

RESOLUTION NO. 69-04

**A RESOLUTION AUTHORIZING THE EXECUTION OF CERTAIN DOCUMENTS
DELEGATING THE CITY OF ELMHURST THE AUTHORITY TO TAKE ACTIONS
ON BEHALF OF THE CITY OF WHEATON FOR THE PURPOSE OF CONTINUING A
PRE-RULE QUIET ZONE AT RAIL-HIGHWAY GRADE CROSSINGS**

WHEREAS, the U.S. Congress has passed Public Law 103-440 which requires the sounding of train horns at all public rail-highway grade crossings; and

WHEREAS, the Federal Railroad Administration has published on December 18, 2003 the Interim Final Rule for addressing the use of train horns at public rail-highway grade crossings as established in Public Law 103-440; and

WHEREAS, the Union Pacific West Line railway transverses the City of Wheaton and there exist nine rail-highway grade crossings within the City, all of which are under the provisions of an existing train horn quiet zone (Pre-Rule Quiet Zone); and

WHEREAS, it is in the best interest of the City of Wheaton that the Pre-Rule Quiet Zone be maintained following the effective date of the Interim Final Rule set for December 18, 2004; and

WHEREAS, municipal communities located along the Union Pacific West Line desire to work together to establish a Quiet Corridor from Geneva to Elmhurst, and delegate the City of Elmhurst to take such actions necessary on behalf of the communities to continue the Pre-Rule Quiet Zone; and

WHEREAS, certain documents must be executed by the City of Wheaton in order to participate in establishing the Quiet Corridor.

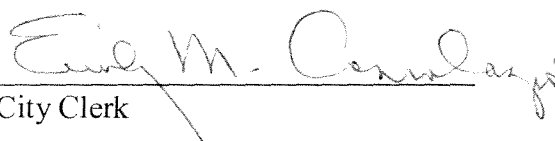
NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Wheaton, DuPage County, Illinois that the Mayor is authorized to execute a Public Authority Delegation and Chief Executive Officer Statement, which documents shall indicate the City's participation in establishing a Quiet Corridor along the Union Pacific West Line railway and delegate the City of Elmhurst to take such actions necessary on behalf of the City.

ADOPTED this 4th day of October, 2004.



Mayor

ATTEST:



City Clerk

Ayes: Roll Call Vote
 Councilman Mouhelis
 Councilwoman Corry
 Councilman Johnson
 Mayor Carr
 Councilwoman Johnson

Nays: None

Absent: Councilman Bolds
 Councilman Mork

Motion Carried Unanimously