



Legislation Text

File #: 000489, **Version:** 1

000489

SUBSTITUTE

ALD. JOHNSON-ODOM, D'AMATO

Substitute resolution granting a special privilege to Woodland Pattern, Inc., located at 720 East Locust Street, allowing the installation of seven metal signs attached to City street light poles on East Locust Street, between North Holton Street and North Humboldt Boulevard, in the 6th and 3rd Aldermanic Districts of the City of Milwaukee.

This substitute resolution allows private signs to be attached to City street light poles with the usual safeguards of holding the City "harmless" and required liability insurance, bond and annual fees.

Whereas, A proposal was advanced to pursue the placement of public art as a project; and

Whereas, Although the proposal was not selected to be included in the Spirit of Milwaukee's Neighborhood Millennium Art Initiative, it was, nevertheless, determined to be an important project to be undertaken; and therefore Woodland Pattern, Inc., a nonprofit corporation dedicated to literary arts and education, in addition to other neighborhood groups, has recently sought permission through the special privilege process to place seven sculptural aluminum "cut-out" signs on City street light poles on East Locust Street between North Holton Street and North Humboldt Boulevard; now, therefore, be it

Resolved, That Woodland Pattern, Inc., 720 East Locust Street, Milwaukee, Wisconsin 53212, is hereby granted the following special privilege:

To have seven signs be attached to City of Milwaukee street light poles on East Locust Street, between North Holton Street and North Humboldt Boulevard, specifically elaborated as follows:

1. Based upon preliminary locations, final locations to be mutually determined by the grantee and the Department of Public Works (DPW) staffs.
2. Signs are not produced by the DPW.
3. Signs to be placed either by private contractor, with qualified trades personnel under a DPW street light pole display permit or by DPW at the cost of the grantee through a "deposit" process.
4. Sign height to be determined by DPW.
5. Signs will be mounted over the sidewalk.
6. Signs are periodically monitored by the grantee for need of maintenance.
7. Signs are maintained at the cost of the grantee

;and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Woodland Pattern, Inc., a nonprofit 501©(3) community-based art organization, 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 \$100,000 covering bodily injury to any one person and \$300,000 covering bodily injury to more than one person in any one accident and \$50,000 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 \$105.00 (\$15/sign). 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

September 11, 2000