



Legislation Details (With Text)

**File #:** 28493      **Version:** 1      **Name:** 9993 Public Art Sculpture 600 Block Willy St.  
**Type:** Resolution      **Status:** Passed  
**File created:** 11/29/2012      **In control:** BOARD OF PUBLIC WORKS  
**On agenda:** 1/22/2013      **Final action:** 1/22/2013  
**Enactment date:** 1/23/2013      **Enactment #:** RES-13-00055

**Title:** Authorizing the acceptance of ownership from Marquette Neighborhood Association of a public art installation to be located in the median of the 600 block of Williamson Street.

**Sponsors:** Marsha A. Rummel

**Indexes:**

**Code sections:**

**Attachments:** 1. 9993 Exhibit A - Location Map.pdf, 2. 9993 Exhibit B - Tree with dimensions.pdf, 3. 9993 Exhibit C - Barrier wall.pdf, 4. Link to MAC File ID 27694, 5. Comments\_PC\_01-14-13.pdf, 6. PC Registrations 011413.pdf

Date	Ver.	Action By	Action	Result
1/22/2013	1	COMMON COUNCIL	Adopt	Pass
1/14/2013	1	PLAN COMMISSION	Return to Lead with the Recommendation for Approval	Pass
12/12/2012	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	
12/11/2012	1	BOARD OF PUBLIC WORKS	Refer	
12/11/2012	1	COMMON COUNCIL	Referred	
11/29/2012	1	Economic Development Division	Referred for Introduction	

**Fiscal Note**

No expenditure required.

**Title**

Authorizing the acceptance of ownership from Marquette Neighborhood Association of a public art installation to be located in the median of the 600 block of Williamson Street.

**Body**

WHEREAS, the Marquette Neighborhood Association (the "Association") has requested permission for a public art installation (the "Tree") in the median of the 600 block of Williamson Street. A location map is included in attached Exhibit A and an artist's rendering of the Tree is illustrated in attached Exhibit B; and

WHEREAS, the Association will transfer ownership of the Tree to the City after it has been installed, in exchange for the ongoing maintenance of the Tree by the Association; and

WHEREAS, City Engineering requires barrier walls to protect potential vehicular damage to the Tree and a suggested depiction of said barrier walls is shown in attached Exhibit C; and

WHEREAS, City staff have reviewed this request and approved it with conditions.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Madison accepts ownership from the Marquette Neighborhood Association of a public art installation (the "Tree") to be located in the median of the 600 block of Williamson Street, as shown in attached Exhibit A, illustrated in attached Exhibit B,

with supporting barrier wall drawings depicted in attached Exhibit C; subject to the following conditions:

1. The Association shall be responsible for installation, maintenance and replacement of the Tree.
2. The Association shall locate the Tree within a specific area, as approved by the City Traffic Engineer and City Engineering Division.
3. The Association shall be responsible for locating all underground utility services in the area where the Tree and barrier wall are to be placed, and shall contact Diggers Hotline prior to any excavation or construction activities.
4. City Engineering requires that the foundation plan and support for the Tree has to be designed and prepared by a professional engineer. In addition, the Association shall provide drawings and calculations of the Tree and associated structures, prepared by a licensed professional structural engineer, to the City Traffic Engineer for approval prior to construction.
5. The Association shall comply with Traffic Engineering requirements that any parts of the structure, including the base and anchoring devices, need to be at least three feet from face of curb and shall not block any traffic control device.
6. The Association shall comply with all Madison General Ordinances regarding the construction and installation of the Tree and barrier walls within the median, and shall obtain any and all applicable City of Madison permits for excavation and installation prior to construction.
7. The Association shall agree that the City shall not be held responsible for any damage to the Tree that may be caused by the City, its employees, contractors or others.
8. The City may remove the Tree if not properly maintained, including applicable vehicular vision clearances, by giving the Association sixty (60) days written notice prior to removal.
9. The City may remove the Tree if the area occupied by said Tree is required for transportation or other public purposes, by giving the 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.
10. The Association shall coordinate with City Engineering regarding the cost, construction and maintenance details of the barrier walls.