



Legislation Details (With Text)

File #: 120283 **Version:** 1
Type: Resolution **Status:** Passed
File created: 6/12/2012 **In control:** COMMON COUNCIL
On agenda: **Final action:** 2/11/2014
Effective date:

Title: Substitute resolution amending a special privilege for change of owner name to Skylight Music Theatre Corporation and for addition of a barrier free access ramp for the premises at 158 North Broadway, in the 4th Aldermanic District.

Sponsors: THE CHAIR

Indexes: SPECIAL PRIVILEGE PERMITS

Attachments: 1. Petition and Drawings, 2. Map, 3. Photo, 4. Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
6/12/2012	0	COMMON COUNCIL	ASSIGNED TO		
6/14/2012	0	PUBLIC WORKS COMMITTEE	REFERRED TO		
1/24/2014	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
1/24/2014	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
1/29/2014	1	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
2/11/2014	0	COMMON COUNCIL	ADOPTED	Pass	13:0
2/12/2014	0	MAYOR	SIGNED		

120283
SUBSTITUTE 1
912293
THE CHAIR

Substitute resolution amending a special privilege for change of owner name to Skylight Music Theatre Corporation and for addition of a barrier free access ramp for the premises at 158 North Broadway, in the 4th Aldermanic District.

This resolution amends a special privilege for change of owner name to Skylight Music Theatre Corporation and for addition of a barrier free access ramp for the premises at 158 North Broadway.

Whereas, Skylight Opera Theatre Corporation had requested permission to keep and maintain two platforms with steps and one barrier free access ramp in the public right-of-way; and

Whereas, Permission for said items was granted under Common Council Resolution File Number 912293 in 1992; and

Whereas, The applicant, Skylight Music Theatre Corporation, is currently requesting permission to construct and maintain a barrier free access ramp in the public right-of-way; and

Whereas, Said barrier free access ramp may only legally encroach into the public right-of-way by granting of a special privilege resolution adopted by the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Common Council Resolution File Numbers 912293 is hereby rescinded; and, be it

Further Resolved, That Skylight Music Theatre Corporation, 158 North Broadway, Milwaukee, Wisconsin 53202 is hereby granted the following special privileges:

1. To construct and maintain a barrier free access ramp with handrails projecting 4 feet 10 inches into the east, 20-foot wide, fully paved sidewalk area of North Broadway. Said concrete ramp commences at a point approximately 21 feet north of the northline of East Menomonee Street and extends north 22 feet 3 inches where it meets the platform described in Item #2 below.
2. To keep and maintain a concrete platform with steps and handrails projecting 8 feet 2 inches into the east, 20-foot wide, fully paved sidewalk area of North Broadway. Said platform structure commences at the north end of the ramp described in Item #1 at a point approximately 43 feet north of the northline of East Menomonee Street and extends north 19 feet 11 inches.
3. To keep and maintain a barrier free access ramp with handrails projecting 4 feet 10 inches into the east, 20-foot wide, fully paved sidewalk area of North Broadway. Said concrete ramp commences at a point approximately 81 feet north of the northline of East Menomonee Street and extends north 18 feet 8 inches where it meets the platform described in Item #4 below.
4. To keep and maintain a concrete platform with steps and handrails projecting 8 feet 5 inches into the east, 20-foot wide, fully paved sidewalk area of North Broadway. Said platform structure commences at the north end of the ramp described in Item #3 at a point approximately 100 feet north of the northline of East Menomonee Street and extends north 19 feet 10 inches.

Said above-mentioned items shall be used, kept and maintained to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services. All necessary permits shall have been obtained prior to the granting of this special privilege.

Said items shall be maintained or removed from the public right-of-way, at such future time as it is no longer needed, to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

; and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Skylight Music Theatre 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 Commissioner of Public Works 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. The insurance policy shall provide that it shall not be cancelled until after at least thirty days' notice in writing to the Commissioner of Public Works.
3. Pay to the City Treasurer an annual fee, which has an initial amount of \$103.69. 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 and 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 66.0425 of the Wisconsin Statutes (1999), 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 Neighborhood Services shall have the authority to seek, by resolution, revocation of said special privilege.

Department of Public Works
Infrastructure Services Division

MDL:clm

January 17, 2014