



Legislation Details (With Text)

**File #:** 151567      **Version:** 1  
**Type:** Resolution      **Status:** Passed  
**File created:** 2/9/2016      **In control:** COMMON COUNCIL  
**On agenda:**      **Final action:** 5/27/2020

**Effective date:**

**Title:** Substitute resolution amending a special privilege for change of ownership to JMR Properties IV, LLC to keep and maintain raised stationary planters, private light poles and bollards in the public right-of-way for the premises 5572 South 27th Street, in the 13th Aldermanic District.

**Sponsors:** ALD. SPIKER

**Indexes:** SPECIAL PRIVILEGE PERMITS

**Attachments:** 1. Application.pdf, 2. CCF 151567 Map.pdf, 3. CCF 151567 Photos.pdf

Date	Ver.	Action By	Action	Result	Tally
2/9/2016	0	COMMON COUNCIL	ASSIGNED TO		
5/13/2020	1	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
5/27/2020	1	COMMON COUNCIL	ADOPTED	Pass	15:0
6/10/2020	1	MAYOR	SIGNED		

151567  
SUBSTITUTE 1  
120991  
Ald. Spiker

Substitute resolution amending a special privilege for change of ownership to JMR Properties IV, LLC to keep and maintain raised stationary planters, private light poles and bollards in the public right-of-way for the premises 5572 South 27<sup>th</sup> Street, in the 13<sup>th</sup> Aldermanic District.

This resolution amends a special privilege for change of ownership to JMR Properties IV, LLC to keep and maintain raised stationary planters, private light poles and bollards in the public right-of-way for the premises 5572 South 27<sup>th</sup> Street.

Whereas, G.S.S. Corporation requested permission to construct and maintain two private light poles, three raised stationary planters, and two bollards in the public right-of-way; and

Whereas, Permission for said items was granted in 2015 under Common Council Resolution File Number 120991; and,

Whereas, JMR Properties IV, LLC now owners the property; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Common Council Resolution File Number 120991 is hereby rescinded; and, be it

Further Resolved, By the Common Council of the City of Milwaukee that JMR Properties IV, LLC, 5505 South 27<sup>th</sup> Street, Milwaukee, WI 53221 is hereby granted the following special privileges:

- To keep and maintain three stationary raised planters in the east, 24-foot wide sidewalk area of South 27<sup>th</sup> Street located between the paved public sidewalk and the property line. The south planter commences at a point approximately 615 feet south of the south line of West Grange Avenue and extends north 16 feet. The middle planter commences at a point approximately 560 feet south of the south line of West Grange Avenue and extends north 79 feet to the north. The

north planter commences at a point approximately 460 feet south of the south line of West Grange Avenue and extends north 7 feet. Said planters are surrounded by an 8-inch wide concrete block retaining wall that varies in height from 8 inches to 14 inches. Total length of said retaining wall is 201 feet 11 inches.

2. To keep and maintain two private light poles in the east, 24-foot wide sidewalk area of South 27<sup>th</sup> Street. Said private light poles are centered approximately 490 and 565 feet south of the south line of West Grange Avenue and approximately 2 feet west of the east line of South 27<sup>th</sup> Street. The light poles are located in the middle raised planter detailed in Item #1 above.
3. To keep and maintain two, 4-inch diameter concrete filled metal bollards in east, 24-foot wide sidewalk area of South 27<sup>th</sup> Street. Said bollards are centered approximately 460 and 600 feet south of the south line of West Grange Avenue and 12 feet west of the east line of South 27<sup>th</sup> Street. Said bollards are 4 feet tall.

Said 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, JMR Properties IV, LLC, 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 \$128.44. 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 1<sup>st</sup> 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  
Administration Division  
JERREL KRUSCHKE/DAWN SCHMIDT  
May 5, 2020  
151567