City of Madison

Legislation Details (With Text)

File #:	64570	**Version:**	1	**Name:**	12260 - Indian Hills Neighborhood Sign
Type:	Resolution			**Status:**	Passed
File created:	3/8/2021			**In control:**	Economic Development Division
On agenda:	5/4/2021			**Final action:**	5/4/2021
Enactment date:	5/10/2021			**Enactment #:**	RES-21-00309

Title: Authorizing the City's acceptance of ownership from the Spring Harbor Neighborhood Association of the existing Indian Hills sign and decorative landscape garden located partially in public right-of-way and partially in Spring Harbor Park near the Flambeau Road and University Avenue intersection. (19th AD)

Sponsors: Keith Furman

Indexes:

Code sections:

Attachments: 1. Locator Maps.pdf, 2. 12260 Exhibit A Location Map.pdf, 3. 12260 Exhibit B Sign Image.pdf

Date	Ver.	Action By	Action	Result
5/4/2021	1	COMMON COUNCIL	Adopt Unanimously	Pass
4/21/2021	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
4/14/2021	1	BOARD OF PARK COMMISSIONERS	Return to Lead with the Recommendation for Approval	Pass
3/22/2021	1	PLAN COMMISSION	Return to Lead with the Recommendation for Approval	Pass
3/16/2021	1	BOARD OF PUBLIC WORKS	Referred	
3/16/2021	1	BOARD OF PUBLIC WORKS	Referred	
3/16/2021	1	COMMON COUNCIL	Referred	
3/8/2021	1	Economic Development Division	Referred for Introduction	

Fiscal Note

No City appropriation is required with acceptance of the proposed sign and garden and all relevant City departments have reviewed and approved this request. The Spring Harbor Neighborhood Association will be responsible for all costs of repair and maintenance of the encroachments.

Title

Authorizing the City's acceptance of ownership from the Spring Harbor Neighborhood Association of the existing Indian Hills sign and decorative landscape garden located partially in public right-of-way and partially in Spring Harbor Park near the Flambeau Road and University Avenue intersection. (19th AD)

Body

WHEREAS, the Spring Harbor Neighborhood Association ("Association") wishes to repair and maintain the existing Indian Hills sign and decorative landscape garden ("Encroachments") located partially in public right-of-way and partially in Spring Harbor Park near the Flambeau Road and University Avenue intersection as shown on attached Exhibit A, with the sign's image depicted on attached Exhibit B; and

WHEREAS, staff from City of Madison ("City") Engineering, Planning, Traffic Engineering, Parks Department and the City's Risk Manager have reviewed and approved this request; and

WHEREAS, the City will accept ownership of the Encroachments 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 located partially in public right-of-way and partially in Spring Harbor Park near the Flambeau Road and University Avenue intersection as shown on attached Exhibit A, with the sign's image depicted on attached Exhibit B, subject to the following conditions:

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

2. The decorative landscaping plantings near the sign shall conform to the City Engineering planting guidelines regarding site clearance and height restrictions for 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, or within 10 feet of the north edge of the shared-use path.

3. The Association shall contact Diggers Hotline to locate all underground utilities in the area where the Encroachments are located prior to any repair or maintenance activities.

4. The Association shall comply with all Madison General Ordinances regarding permits required for the repair and maintenance 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.

5. 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.

6. 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.

7. 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.

8. The Association shall execute this Letter of Agreement ("Letter") which shall be memorialized by recording an Affidavit of Recording with the Dane County Register of Deeds.

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