Mason Street and 2 feet east of the westline of North Prospect Avenue
- c. At the intersection of the northline of East Wisconsin Avenue and the westline of North Prospect Avenue centered 23 feet south of the northline of East Wisconsin Avenue, approximately

2. To install and maintain seven security cameras in the public right-of-way adjacent to the subject premises as follows:

- a. Southeast corner of East Mason Street and North Van Buren Street attached to a traffic signal pole
- b. South side of East Mason Street approximately 34 feet east of the eastline of North Cass Street extended attached to a street light pole
- c. South side of East Mason Street approximately 44 feet west of the westline of North Marshall Street extended attached to a street light pole
- d. Southwest corner of East Mason Street and North Prospect Avenue attached to a traffic signal pole
- e. West side of North Prospect Avenue approximately 21 feet north of the intersection of the east line of North Prospect Avenue and the northline of East Wisconsin Avenue on a standalone pole
- f. North side of East Wisconsin Avenue approximately 17 feet east of the westline of North Cass Street extended on a standalone pole
- g. East side of North Van Buren Street approximately 215 feet north of the northline of East Wisconsin Avenue attached to a street light pole

3. To install and maintain 28 private electrical outlets with appurtenant wiring and conduit in the public rights-of-way adjacent to the subject premises. Said 1-foot tall outlet boxes are placed in tree planter areas so that they are evenly spaced within the public rights-of-way, in general. There are 15 outlets located in the south sidewalk area of East Mason Street between North Prospect Avenue and North Van Buren Street; 6 outlets located in the east sidewalk area of North Van Buren Street between East Mason Street and East Wisconsin Avenue; 4 outlets located in the north sidewalk area of East Wisconsin Avenue between North Van Buren Street and North Prospect Avenue; and 3 outlets in the west sidewalk area of North Prospect Avenue between East Wisconsin Avenue and East Mason Street.

4. To install and maintain 8 private electrical control boxes with appurtenant wiring and conduit in the public rights-of-way adjacent to the subject premise. Said control boxes are 1 foot 1 inch long, 7 inches wide, and 1 foot 1 inch tall and are, in general, evenly spaced within the public rights-of-way. There are 4 control boxes in the south sidewalk area of East Mason Street between North Van Buren Street and North Prospect Avenue; 2 control boxes in the east sidewalk area of North Van Buren Street between East Wisconsin Avenue and East Mason Street; 1 control box on East Wisconsin Avenue at North Cass Street extended; and 1 control boxes in the west sidewalk area of North Prospect Avenue between East Wisconsin Avenue and East Mason Street.

5. To install and maintain 17 bollards in the south, variable width sidewalk area of East Mason Street at North Cass Street extended. Said bollards, which are 1 foot 1 inch in diameter, are centered approximately 8 feet 8 inches north of the southline of East Mason Street. Eight of the bollards are 3 feet 6 inches tall and nine of the bollards are 2 feet 9 inches tall. There is a minimum of 4 feet between each of the bollards.

6. To install and maintain 10 bollards in the south, variable width sidewalk area of East Mason Street at North Marshall Street extended. Said bollards, which are 9 inches in diameter and 3 feet 1 inch tall, are centered approximately 9 feet 6 inches north of the southline of East Mason Street. There is a minimum of 4 feet between each of the bollards.

7. To install and maintain 4 private storm water drains located in the planter beds on the curb extension into

East Mason Street at North Cass Street. The drains, which are 1 foot 3 inches in diameter, are centered approximately 14 feet north of the southline of East Mason Street.

8. To install and maintain two private light fixtures in the south, variable width sidewalk area of East Mason Street, known as pedestrian light columns. One of the lights is located near the eastline of North Cass Street extended, while the second is located near the westline of North Cass Street extended. These light fixtures flank the main entrance to the building off of North Cass Street extended.

9. To install and maintain a security post with appurtenant electrical and communications wiring that supports a security camera, key card reader, and a speaker phone. Said post, which is 11 inches square and 4 feet 3 inches tall, is centered on the southline of East Mason Street at a point approximately 9 feet east of the westline of North Marshall Street.

10. To install and maintain granite pavers, which are 1-foot 3 inches by 2 feet 5 inches in size, located in three locations in the public rights-of-way adjacent to the subject premises as follows:

- a. The south sidewalk area of East Mason Street, between the face of the street curb and the right-of-way line, commencing at a point approximately 2 feet 6 inches west of the westline of North Cass Street and extending east approximately 85 feet
- b. At the southwest intersection corner of North Prospect Avenue and East Mason Street extending from end of radius to end of radius from the back of the street curb towards the property lines to the southwest. The pedestrian ramps are not paved with granite pavers, but, rather, regular concrete.
- c. Projecting 13 feet into the north sidewalk area of East Wisconsin Avenue, commencing at a point approximately 33 feet west of the westline of North Cass Street and extends 25 feet to the west.

11. To construct and maintain a back up driveway in the east, 16-foot wide sidewalk area of North Van Buren Street to serve a 9-foot 4-inch wide loading dock door. Said driveway is centered approximately 188 feet north of the northline of East Wisconsin Avenue. Vehicles may occupy a portion of the sidewalk area and shall be parked in such a way so as to maintain a minimum 5-foot wide clear sidewalk width for pedestrian traffic during loading and unloading operations. The grantee is to provide sufficient traffic control to ensure continued pedestrian and vehicular traffic while the backup driveway is in use.

12. To construct and maintain a private storm water manhole in the south, 14-foot wide sidewalk area of East Mason Street. Said manhole is located under the granite pavers at North Cass Street at a point approximately 20 feet east of the westline of North Cass Street extended and 3 feet north of the southline of East Mason Street. The manhole cover is approximately 2 feet 6 inches square.

Said 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, Northwestern Mutual Life Insurance Company, 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 \$7,756.99. 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 North Van Buren Street. Traffic control measures may include, but are not limited to flag persons and traffic cones.
8. 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
KAREN DETTMER/DAWN SCHMIDT
September 7, 2017
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