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**COMMUNITY DEVELOPMENT**

**Planning,  
Zoning,  
Building Safety,  
Construction Inspection Services,  
Public Health,  
Housing Inspections,  
Code Enforcement**

**Date:** July 11, 2016  
**To:** Mayor and City Council  
**From:** Dave Gobin, Community Development Director  
**Cc:** Gregg Mandsager, City Administrator  
**Re:** Request to Authorize a Quiet Zone Funding Agreement

**INTRODUCTION:** Over the years, the City has had a number of comments made by its residents of downtown and from the surrounding streets of the downtown to investigate the ability to establish a Quiet Zone (QZ) for the railroad to operate under. If we were to implement a QZ with additional safety measures, it would stop the trains from blowing their horns through the downtown area at all hours, from the pedestrian crossing at Mad Creek to the Hershey Avenue lift station.

**BACKGROUND:** The Stanley Howe Revocable Trust (Trust) wants to help the City resolve the issue of trains that blow their horns 24 hours per day every day, has offered the opportunity to fund two QZ feasibility Studies, one for how to declare a QZ and another to go through an application process, to assist the City with this effort. The Studies will involve the City administering two separate consultants, coordinating with our engineering team and they will both run concurrently. We expect an additional funding agreement with the Trust in the near future to pay for the physical safety improvements required to install a temporary or permanent QZ.

**RECOMMENDATION:** Staff is looking to the Council for authorization to enter into a funding agreement with a local trust to conduct the two Studies described above.

**QUIET ZONE FUNDING AGREEMENT  
FOR QUIET ZONE FEASIBILITY STUDIES**

This Agreement (the "Agreement") is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2016, by and between the City of Muscatine (CITY) and Stanley Howe Revocable Trust (TRUST).

**WHEREAS**, the TRUST desires to improve the safety of the downtown rail crossings to a level that will qualify these crossings for a Railroad Quiet Zone (QZ); and

**WHEREAS**, the CITY is willing to administer the process by coordinating its engineering team, one or more QZ consultant(s), plus State and Federal agencies for installing a QZ adjacent to Mississippi Drive, from Mad Creek to the Hershey Avenue Lift Station (QZ AREA), including all existing crossings, both vehicular and pedestrian, in the QZ AREA; and

**WHEREAS**, the TRUST is willing to fund two concurrent Studies (declaration and application methods) to outline the steps required to create and establish a permanent QZ AREA as described above,

**NOW THEREFORE**, the CITY will conduct and the TRUST will fund the two Studies to determine the feasibility of a QZ, temporary and permanent, for the railroad that operates within the QZ AREA and the CITY will work with the TRUST to develop implementation plans from the Studies under a separate funding agreement that comply with the regulations and rules of the Federal Railroad Administration and Iowa Department of Transportation's Office of Rail.

**STANLEY HOWE REVOCABLE TRUST**

By: \_\_\_\_\_

Its: \_\_\_\_\_

**THE CITY OF MUSCATINE**

\_\_\_\_\_  
**Diana Broderson,**  
**Mayor, City of Muscatine**

**Attest:**

\_\_\_\_\_  
**Gregg Mandsager**  
**City Administrator, City of Muscatine**