



Legislation Text

File #: 970402, Version: 1

970402
SUBSTITUTE
881752
THE CHAIR

Substitute resolution amending a special privilege to install and maintain an overhead cable attached to Wisconsin Electric Power Company poles within the public right-of-way in the vicinity of 3040 West Hopkins Street to now change the name of the grantee of the special privilege to Tower Automotive Products Company, Inc. in the 10th Aldermanic District in the City of Milwaukee.

- Analysis -

This special privilege changes the name of the grantee of a special privilege allowing installation and maintenance of a private overhead cable in the public right-of-way in the vicinity of 3040 West Hopkins Street, from A. O. Smith Automotive Products Co. to Tower Automotive Products Company, Inc.

Whereas, A. O. Smith Automotive Products Company was granted a special privilege to install and maintain a private overhead cable attached to Wisconsin Electric Power Company poles in the public way in the vicinity of the premises at 3040 West Hopkins Street; and

Whereas, Tower Automotive Products Company, Inc. now is the owner of the facilities previously owned by A. O. Smith Automotive Products Company, and a name change on the existing special privilege is needed in order to reflect the new owner; and

Whereas, Said overhead cable may only legally occupy the public way by the granting of a special privilege to the current owner; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Common Council Resolution File Number 881752 is hereby rescinded; and, be it

Further Resolved, By the Common Council of the City of Milwaukee, that Tower Automotive Products Company, Inc., 3533 North 27th Street, Milwaukee, WI, 53216, is hereby granted the following special privilege:

To install and maintain an overhead communications cable attached to Wisconsin Electric Power Company poles, specifically described as follows: exiting a building from a point approximately 225 feet north of the northline of West Melvina Place, and extending easterly across the alley to a pole, whose number is presently designated as 67-2944, which is located approximately 210 feet north of the northline of West Melvina Place; then south along the northeasterly line of the alley attached to poles whose numbers are presently designated as 67-2945 and 67-2964, respectively, to a point being approximately 26 feet north of the northline of West Melvina Place; then southerly across a portion of private property and then the right-of-way of West Melvina Place to a pole located approximately 12 feet north of the southline of West Melvina Place and approximately 100 feet east of the westline of North 30th Street, whose number is presently designated as 62-1686; then extending westerly over West Hopkins Street to a pole near the southerly curb of West Hopkins Street located approximately 63 feet southeasterly of the southline of West Melvina Place, extended west, whose number is presently designated as 84-04362; then southeasterly along the south curb of West Hopkins Street attached to poles that are presently designated as 84-04361 and 58-1628, respectively, to a point approximately 406 feet southeasterly of the southline of West Melvina Place, extended west, including the bypassing of a City light pole; then southwesterly to a building whose address is 2937 West Hopkins Street, which is located out of the public right-of-way. Cable exits the public right-of-way at a point approximately 410 feet south of the southline of West Melvina Place, extended west. Cable shall provide a minimum of 20 feet vertical clearance over all public rights-of-way.

The overhead cable shall be installed and maintained to the satisfaction of the Commissioners of Public Works and Building Inspection and all necessary permits shall be obtained from the Department of Public Works and Building Inspection; and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Tower Automotive Products Company, Inc., a Delaware 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 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 \$3,000 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 \$686.00. 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
July 31, 1997
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