



Legislation Text

File #: 090293, Version: 1

090293

SUBSTITUTE 1

941959

THE CHAIR

Substitute resolution amending a special privilege for change of ownership to Columbia St. Mary's Hospital Milwaukee, Inc. for three informational/directional signs and concrete curbing in the public right-of-way for the premises at 2015-25 East Newport Avenue, in the 3rd Aldermanic District.

This resolution amends a special privilege for change of ownership to Columbia St. Mary's Hospital Milwaukee Inc for three informational/directional signs and concrete curbing in the public right-of-way for the premises at 2015-25 East Newport Avenue.

Whereas, Columbia Hospital requested permission to install and maintain three informational/directional signs and concrete curbing in the public right-of-way; and

Whereas, Permission for said items was granted in 1995 under Common Council Resolution File Number 941959; and

Whereas, The current property owner is Columbia St. Mary's Hospital Milwaukee Inc; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that Common Council Resolution File Number 941959 is hereby rescinded; and, be it

Further Resolved, That Columbia St. Mary's Hospital Milwaukee Inc, ATTN: Legal Department, 4425 North Port Washington Road, Glendale, WI 53212 is hereby granted the following special privileges:

1. To keep and maintain three free-standing, electric informational/directional signs and any appurtenant electrical conduit to power the signs. Said signs are centered approximately 147, 232 and 287 feet east of the eastline of North Cramer Street and project 1 foot 11 inches into the north 15-foot wide sidewalk area of East Hartford Avenue. The signs face in an east-west direction such that traffic on East Hartford Avenue can easily read said signs.
2. To keep and maintain three sections of concrete curbing located approximately 152, 227 and 282 feet east of the eastline of North Cramer Street and projecting a maximum of 5 feet into the public way. The total area occupied by said curbing is 7.5 square feet.

Said above-mentioned 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, Columbia St. Mary's Hospital Milwaukee Inc, 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 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 own 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 cancelled 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 \$69.40. 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 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:ns
November 19, 2009
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