



Legislation Text

File #: 08328, **Version:** 1

Fiscal Note

No expenditure required

Title

Authorizing the Common Council to accept ownership from Eken Park Neighborhood Association of a public picnic table to be located within a public greenway at 702 McCormick Avenue.

Body

WHEREAS, the Eken Park Neighborhood Association wish to encourage the use of the public greenway adjacent to the Starkweather Creek, along and west of McCormick Avenue; and

WHEREAS, as part of this effort, the Eken Park Neighborhood Association wish to install and maintain a public picnic table to be located within a public greenway at 702 McCormick Avenue, as shown on Exhibit A; and

WHEREAS, the City Engineering Division and Park Division have approved of the placement of the public picnic table; and

WHEREAS, the Privilege in Streets Committee has reviewed this request and approved it with conditions; and

WHEREAS, the Eken Park Neighborhood Association will transfer ownership of the public picnic table to the City after it has been installed, in exchange for the ongoing maintenance of the table by the Eken Park Neighborhood Association.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Madison accepts ownership, from the Eken Park Neighborhood Association of a public picnic table to be located within a public greenway at 702 McCormick Avenue, as shown on the attached exhibit; subject to the following conditions:

1. The Eken Park Neighborhood Association shall be responsible for all costs of installation and maintenance of the picnic table.
2. The Eken Park Neighborhood Association shall locate the picnic table within a specific area, as approved by the City Engineering Division.
3. The Eken Park Neighborhood Association shall comply with all Madison General Ordinances regarding the installation of the picnic table within public greenway, if applicable.
4. The Eken Park Neighborhood Association shall agree that the City shall not be held responsible for any damage to the picnic table that may be caused by the City, its employees, contractors, or others.
5. The City may remove the picnic table if not properly maintained, by giving the Eken Park Neighborhood Association sixty (60) days written notice prior to removal. The Eken Park Neighborhood Association is responsible for any reasonable costs associated with such removal.
6. The City may remove the picnic table if the area occupied by table is required for transportation or other public purposes, by giving the Eken Park Neighborhood Association sixty (60) days written notice prior to removal. Transportation purposes include, without limitation because of enumeration, public

alleys, streets, highways, bike paths, sidewalks, and facilities for the development, improvement and use of public mass transportation systems.