



## Legislation Text

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**File #: 980977, Version: 1**

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980977  
SUBSTITUTE  
971489  
THE CHAIR

Substitute resolution amending a special privilege granted to John Greidanus d/b/a Trendex Enterprises LLC, to use and maintain a concrete ramped entrance for wheelchair access in the public right-of-way adjacent to the property located at 632-34 West Historic Mitchell Street, to now change the name of the grantee of the special privilege to Eric W. Zuehlke, in the 12th Aldermanic District in the City of Milwaukee.

- Analysis -

This resolution amends a special privilege granted to John Greidanus d/b/a Trendex Enterprises LLC, to use and maintain a concrete ramped entrance for wheelchair access in the public right-of-way on the east side of South 7th Street, adjacent to the building known as 632-34 West Historic Mitchell Street, to now change the name of the grantee of the special privilege to Eric W. Zuehlke, the new property owner.

Whereas, Trendex Enterprises, LLC, was granted a special privilege under Common Council Resolution File Number 971489, on February 10, 1998, to use and maintain a concrete platform and ramped entrance for barrier-free access encroaching into the public right-of-way on the east side of South 7th Street adjacent to the building at 632-34 West Historic Mitchell Street; and

Whereas, The current owner of the building is Eric W. Zuehlke and should now be named as the grantee of the special privilege; and

Whereas, The concrete ramped entrance with platform and steps may only occupy the public right-of-way through the adoption of a special privilege resolution by the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that Common Council Resolution File Number 971489 is hereby rescinded; and, be it

Further Resolved, By the Common Council of the City of Milwaukee that Eric W. Zuehlke, P. O. Box 511526, Milwaukee, WI 53203-0261, is hereby granted the following special privilege:

To keep, use and maintain an approximate 31-foot long and 5-foot wide concrete ramp, platform and steps with metal handrail on the east side of South 7th Street adjacent to the property known as 632-34 West Historic Mitchell Street. Said concrete ramp, platform and steps begin at a point approximately 41 feet north of the northline of West Mitchell Street and extend north for a distance of approximately 31 feet to a point approximately 72 feet north of the northline of West Historic Mitchell Street. Said encroachment is approximately 5 feet into the 15-foot wide fully concrete paved public sidewalk area, leaving approximately 10 feet for pedestrian usage. Said ramp, platform and steps abut the building in such a manner that their use does not infringe upon the paved concrete public sidewalk nor interfere with through pedestrian movement at any time.

Said concrete ramp, platform and steps with metal handrail shall be constructed, used and maintained to the satisfaction of the Commissioners of Public Works and Building Inspection.

Said items shall be removed from the public right-of-way, at such future time that they are no longer needed, to the satisfaction of the Commissioners of Public Works and Building Inspection.

and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Eric W. Zuehlke, 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 \$2,000.00 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 \$75.33. 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

November 30, 1998

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