

In the Matter of Petition For The
Establishment Of A New An At-
Grade Crossing for the Brown Deer
Recreation Trail

Resolution No. 08-03

WHEREAS, the Village of Brown Deer proposes to cross the tracks of the CN Railroad at-grade with an extension of the Brown Deer Recreation Trail, located within a WE Energies utility right-of-way; and,

WHEREAS, the crossing is necessary to promote public safety and convenience; and,

WHEREAS, the proposed project would include the establishment of a properly designed and paved crossing point from the existing Recreation Trail into Village Park which would support both recreational traffic as well as the occasional utility maintenance truck and/or police patrol; and,

WHEREAS, the project area would extend in a east west manner from the Brown Deer Recreation Trail into Village Park, all within the Village of Brown Deer; and,

WHEREAS, the trail extension would connect the Brown Deer Recreation Trail with both Village Park and Milwaukee County's bike trail; and,

WHEREAS, the establishment of the crossing is advisable under all the circumstances; and,

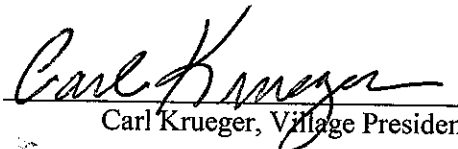
WHEREAS, Section 195.29 Wisconsin Statutes authorizes the Office of the Commissioner of Railroads to determine whether the establishment of the crossing is necessary to promote public safety and convenience and is advisable, to determine the necessary warning devices for the new crossing, and to apportion all costs for the new crossing, including the costs of any automatic warning devices; and,

WHEREAS, the Village of Brown Deer proposes to pay all costs necessary to safely establish the crossing.

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of the Village of Brown Deer hereby directs Staff to take all necessary steps to petition the Office of the Commissioner of Railroads for an investigation and order to approve the establishment of the new crossing.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Village of Brown Deer staff shall comply with Chapter 195, Wisconsin Statutes and RR 1.025, Wisconsin Administrative Code in the filing of the petition.

PASSED AND ADOPTED by the Village Board of the Village of Brown Deer this 4th day of February, 2008.


Carl Krueger, Village President


Russell Van Gompel, Village Manager/Clerk