



## Legislation Text

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**File #:** 00141, **Version:** 1

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### **Fiscal Note**

Funds are available in the City Engineering 2004 Capital Budget.

### **Title**

To petition the State of Wisconsin Commissioner of Railroads to modify the existing roadway crossing of the rail corridor at 100 N. Thornton Avenue and to determine the crossing protection required. 2nd Ald. District.

### **Body**

The City Engineering 2004 Capital Budget provides for the development of plans for construction of a pedestrian/bicycle trail, referred to as the Yahara River Parkway Path, and Thornton Avenue roadway modifications between East Johnson Street and East Washington Avenue. The City of Madison, by Resolution #61307, has approved plans and specifications for this project to remove the existing roadway at the railroad crossing and install a new non-motorized trail crossing.

The improvement at this location is in the interest of public safety and convenience and is consistent with the adopted Bicycle Transportation Plan for Madison and Dane County. State statutes 195.28 and 195.29 pertaining to railroad/highway crossings and their protection require the City to petition the Commissioner of Railroads for determinations in these matters.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Clerk be and are hereby authorized to petition the State of Wisconsin Commissioner of Railroads to make a determination to modify the existing roadway crossing of the rail corridor at 100 North Thornton Avenue, and also a determination of the crossing protection required; and

BE IT FURTHER RESOLVED that the Mayor shall authorize the City Attorney or other City staff as may be necessary to present the City's interests at any hearing before the Commissioner of Railroads.