



Legislation Text

File #: 091492, Version: 1

091492
SUBSTITUTE 1
47-3142
47-3142-a
THE CHAIR

Substitute resolution amending a special privilege for change of ownership to Brewery Project LLC for an overhead sign and bridge structure over West Juneau Avenue for the premises at 1009 North Juneau Avenue, in the 4th Aldermanic District.

This resolution amends a special privilege for change of ownership to Brewery Project LLC for an overhead sign and bridge structure over West Juneau Avenue for the premises at 1009 North Juneau Avenue.

Whereas, Pabst Brewing Company requested permission to keep and maintain two pedestrian bridges over the public right-of-way and to install a sign on each bridge; and

Whereas, One bridge and sign was located over North 9th Street and the second bridge and sign is over West Juneau Avenue; and

Whereas, Permission for said items was originally granted in 1906 and subsequently granted in 1948 under Common Council Resolution File Number 47-3142; and

Whereas, Subsequently, North 9th Street was vacated and, in addition, the sign and bridge were removed; and

Whereas, Common Council Resolution File Number 47-3142-a amended the file to account for the vacation of North 9th Street; and

Whereas, Brewery Project LLC now owns the property; and

Whereas, For the liability for said sign and bridge structure to be formally transferred to the current property owner, the Common Council needs to adopt an amending resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Common Council Resolution File Numbers 47-1342 and 47-1342-a are hereby rescinded; and, be it

Further Resolved, That Brewery Project LLC, 710 North Plankinton Avenue, Suite 1200, Milwaukee, Wisconsin 53203, is hereby granted the following special privilege:

To keep and maintain a sign on a 10-foot wide bridge structure crossing the 70-foot wide right-of-way of West Juneau Avenue at a point approximately 10 feet west of the westline of North 10th Street. The sign, which is electrified, measures approximately 9 feet 6 inches tall and 45 feet long. Said sign and bridge structure are a minimum elevation of 65 feet above the roadway below.

Said above-mentioned sign and bridge structure shall be used, kept and maintained to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

Said sign and bridge structure shall be maintained or removed from the public right-of-way, at such future time as they are 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, Brewery Project LLC, 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 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 own 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 cancelled 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 \$315.64. 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
Infrastructure Services Division
MDL: ns
July 26, 2010
091492