



**Minutes**  
**Committee of the Whole**

**The Committee of the Whole met on Monday, March 18, 2013 at 6:00 p.m. at City Hall, Council Chambers, 30 West Central Street, Chippewa Falls, WI.**

Council Members present: Mike Hanke, Brian Flynn, CW King, Chuck Hull, Jane Lardahl, Bill Hicks, and George Adrian.

Others Present: Mayor Greg Hoffman, Finance Manager/Treasurer Lynne Bauer, Public Works Director/City Engineer/Utility Manager Rick Rubenzer, Police Chief Wendy Stelter, Fire Chief Tom Larson, City Clerk Bridget Givens, and those listed on the attached attendance sheet.

Council President, CW King called the meeting to order at 6:00 p.m.

**Item #1: Discussion and possible proposals concerning railroad quiet zones.**

Councilor King opened the discussion by asking for input from the Council members regarding the quiet zones, beginning with 5<sup>th</sup> Ward Councilor Lardahl. Lardahl expressed concern with the Pumphouse Road rail crossing stating she would like to see a quiet zone established in this area as there is a higher concentration of population close to the tracks. She is also hoping citizens can bring forward solutions that would be less costly than implementing and maintaining a quiet zone.

Councilor Hanke stated a majority of the complaints he has received stem from the signaling that is done in the yard, outside of the City. Hanke indicated that even if a quiet zone is established, nothing could be done to prevent the vibrations experienced when a train goes by. Hanke noted that the reason the engineers blow their horns is to ensure the safety of our citizens.

King addressed a map created by City Engineer Rubenzer which detailed the crossings and identified the different rail systems. King stressed the increase in train traffic is not just sand from EOG, but from other industries that have gone to rail as well.

Councilor Hicks advised he has not received any calls regarding train noise and that implementing a quiet zone does not offer a guarantee of limiting the problem. Hicks also stated a wayside horn would still be used in the quiet zones and it would be beneficial if we could find out the number of decibels of the horn.

Councilor Flynn opined as we see more industry come to the City of Chippewa Falls, the use of the rail system will increase. In addition, it will bring more jobs to the local economy. From a cost perspective, Flynn is not sure how the quiet zones could be implemented and would like to discuss other potential resolutions.

Councilor Adrian advised we will still hear horns even with quiet zones. He also feels that if we establish one quiet zone, we should do them all. The question remains of how it would be paid for.

Councilor Hull shared that everyone needs to understand we are working with Federal Regulations, and we should keep that in mind when addressing affordable options.

The Mayor stated that Hallie has the same concerns we do. He understands there is a higher

concentration of homes in the Pumphouse Road crossing area, but the trains go through the entire Chippewa Valley and are part of our ability to recruit industry.

**Item #2: Public appearances for comments and statements regarding railroad quiet zones.**

King explained the limitations as follows:

- a. Comments accepted from City of Chippewa Falls residents or business owners only;
- b. Comments need to be limited to solutions - citizen complaints have already been received and heard and need not be repeated; and
- c. Comments are to be limited to three minutes unless extended by the Chair.

The following individuals appeared:

Roger Kressin, 182 Amstar Drive, appeared stating that he serves the 14<sup>th</sup> District on the Chippewa County Board. Kressin feels the railroad spends too much time during the day fixing the bridge and then has to run the trains at night. He feels they should be able to run more during the day.

Arlen Bohlman, 151 Amstar Drive, appeared advising there is variance in how long some of the engineers blow their horns being that some of the long signals are excessively long. Bohlman offered a solution of placing yellow warning lights at the top of Court Street Hill (State Street) advising if a train is approaching. This may allow someone to take an alternative route so traffic is not held up waiting for the trains.

Paul Peters, 141 Amstar Drive, agreed some of the engineers blow their horns more excessively than others and questioned if there is a solution. Lon Van Gemert of Progressive Rail advised that Federal Regulations govern the decibels and length of the horn signals. The requirement is two longs, one short, and one long that carries through the crossing.

