



Legislation Text

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130656
SUBSTITUTE 1
THE CHAIR

Substitute resolution granting a special privilege to Wired Jackson LLC to construct and maintain a handrail, bollards and concrete curbing in the public right-of-way for the premises at 1530 North Jackson Street, in the 3rd Aldermanic District. This resolution grants a special privilege to Wired Jackson LLC to construct and maintain a handrail, bollards and concrete curbing in the public right-of-way for the premises at 1530 North Jackson Street.

Whereas, The applicant has requested permission to construct and maintain a handrail in the public right-of-way to extend along a sloped sidewalk at the main entrance to the building; and

Whereas, A site visit revealed the presence of two bollards and concrete curbing in the public right-of-way, and

Whereas, Said items 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 Wired Jackson LLC, c/o Elan G Peltz, 1528 North Paulina Street, Suite 1A, Chicago, IL 60622 is hereby granted the following special privileges:

1. To construct and maintain a handrail projecting 9 inches into the east, approximately 22-foot wide sidewalk area of North Jackson Street. Said 1 ½ inch diameter handrail occupies a space that is 10 inches wide. Said handrail is centered approximately 130 feet south of the south line of East Pleasant Street.
2. To construct and maintain two, 6-inch diameter concrete filled metal bollards in the east, approximately 22-foot wide sidewalk area of North Jackson Street. The south bollard, which is 3 feet 10 inches tall, is centered approximately 4 feet 6 inches west of the eastline of North Jackson Street and 125 feet south of the southline of East Pleasant Street. The north bollard, which is 2 feet 4 inches tall, is center approximately 6 inches west of the eastline of North Jackson Street and 115 feet south of the southline of East Pleasant Street.
3. To construct and maintain concrete curbing that also serves as a step to account for a differential in grade between the drive to the on-site parking and a patio north of the drive. Said 1-foot 3-inch wide curbing projects 5 feet 4 inches into the east, approximately 22-foot wide sidewalk area of North Jackson Street. Said curbing, which has a maximum height of 8 inches, is centered approximately 115 feet south of the southline of East Pleasant Street.

Said items shall be used, kept and maintained to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

Said items shall be maintained or removed from the public right-of-way, at such future time as they are 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, Wired Jackson 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 \$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 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 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

April 21, 2014

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