



Legislation Text

File #: 980600, Version: 1

980600
SUBSTITUTE
970515
THE CHAIR

Substitute resolution amending a special privilege granted to Reynolds Metals Company, to maintain informational/directional signs located within the public right-of-way adjacent to the property at 8500 West Tower Avenue, to now change the name of the grantee of the special privilege to Ball Corporation, in the 9th Aldermanic District in the City of Milwaukee.

- Analysis -

This special privilege changes the name of the grantee of a special privilege allowing maintenance of informational/directional signs located on the north side of West Tower Avenue adjacent to 8500 West Tower Avenue from Reynolds Metals Company to Ball Corporation.

Whereas, Reynolds Metals Company, was granted a special privilege under Common Council Resolution File Number 970515 to maintain informational/directional signs at various entrances and exits to and from its property at 8500 West Tower Avenue; and

Whereas, The facility is now under the ownership of Ball Corporation, and the new owner proposes to keep and maintain these four signs within the right-of-way on the north side of West Tower Avenue; and

Whereas, Said privately owned informational/directional signs may only be permitted by the granting of a special privilege by the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that Common Council Resolution File Number 970515 is hereby rescinded; and, be it

Further Resolved, By the Common Council of the City of Milwaukee that Ball Corporation, 8500 West Tower Avenue, Milwaukee WI, 53224-2826, is hereby granted the following special privileges:

1. To keep and maintain an informational/directional sign 11.3 feet wide located approximately 745 feet west of the westline of North 84th Street. Said sign shall face east and encroach 15 feet into the 16-foot wide public sidewalk area of West Tower Avenue. The sign bottom shall be no less than 6 feet above the underlying grade.

2. To keep and maintain three informational/ directional signs 4 feet wide located approximately 729,500 and 437 feet west of the westline of North 84th Street and encroach 3.75, 4 and 3 feet, respectively, into the 16-foot wide public sidewalk area. Said signs shall face south and the bottoms shall be no less than 6 feet above the underlying grade.

Said signs shall be supported by two metal poles bolted to sunken concrete caissons. Said signs shall be erected to the approval of the Commissioners of Public Works and Building Inspection and all necessary permits shall be procured from the Commissioners of Building Inspection and Public Works. No alteration or replacement of any sign may be made without the written approval of the Commissioners of Public Works and Building Inspection.

and, be it

Further Resolved, That Ball Corporation is hereby notified that at such time as concrete sidewalk is to be constructed, they will be physically and financially responsible for removing said signs from the public right-of-way, upon written notification by the Commissioner of Public Works; and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Ball 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 \$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 \$60.00. 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

October 21, 1998

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