Mike Bye, 93<sup>rd</sup> Avenue, offered the solution of closing Kennedy Road near the water tower which would eliminate the need for sounding horns at that crossing.

There were no further requests to speak.

**Item #3: Potential further discussion regarding proposals concerning railroad quiet zones with possible recommendation to the Council.**

Adrian liked the addition of lights advising of the train so people could reconsider their routes. He also reminded the group that there are four different sand plants utilizing the rail system that comes through the City.

The question was asked of Progressive Rail if there was opportunity to change the schedule so there is more train traffic during the day versus night. Van Gemert advised it is a matter of maximum utilization, scheduling, and crew availability that dictate when they are running.

Flynn appreciated the suggestions received and felt that the City needs to have a comprehensive list of the Federal Rules and Regulations so we know what we are allowed to do. He further suggested we may want to cooperate with neighboring municipalities on cost-saving measures.

King advised that the City has to find out who does the scheduling and what impacts it to determine if more can be done during the day. King would also like to explore the costs associated with an overpass.

Adrian questioned Roger Kressin to determine if the County received complaints about the train traffic and Kressin stated they have not.

King ended by saying that as long as businesses are moving to Chippewa Falls, we need to be prepared to deal with the train traffic.

**Item #4: Adjournment**

**Motion by Flynn/Adrian to adjourn at 6:43 p.m. All present voting aye, motion carried.**

**Minutes submitted by:  
CW King, Council President**

# COMMITTEE OF THE WHOLE ATTENDANCE SHEET

NAME	ADDRESS	COMPANY REPRESENTING	PHONE NUMBER	EMAIL
Richard P Flynn	1304 Penn		715-577-2592	
Don Sypniewski	1032 Pine Cone Ln		715-720-9395	
Dennis Ferstenoy	9177 130th St. Chippewa Falls		715-720-1226	
Roger Kessari	182 Amsterdam Dr. C.F. 54729		715 723 4781	
Lon Van Gemert	LAKESHORE MN		612-791-1190	
Pat Siverling	C F	MA	715-382-3257	
Colleen Connett	8014 187th St C F WI	—	715-703-2377	
Dick Price	105 <sup>th</sup> E. Canal St C.F.	—	715 723 5471	
Jeremy Urlikow	19 Bira Street Chetek, WI	WNR/RGI	612-791-3254 715-861-5220 <del>715-861-5220</del>	
ARLEN L. BOHLMANN	151 AMSTAR DR C.F.			
Bill + Cathy Woodcock	235 Pumphouse Rd		715-723-6318	

# COMMITTEE OF THE WHOLE ATTENDANCE SHEET

NAME	ADDRESS	COMPANY REPRESENTING	PHONE NUMBER	EMAIL
Paul Peters	141 AMSTAR DR	resident	715-225-0144	—
Lynne Gillbertson	921 W. WILSON ST	RESIDENT	715-861-3528	
Rick Rubenow	30 W. Central	City of C.F.		
CURT STEPAK	310 S. STATE ST	CF	723 9465	
Honey Master	173 Amstar Dr	CF		
Lu Harts	"	"		
Joann Fox	175 Amstar Ave	CF		
Dave Cadore	260 Dutchman	CF		
Sharon Ledue	"	"		
Mike Byle	193rd AVE	CF		
Beverly Schultz	1123 Weather ridge	CF	215-861-3165	

# COMMITTEE OF THE WHOLE ATTENDANCE SHEET

NAME	ADDRESS	COMPANY REPRESENTING	PHONE NUMBER	EMAIL
Anne Walker	Weather ridge Rd		715-723-2304	
Katie Buege	Weathering Rd.		715-720-2302	
Marty Bushland	225 Pumphouse Rd		715-523-3051	
PERSHAWEN	223 PUMPHOUSE RD		715-723-2688	
Dan Prince				

# Quiet Zone Information March 18, 2013

## Public Hearing before the Chippewa Falls

### Common Council Committee of the Whole

#### General Information:

There are currently 10 active railroad crossings in the city (8 UP-Progressive, 2 CN) -Each railroad corridor would require a separate Quiet Zone (CN and Progressive-UP). Railroads are generally opposed to Quiet Zones because they don't believe they are safe. Motorists drive around barricades and gates and so forth.

