



## Legislation Text

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**File #: 160575, Version: 1**

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160575  
SUBSTITUTE 1  
Ald. Bauman

Substitute resolution granting a special privilege to Blue Ribbon Redevelopment Fund V LLC to construct and maintain a gate swing projection in the public right-of-way for the premises at 1037 West Juneau Avenue, in the 4<sup>th</sup> Aldermanic District.

This resolution grants a special privilege to Blue Ribbon Redevelopment Fund V LLC to construct and maintain a gate swing projection in the public right-of-way for the premises at 1037 West Juneau Avenue.

Whereas, Blue Ribbon Redevelopment Fund V LLC redeveloped the building at 1037 West Juneau Avenue into a brew pub and, as part of that effort, installed a gate on the North 11<sup>th</sup> Street side of the property for its tenant's outdoor patio; and

Whereas, The gate is comprised of two leaves, one of which is stationary and one of which, when open, swings into the public right-of-way; and

Whereas, Said gate swing 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 Blue Ribbon Redevelopment Fund V LLC, c/o Colliers International, 833 East Michigan Street, Suite 500, Milwaukee, WI 53202 is hereby granted the following special privilege:

To construct and maintain a single, 15-foot 4-inch long gate, that when fully open, projects 12 feet 3 inches into the east, 8-foot wide sidewalk area of North 11<sup>th</sup> Street. Said gate swing is centered approximately 100 feet south of the south line of West Juneau Avenue.

Said gate swing 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, Blue Ribbon Redevelopment Fund V 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 \$184.45. 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 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  
April 14, 2020  
160575