



## Legislation Text

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**File #: 991449, Version: 1**

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991449  
SUBSTITUTE

### THE CHAIR

Substitute resolution granting permission to the Milwaukee Riverwalk District for the placement and maintenance of a sculpture in the vicinity of the northeast quadrant of the Kilbourn Avenue bridge over the Milwaukee River, in the 4th Aldermanic District of the City of Milwaukee.

- Analysis -

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This substitute resolution grants permission to the Milwaukee Riverwalk District for the placement and maintenance of a metal sculpture and plaque in the public right-of-way, on the northeast quadrant of the Kilbourn Avenue Bridge over the Milwaukee River.

Whereas, The City's Common Council via Resolution File Number 931824, adopted March 29, 1994, approved the creation of Business Improvement District Number 15 ("BID-15") and approved the initial operating plan ("Operating Plan") for BID-15, which provided the Board with the authority to enter into a Riverwalk Development Agreement with the City; and

Whereas, Certain segments of the Downtown Riverwalk system are located on public rights-of-way and these "City" segments are an integral part of the overall Riverwalk System; and

Whereas, Several sculptures have been "on-loan" to the City for placement on the Downtown Riverwalk in the public right-of-way for enhancement of the Riverwalk System; and

Whereas, One of these sculptures, entitled "You Rise Above The World" by Richard Taylor, which is located on the sidewalk area at the northeast quadrant of the Kilbourn Avenue Bridge over the Milwaukee River has been in place on City right-of-way through a temporary occupancy permit; and

Whereas, This sculpture has now been donated to the Milwaukee Riverwalk District, and the Milwaukee Riverwalk District has requested that it be permanently placed on the City right-of-way adjacent to the Milwaukee River and the Riverwalk; and

Whereas, The Milwaukee Riverwalk District will own and maintain the sculpture, including a plaque to be placed on the adjacent bridge railing which will identify the piece and the donors; and

Whereas, The sculpture and plaque may only occupy the public right-of-way with Common Council approval; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Milwaukee Riverwalk District is granted permission for the following:

1. To keep and maintain an existing metal sculpture entitled "You Rise Above the World" by Richard Taylor on City right-of-way on the north sidewalk area of the Kilbourn Avenue Bridge over the Milwaukee River. The approximately 10-foot tall sculpture is located approximately 20 feet north of the north curbline of East Kilbourn Avenue and approximately 5 feet west of the east dockline of the Kilbourn Avenue Bridge, and is bolted to the concrete deck.

2. To install and maintain a metal plaque on the stone railing adjacent to the sculpture at the northeast quadrant of the Kilbourn Avenue Bridge over the Milwaukee River, which identifies the sculpture and the donor(s).

and, be it

Further Resolved, That this permission is granted only on the condition that Milwaukee Riverwalk District shall:

1. Hold the City of Milwaukee or its agents harmless and accept responsibility for any and all liabilities that may arise through implementation of the permission granted herein.

2. Obtain the necessary Department of Public Works permits for the sculpture and plaque.

3. Whenever the above-mentioned items are no longer needed or when so ordered for public necessity, not only remove the items 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 permissory resolution. Such grantee shall not be entitled to any damages for such removal.

Infrastructure Services Division

JJM:cjt  
January 5, 2000  
991449