



Legislation Text

File #: 120991, **Version:** 1

120991
SUBSTITUTE 1
THE CHAIR

Substitute resolution granting a special privilege to G.S.S. Corporation to construct and maintain raised stationary planters, private light poles and bollards in the public right-of-way for the premises 5572 South 27th Street, in the 13th Aldermanic District.

This resolution grants a special privilege to G.S.S. Corporation to construct and maintain raised stationary planters, private light poles and bollards in the public right-of-way for the premises 5572 South 27th Street.

Whereas, The applicant is requesting permission to construct and maintain two private light poles and three raised stationary planters in the public right-of-way; and

Whereas, A site visit revealed the presence of two bollards 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 G.S.S. Corporation, 5572 South 27th Street, Milwaukee, WI 53221 is hereby granted the following special privileges:

1. To construct and maintain three stationary raised planters in the east, 24-foot wide sidewalk area of South 27th Street located between the paved public sidewalk and the property line. The south planter commences at a point approximately 615 feet south of the southline of West Grange Avenue and extends north 16 feet. The middle planter commences at a point approximately 560 feet south of the southline of West Grange Avenue and extends north 79 feet to the north. The north planter commences at a point approximately 460 feet south of the southline of West Grange Avenue and extends north 7 feet. Said planters are surrounded by an 8-inch wide concrete block retaining wall that varies in height from 8 inches to 14 inches. Total length of said retaining wall is 201 feet 11 inches.
2. To construct and maintain two private light poles in the east, 24-foot wide sidewalk area of South 27th Street. Said private light poles are centered approximately 490 and 565 feet south of the southline of West Grange Avenue and approximately 2 feet west of the eastline of South 27th Street. The light poles are located in the middle raised planter detailed in Item #1 above.
3. To construct and maintain two, 4-inch diameter concrete filled metal bollards in east, 24-foot wide sidewalk area of South 27th Street. Said bollards are centered approximately 460 and 600 feet south of the southline of West Grange Avenue and 12 feet west of the eastline of South 27th Street. Said bollards are 4 feet tall.

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, GSS Corporation, 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 \$101.30. 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.

Department of Public Works

Administration Division

MICHAEL LOUGHRAN/DAWN SCHMIDT/C. MURPHY

January 13, 2015