- a) Trains are required to blow horns  $\frac{1}{4}$  mile from a crossing.
- b) A risk assessment is done for all crossings within  $\frac{1}{2}$  mile of a proposed Quiet Zone.
- c) Any potential crossing closures could be considered for a reduction in risk (risk credit).
- d) If the risk index for a particular crossing is below the National Threshold, 13722, the crossing is eligible for Quiet Zone consideration.
- e) A \$10,000 fee must be paid up front to the railroad by the city for engineering plans and specifications for a proposed Quiet Zone.
- f) The rough estimate to establish a Quiet Zone is \$275,000 - \$350,000. This dollar figure includes engineering cost, flashing lights and gates, constant warning time, power out indicator and cabin and is 100% City Cost.
- g) The Annual Maintenance fee for a Quiet Zone is estimated at \$4,000-\$10,000 and is 100% City Cost.
- h) If factors change(traffic volume, train volume, accidents or other factors) that push the Risk Index over 13722, or incidents occur in Quiet

Zones at crossings, the City may have to upgrade safety measures at the crossing or the Quiet Zone could be rescinded at the Cities Expense.

- i) The City would be responsible for 100 percent of the cost to establish and maintain the Quiet Zone.
- j) Quiet Zones are recertified annually, every three years or every five years at the cities expense.
- k) If a Quiet Zone were established, Trains would still be required to sound horns at crossings outside a ¼ mile distance from the Quiet Zone Crossing.
- l) See following pages

### Pumphouse Road Crossing Specific Information:

- a) The crossing at Pumphouse Road could be consider a Quiet Zone without including any other crossings (Kennedy Road, Chippewa Mall Drive)
- b) The railroad would be required to sound their horns at all other active crossings if a Quiet Zone were established at Pumphouse Road.
- c) Based on the most current data available, the Risk Index for the Pumphouse Road Crossing is 9293.52, which is below the National Threshold of 13722.

## Federal Railroad Administration's Train Horn & Quiet Zone Rule

Operating a safe and efficient railroad is Union Pacific's top priority. Maintaining the safety of our employees, our customers and the general public is at the core of everything we do. For everyone's safety, federal regulation requires locomotive horns be sounded for 15-20 seconds before entering all public grade crossings, but not more than one-quarter mile in advance. This federal requirement preempts any state or local laws regarding the use of train horns at public crossings.



The Federal Railroad Administration (FRA) required pattern for blowing the horn is two long, one short, and one long sounding horn, repeated as necessary until the locomotive clears the crossing. Locomotive engineers retain the authority to vary this pattern as necessary for crossings in close proximity and are allowed to sound the horn in emergency situations.

The federal regulation concerning train horns is officially known as the FRA's Final Rule on the Use of Locomotive Horns at Highway/Rail Grade Crossings and became effective June 24, 2005.

## Quiet Zones

Union Pacific believes quiet zones compromise the safety of railroad employees, customers, and the general public. While the railroad does not endorse quiet zones, it does comply with provisions outlined in the federal law.

Federal regulations provide public authorities the option to maintain and/or establish quiet zones provided certain supplemental or alternative safety measures are in place and the crossing accident rate meets FRA standards. There are six types of quiet zones:

- A **Pre-Rule Quiet Zone (Full or Partial)** is a quiet zone that was established before October 9, 1996, and in place as of December 18, 2003.
- An **Intermediate Quiet Zone** is a quiet zone that was established after October 9, 1996, but before December 18, 2003.
- **New Quiet Zones** are those that do not meet the criteria for Pre-Rule or Intermediate Quiet Zones.
- **Partial Quiet Zones** are quiet zones where the horn is silenced for only a portion of the day, typically between the hours of 10 p.m. and 7 a.m.
- **Full Quiet Zones** are zones where the horn is silenced 24 hours per day.

