



## Legislation Text

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**File #: 991421, Version: 1**

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991421  
SUBSTITUTE  
960705, 61-1184  
THE CHAIR

Substitute resolution amending a special privilege granted to Sue L. Colburn-Strauss and David N. Colburn, to install and maintain a steam service extension in the public right-of-way servicing the premises at 236 North Water Street, to now change the name of the grantee of the special privilege to Sue Colburn-Strauss and Robert E. Strauss d/b/a Strauss Investments, LLP in the 4th Aldermanic District in the City of Milwaukee.

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- Analysis -

This special privilege again changes the name of the grantee of a special privilege allowing installation and maintenance of a steam service extension in the public right-of-way servicing the premises at 236 North Water Street, to Sue Colburn Strauss and Robert E. Strauss d/b/a Strauss Investments LLP.

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Whereas, 236 North Water Street, a co-partnership, was granted a special privilege under C.C. 61-1184 to install and maintain a private steam service extension in the east sidewalk area of North Water Street to service the building at 236 North Water Street; and

Whereas, Sue L. Colburn-Strauss and David N. Colburn were granted a name-change amendment special privilege to continue to keep and maintain a private steam service extension in the east sidewalk area of North Water Street to service the building at 236 North Water Street; and

Whereas, Sue Colburn-Strauss and Robert E. Strauss d/b/a Strauss Investments LLP now own the building at 236 North Water Street, and a name change on the existing special privilege is needed in order to reflect their ownership; and

Whereas, Said steam service extension may only legally occupy the public way by the granting of a special privilege; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Common Council Resolution File Number 960705 is hereby rescinded; and, be it

Further Resolved, By the Common Council of the City of Milwaukee that Sue Colburn-Strauss and Robert E. Strauss d/b/a Strauss Investments, LLP is hereby granted the following special privilege:

To keep and maintain a private 4-inch diameter steam service extension wrapped in insulation and waterproofing materials, in the east sidewalk area of North Water Street. The underground steam service extension is located approximately 255 feet northeasterly of the northline of East Chicago Street, being approximately 4 feet in length, and is located approximately 4 feet below the sidewalk grade. The steam service extension shall be maintained to the satisfaction of the Commissioners of the Departments of Public Works and Neighborhood Services; and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantees, Sue Colburn-Strauss and Robert E. Strauss d/b/a Strauss Investments, LLP 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 \$2,000.00 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

April 13, 2000

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