



## Legislation Details (With Text)

**File #:** 67101      **Version:** 1      **Name:** Authorizing the City Engineer to obtain a Public Infrastructure Permit from the Wisconsin Department of Transportation for roadway improvements along Wilson St. and John Nolen Dr. and authorizing the indemnification of the Wisconsin Department of Transpor

**Type:** Resolution      **Status:** Passed

**File created:** 8/24/2021      **In control:** Engineering Division

**On agenda:** 9/21/2021      **Final action:** 9/21/2021

**Enactment date:** 9/24/2021      **Enactment #:** RES-21-00633

**Title:** Authorizing the City Engineer to obtain a Public Infrastructure Permit from the Wisconsin Department of Transportation for roadway improvements along Wilson St. and John Nolen Dr. and authorizing the indemnification of the Wisconsin Department of Transportation, Wisconsin and Southern Railroad LLC, Watco Companies, and Wisconsin River Rail Transit Commission. (4th AD)

**Sponsors:** Michael E. Verveer

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
9/21/2021	1	COMMON COUNCIL	Adopt	Pass
9/1/2021	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
8/31/2021	1	COMMON COUNCIL	Referred	
8/24/2021	1	Engineering Division	Referred for Introduction	

No appropriation required.

Authorizing the City Engineer to obtain a Public Infrastructure Permit from the Wisconsin Department of Transportation for roadway improvements along Wilson St. and John Nolen Dr. and authorizing the indemnification of the Wisconsin Department of Transportation, Wisconsin and Southern Railroad LLC, Watco Companies, and Wisconsin River Rail Transit Commission. (4th AD)

The City of Madison has partnered with WisDOT to reconstruct a portion of S. Blair St. and the intersection of S. Blair St., John Nolen Dr., Williamson St. and E. Wilson St. in 2022. Plans for this project were approved under RES-21-00490 (File #66202). As part of this reconstruction project, a portion of the improvements around the John Nolen Dr. and E. Wilson St. intersection will be constructed on the railroad property, owned by WisDOT and operated by Wisconsin and Southern Railroad and Watco Companies. A permit is required for these improvements to be constructed and remain on WisDOT property.

The permit requires indemnification of the Wisconsin Department of Transportation, Wisconsin and Southern Railroad LLC., Watco Companies, and the Wisconsin River Rail Transit Commission. APM 1-1 allows the City to indemnify other parties with Common Council approval. The indemnification language has been reviewed by the City Attorney and the City's Risk Manager. While the City's risk exposure is increased by the indemnification clause contained in the permit, the exposure is covered by the City's insurance policies, subject to their terms and conditions.

NOW THEREFORE BE IT RESOLVED that the City Engineer is hereby authorized to execute a permit on

behalf of the City with the Wisconsin Department of Transportation for the installation of public infrastructure on the railroad property, and

BE IT FURTHER RESOLVED that the Mayor and Common Council hereby approves of the indemnification of the Wisconsin Department of Transportation, the Wisconsin and Southern Railroad L.L.C., Watco Companies, and the Wisconsin River Rail Transit Commission.