

Minutes of Committee
Monday, September 10, 2007
7:00 p.m.

PUBLIC AFFAIRS AND SAFETY COMMITTEE

- 1) Status Report: Railroad Noise, Union Pacific Railroad
- 2) City Council and Staff Effectiveness and Strategic Focus
- 3) AT&T Project Light Speed
- 4) Smoke Free Illinois Legislation
- 5) Commercial Filming in Elmhurst
- 6) Purchase of Computerized Inventory System for Police Department Property Room
- 7) Other Business

Members Present: Mulliner, Bram, Nybo

Elected Official Present: Clerk Spencer

City Staff Present: Kopp, Spiroff, Borchert, Panico, Kopczynski

Guest: Rich Rosenberg, Tom Zapler, Scott Smith

DISCUSSION AND COMMENTS:

- 1) Tom Zapler of the Union Pacific Railroad gave the Committee an update of the experimental soy based rail coating applied to the guard rails of the tracks to reduce railroad noise. The Union Pacific Railroad began applying this soy based lubricant in March of this year. The soy lubricant was applied approximately every two (2) weeks. This will continue until November of this year. The railroad will begin applying the soy lubricant again in March of 2008. Zapler believes the soy lubricant has reduced the noise decibel levels, but will not eliminate rail noise completely. Rosenberg then addressed the Committee and Mr. Zapler. He asked if decibel testing was done prior to and following the application of the soy lubricant to determine if there was a reduction of decibel levels as recorded in a 1999 test by the railroad. In this study, decibel levels of 83, 84, and 85 were recorded and reported. Rosenberg advised he spoke to Alderman Hipskind who shares the same concerns of railroad noise. Rosenberg spoke of a Chicago Tribune article in which it was reported that 65 decibels can cause injury to children's hearing. That children, due to their small ear canal, are particularly susceptible to a lower decibel level than adults. Therefore, he felt the minimal standard should be 65 decibels for the safety of children who live in the proximity of the tracks.

Subsequent discussion involved Federal regulations/law regarding allowable decibel levels for the railroad and comparisons of rail noise to typical traffic and office decibel levels. If 65 decibels is an attainable goal, can the railroad be held to that standard if Federal regulations/law allows for higher decibel levels? The discussion then focused on conducting a decibel test/study to determine current decibel levels and if those are within the allowable levels as prescribed by Federal law. Mr. Zapler advised the railroad would not conduct such a test; however the City could do so at their own expense. That if the railroad was found to exceed the Federal allowable decibel level they would correct it. Mr. Borchert advised the Committee that City staff does not have the expertise or equipment to obtain accurate data, as was done in the railroads 1999 study/test. That the City's role thus far has been a collaborative one in bringing the Union Pacific Railroad to the table and to develop possible solutions to reduce rail noise.

The discussion then focused on using the results of the railroad's 1999 study as a baseline (83, 84, and 85 decibel level) and compare it to any future test results. That perhaps the company that conducted the railroad's 1999 test, or the developer of the soy lubricant, could be contracted by the City to conduct a current decibel test/study. During this discussion, Mr. Rosenberg stated he has noticed some improvements in noise levels since the soy lubricant was applied.

Subsequent to further discussion the Committee directed staff to research possible experts to conduct a noise study similar to the study conducted by the railroad as reported in 1999, to collaborate with Mr. Rosenberg and provide a status report in one (1) month.

- 2) Mulliner began the discussion by reviewing the approval process of routine matters, such as underpass banners, sidewalk cafes, and special events. The discussion then focused on how this approval process can be modified to allow both City Staff and Council to be more efficient and strategic in their efforts. Subsequent to discussion, Committee directed staff to draft a report allowing specific review responsibility and authority to City Staff to issue such permits.
- 3) Spiroff addressed the Committee providing a status report of the Illinois Home rule Authority Attorney's organization development of model Ordinances with regards to AT&T-Project Lightspeed. Currently these model ordinances are still in the developmental process. Subsequent to further discussion the Committee directed staff to report back when the model ordinances are complete and ready for review.
- 4) Spiroff addressed the Committee regarding the State of Illinois Smoke Free Legislation, "Smoke Free Illinois Act" (SB0500). This legislation will be in effect January 1, 2008. Subsequent to discussion, the Committee believed the "State Smoke Free" law addressed all the concerns of the City and that a local ordinance was not needed.
- 5) Spiroff advised the Committee of three municipalities in the Chicagoland area that have Commercial Filming Ordinances. That the three (3) range from very restrictive to minimally restrictive. Further discussion focused on some details of the three (3) Ordinances. Subsequently the Committee requested copies of the three (3) ordinances for review.
- 6) Commander Kopczynski was present to address the Committee and respond to the Committee's questions. Subsequent to discussion the Committee signed the report.

The Committee was adjourned at 8:45 p.m.
Submitted by Dominic Panico, Deputy Chief