



# City of West Allis

## Legislation Text

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**File #:** R-2015-0021, **Version:** 1

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Resolution Authorizing City Attorney to File a Complaint with the Office of Commissioner of Railroads Against Union Pacific Railroad Company For Repair of a Railroad Crossing Located at West Greenfield Avenue (State Highway 59), U.S. DOT Crossing No. 177242L, Milepost 86.34.

This Resolution relates to the following railroad Crossing located in the City of West Allis:

West Greenfield Avenue (State Highway 59) U.S. DOT Crossing No. 177242L, Milepost 86.34, of the Milwaukee Subdivision at West Allis, Wisconsin.

WHEREAS, pursuant to a report of the City Engineer and in accordance with Wis. Stat. Section 86.12(1), on May 6, 2014, the Common Council of the City of West Allis passed a resolution (R-2014-0101), requiring the Union Pacific Railroad Company to repair the railroad crossing identified above located in the City of West Allis and further authorized the City Administrator Officer/Clerk/Treasurer to serve a copy of said Railroad Resolution upon Union Pacific Railroad Company and all other state and federal officials as required by Wisconsin State Statutes; and,

WHEREAS, on or about June 12, 2014, the City Administrator Officer, Clerk/Treasurer served a copy of the May 6, 2014, resolution (R-2014-0101) by certified mail on Union Pacific Railroad Company; and,

WHEREAS, more than thirty (30) days have elapsed since said notice and to date, the Union Pacific Railroad Company has failed to make any repairs whatsoever to said railroad crossing; and,

WHEREAS, the Common Council of the City of West Allis may file a complaint with the Office of Commissioner of Railroads alleging the failure of Union Pacific Railroad Company to honor the terms of the resolution and request an investigation into this matter pursuant to Wis. Stat. Section 86.12(2).

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of West Allis that the office of the City Attorney is hereby authorized to file a complaint and handle all legal matters associated with the same, on behalf of the Common Council, with the Office of Commissioner of Railroads in accordance with Wis. Stat. Section 86.12(2) for the investigation and ultimate improvement of the railroad crossing as herein described.

ATTR-Resolution-RailroadCrossing.WGrnflDve-177242L.Milepost86.34

