Legislation Details (With Text)

File #:	52931	**Version:**	1	**Name:**	11603 Eastmorland Neighborhood Sign Encroachment
Type:	Resolution			**Status:**	Passed
File created:	8/22/2018			**In control:**	BOARD OF PUBLIC WORKS
On agenda:	9/4/2018			**Final action:**	9/25/2018
Enactment date:	9/28/2018			**Enactment #:**	RES-18-00683

Title: Authorizing the City's acceptance of ownership from the Eastmorland Community Association of a neighborhood sign and decorative landscape garden located in public right-of-way near the southeast corner of Milwaukee Street and Leon Street. (15th AD)

Sponsors: David Ahrens

Indexes:

Code sections:

Attachments: 1. 11603 Exhibit A Sign Location.pdf, 2. 11603 Exhibit B Sign Depiction.pdf

Date	Ver.	Action By	Action	Result
9/25/2018	1	COMMON COUNCIL	Adopt	Pass
9/17/2018	1	PLAN COMMISSION	Return to Lead with the Recommendation for Approval	Pass
9/5/2018	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
9/4/2018	1	BOARD OF PUBLIC WORKS	Referred	
9/4/2018	1	COMMON COUNCIL	Refer	Pass
8/22/2018	1	Economic Development Division	Referred for Introduction	

Fiscal Note

The proposed resolution authorizes acceptance of ownership of a neighborhood sign and decorative landscape garden in the public right-of-way near the southeast corner of the Milwaukee Street and Leon Street intersection. The Eastmorland Community Association is responsible for the installation, maintenance, repair of the sign and decorative landscape. City Engineering, Planning, Traffic Engineering, Risk Management, and Madison Water Utility have reviewed and conditionally approved the request. No City appropriation is required.

Title

Authorizing the City's acceptance of ownership from the Eastmorland Community Association of a neighborhood sign and decorative landscape garden located in public right-of-way near the southeast corner of Milwaukee Street and Leon Street. (15th AD)

Body

WHEREAS, the Eastmorland Community Association ("Association") wishes to install and maintain a neighborhood sign and decorative landscape garden ("Encroachments") in the public right-of-way near the southeast corner of the Milwaukee Street and Leon Street intersection as shown on attached Exhibit A, with the neighborhood sign's image depicted on attached Exhibit B; and

WHEREAS, staff from City of Madison ("City") Engineering, Planning, Traffic Engineering, Madison Water Utility and the City's Risk Manager have reviewed this request and conditionally approved the placement and installation of the Encroachments; and

WHEREAS, the Association will transfer ownership of the Encroachments to the City after installation in

exchange for the ongoing maintenance and repair of the Encroachments by the Association.

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Madison authorizes the City's acceptance of ownership from the Association of Encroachments to be located in public right-of-way near the southeast corner of the Milwaukee Street and Leon Street intersection as shown on attached Exhibit A, with the neighborhood sign's image depicted on attached Exhibit B, subject to the following conditions:

1. The Association shall be responsible for all costs of installation, maintenance and repair of the Encroachments.

2. The Association shall locate the Encroachments in a specific area, as approved by the City Engineering Division, with additional direction from the Madison Water Utility for 10 feet of clearance from the existing water main.

3. The decorative landscaping plantings near the neighborhood sign area shall conform to the City Engineering planting guidelines regarding site clearance and height restrictions for the vision corners, specifically no plantings, solid screening or structures between 30 inches and 10 feet in height within 18 feet of the face of curb.

4. The Association shall contact Diggers Hotline to locate all underground utilities in the area where the Encroachments are to be installed prior to any excavation or construction activities.

5. The Association shall comply with all Madison General Ordinances regarding permits required for the construction and installation of the Encroachments within the public right-of-way, including but not limited to a City Engineering Permit to Excavate in the Public right-of-way.

6. The Association shall agree that the City shall not be held responsible for any damage to the Encroachments that may be caused by the City, its employees, contractors, or others.

7. The City may remove the Encroachments if not properly maintained by giving the Association sixty (60) days written notice prior to removal. The Association is responsible for any reasonable costs associated with such removal.

8. The City may remove the Encroachments if their location 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.

9. The Association shall sign a Letter of Agreement that shall be memorialized by recording an Affidavit of Recording with the Dane County Register of Deeds.

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