In line with federal regulations, public authorities wanting to maintain Pre-Rule or Intermediate Quiet Zones were required to submit a Notice of Continuation in accordance with the rule by June 3, 2005. Failure to comply with this requirement will result in the sounding of the train horn beginning Friday, June 24, 2005, and continuing for 21 days from the date the Notice of Continuation is properly filed.

Quiet Zones in the six-county Chicago, Illinois Region (Cook, DuPage, Lake, Kane, McHenry and Will Counties) which were in existence as of December 18, 2003, are currently exempted by the Final Rule.

Public authorities wishing to establish New Quiet Zones must submit Notices of Intent and Establishment in accordance with the rule. Public authorities should refer to the Final Rule for

specific guidelines on the quiet zone establishment process. The Final Rule and FRA explanatory materials can be found on the FRA's Web site.

#### Union Pacific's Involvement in the Quiet Zone Establishment Process

In order to maintain high public safety standards, it is critical and beneficial to have the perspective gained from the railroad's experience and expertise concerning quiet zones. Union Pacific representatives will participate in diagnostic meetings and provide the necessary railroad information for quiet zone projects on Union Pacific lines, as required in the Final Rule.

The Final Rule outlines two types of safety improvement options for upgrading a quiet zone to meet FRA safety standards:

- Supplemental Safety Measures (SSMs) or
- Alternative Safety Measures (ASMs).

Supplemental Safety Measures include the following:

- Four-Quadrant Gate Systems
- Medians or Channelization Devices
- One-Way Streets with Gates
- Permanent Closure

Alternative Safety Measures include:

- Modified SSMs (i.e. Non-Complying Medians, Three-Quadrant Gates, etc.)
- Engineered ASMs (i.e. Geometric Improvements)
- Non-Engineered ASMs (i.e. Programmed Enforcement, Photo Enforcement, Education, etc.)

Union Pacific encourages the use of Engineered SSMs, but suggests that communities postpone taking any costly or irreversible action until it has been determined which additional safety measures are warranted.

#### General Costs of Safety Measures

Establishing quiet zones not only creates a public safety risk but also is a potential cost burden to taxpayers. Public authorities are responsible for the cost of preliminary engineering, construction, maintenance and replacement of active warning devices or their components, including wayside horn systems installed at crossings to meet quiet zone standards.

Public authorities are required to execute a preliminary engineering agreement (PDF File) with Union Pacific to reimburse the railroad for all project development and engineering design costs. This agreement requires the following deposits:

- \$ 5,000 per wayside horn location
- \$10,000 per crossing signal location

Public authorities are required to guarantee reimbursement to the railroad for all actual costs associated with the installation and maintenance of the railroad improvements required for the quiet zone by means of a project agreement executed by the parties. This may include quiet zone warning devices, wayside horns or both.

Examples of costs as estimated by Union Pacific:

- Four-Quadrant Gate Systems - \$300,000 to \$500,000
- Basic Active Warning System\* - \$185,000 to \$400,000  
(\*Includes Flashing Lights and Gates, Constant Warning Time, Power Out Indicator and Cabin.)
- Basic Inter-Connect - \$5,000 to \$15,000
- Annual Maintenance - \$4,000 to \$10,000

#### Contact Information

Notices of Intent, Notices of Establishment or other general communication related to quiet zones should be sent to:

Union Pacific Railroad  
Engineering Department  
Re: Quiet Zone Establishment  
1400 Douglas Street, STOP 0910  
Omaha, NE 68179-0910

Requests for diagnostic assistance should be directed to Union Pacific's Industry and Public Projects group.

#### Union Pacific Project Agreements

- Preliminary Engineering Agreement (PDF File)
- Wayside Horn System Agreement (PDF File)
- Wayside Horn System Exhibits (PDF File)
- for attachment to Wayside Horn Agreement

- [Quiet Zone Warning Devices Agreement \(PDF File\)](#)
- (for grade crossing signal improvements)