



## Legislation Text

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**File #:** 030532, **Version:** 1

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030532

SUBSTITUTE

THE CHAIR

Substitute resolution authorizing and directing the proper City Officials to negotiate and enter into a Memorandum of Understanding between the City of Milwaukee and the Canadian Pacific Railway Company regarding various elements associated with the improvement of West Canal Street and the redevelopment of the Menomonee Valley.

Substitute resolution authorizing and directing the proper City Officials to negotiate and enter into a Memorandum of Understanding between the City of Milwaukee and the Canadian Pacific Railway Company regarding various elements associated with the improvement of West Canal Street and the redevelopment of the Menomonee Valley.

Whereas, The Department of Public Works is currently performing engineering for reconstruction and extension of Canal Street between North 6<sup>th</sup> Street and Miller Park in the Menomonee Valley; and

Whereas, The proposed Canal Street improvements will require the removal, relocation, and reconstruction of various rail facilities owned and/or operated by Canadian Pacific Railway (CPR) including:

Relocation of an existing railroad spur currently located in the Canal Street roadway.

Removal of two C&R bridges over the Menomonee River.

Modification of a transloading facility known as Bulk Logistics including construction of a railroad spur to serve the facility.

Whereas, The City and Canadian Pacific Railway Company are desirous of pursuing additional mutually beneficial actions in the Menomonee Valley including:

Decommissioning the Burnham Canal upstream of 11<sup>th</sup> Street to allow an existing moveable railroad bridge to be reconstructed as a fixed bridge.

Providing alternative access to Thiele Tanning and D. R. Diedrich and Co. to allow closure of an existing at-grade railroad crossing.

Providing alternative access to the Tannery residential development to allow closure of an existing at-grade railroad crossing.

Reconstruction of an additional Canadian Pacific Railway Company bridge over The Menomonee River to improve river hydrology and reduce flooding in the Menomonee Valley.

Whereas, a Memorandum of Understanding between the City and Canadian Pacific Railway Company has been developed and is attached to the file to document the common understanding with respect to rail improvements

necessitated by the Canal Street project and other actions in the Menomonee Valley.

Whereas, Future, more definitive, legal agreements between the City, Canadian Pacific Railway Company, and third parties will be necessary to implement the proposed improvements and actions specified in the Memorandum of Understanding; now, therefore, be it

Resolved, That the proper City officials are authorized and directed to negotiate and enter into the Memorandum of Understanding between the City and Canadian Pacific Railway Company dated September 4, 2003 in the same or substantially the same as attached to the file regarding various rail improvements and other actions in The Menomonee Valley; and, be it

Further Resolved, That the proper City officials are authorized to negotiate and enter into future agreements as necessary to implement the improvements and actions identified in the Memorandum of Understanding.

Department of Public Works

Infrastructure Services Division

JJM:cjt

September 5, 2003

MOU Canadian Pacific Railway