



Legislation Text

File #: 981122, Version: 1

981122
SUBSTITUTE

THE CHAIR

Substitute resolution to grant permission to Macy Holdings, LLC to place an informational sign within the public right-of-way of South 43rd Street for the property of 2459-73 South 43rd Street, in the 8th Aldermanic District of the City of Milwaukee

- Analysis -

This resolution permits the placement of an informational sign within the public right-of-way on the west side of South 43rd Street in order to assist prospective residents, delivery vehicles and emergency vehicles to access the property at 2459-73 South 43rd Street, that does not directly abut South 43rd Street.

Whereas, Mr. Michael Askotzky of Trike Property Management on behalf of Macy Holdings, LLC has requested permission to place signage within the public right-of-way on the west side of South 43rd Street for the property known as 2459-73 South 43rd Street; and

Whereas, No part of said property directly abuts South 43rd Street but is reached by an existing 33-foot wide "perpetual easement for access"; and

Whereas, Said easement also serves as access to a Wisconsin Electric Power Co. property; and

Whereas, The informational purpose of the signage at the proposed location is threefold: for prospective residents of the existence of the residential development; for delivery vehicles of the location; and for emergency vehicles of the location; and

Whereas, Said signage may only legally occupy the public right-of-way by the granting of a special privilege resolution by the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Macy Holdings LLC, 2459 South 43rd Street, Milwaukee 53219, is hereby granted the following special privilege:

To place and maintain informational signage within the west sidewalk area of South 43rd Street for the property 2459-73 South 43rd Street detailed and located as follows:

The sign is double-faced 72 inches wide, 48 inches high, located approximately 1,250 feet south of the southline of West Lincoln Avenue, being approximately 330 feet south of the southline of the Union Pacific Railroad Company right-of-way, centered approximately 10 feet west of the west curbline in a 22 foot wide sidewalk area.

The signage shall be installed, used and maintained to the approval of the Departments of Public Works and Neighborhood Services. All necessary permits shall be obtained.

and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Macy Holdings, 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 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 \$1,000.00 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 27, 1999

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