



## Legislation Text

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**File #: 991537, Version: 1**

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991537  
SUBSTITUTE

### THE CHAIR

Substitute resolution to grant a special privilege to Milwaukee Institute of Art and Design to install and maintain temporary public artwork consisting of fabric adhered to pavement, within the public right-of-way of North Broadway, between East Erie Street and East Menomonee Street, in the 4th Aldermanic District in the City of Milwaukee.

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### - Analysis -

This resolution grants permission to Milwaukee Institute of Art and Design to install and maintain temporary public artwork consisting of fabric adhered to pavement, within the public right-of-way of North Broadway, between East Erie Street and East Menomonee Street.

Whereas, Milwaukee Institute of Art and Design, through one of its students (Ms. Kristine N. Rippel), has petitioned the City of Milwaukee for placement of artwork in the public right-of-way of North Broadway, between East Erie Street and East Menomonee Street, an area which is currently designated as a pedestrian mall; and

Whereas, This artwork consists of fabric squares adhered with wallpaper paste to the pavement, planter walls and vertical faces of concrete stoops; and

Whereas, The artwork will be removed from the public right-of-way by August 1, 2000, and the right-of-way restored to the original condition that existed before placement of the artwork; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Milwaukee Institute of Art and Design, 273 East Erie Street, Milwaukee, WI 53202, is hereby granted the following special privilege:

To install and maintain fabric squares adhered through the use of wallpaper paste to the pavement, planter walls and vertical faces of concrete stoops within the public right-of-way of North Broadway, between East Erie Street and East Menomonee Street. The location of the fabric squares are as shown on the attached photographs and plan and generally extend from the building located at 143 North Broadway east along the pavement into the vacated area of North Broadway, and around the planter walls and concrete stoops in this area.

Said fabric squares are to be removed from the public right-of-way by August 1, 2000, and the right-of-way restored to a condition which existed prior to placement of the artwork, and to the satisfaction of the Departments of Public Works and Neighborhood Services.

Said artwork shall be installed, used, maintained and removed to the satisfaction of the Departments of Public Works and Neighborhood Services. All required permits shall be procured from the Departments of Public Works and Neighborhood Services/City Development prior to beginning installation.

and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Milwaukee Institute of Art and Design, 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 the Department of Neighborhood Services shall have the authority to seek, by resolution, revocation of said special privilege.

Infrastructure Services Division

JJM:cjt

February 8, 2000

991537