



September 20, 2016

Public Utilities Commission of Ohio  
Docketing Division  
180 East Broad Street  
Columbus, Ohio 43215

RECEIVED DOCKETING DIV.  
2016 SEP 26 PM 4:10  
PUCO

Re: Application for Railroad Crossing  
Exemptions

To Whom It May Concern:

On September 12, 2016, the Waterville City Council passed Resolution No. 41-16 which authorized the filing of this application with the Public Utilities Commission of Ohio requesting the approval of railroad crossing exemptions for four public roadways within the City of Waterville. A copy of the Resolution is enclosed.

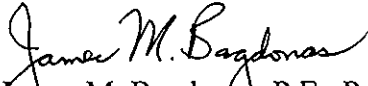
The four railroad crossings are:

1. 475245D Waterville-Monclova Road - Toledo Lake Erie & Western Railroad
2. 475242H Farnsworth Road - Norfolk Southern
3. 475241B Michigan Avenue (State Route 64) - Norfolk Southern
4. 876659M Village Parkway - Norfolk Southern

The first crossing listed has not had rail traffic for several years. The other three crossings involve a section of track that Norfolk Southern has taken out of service. We believe that requiring certain vehicles to stop at these crossings is much more dangerous than exempting the vehicles from that requirement.

If you have any questions or if additional information is needed, please contact me accordingly. Thank you for your consideration of this request.

Very truly yours,

  
James M. Bagdonas, P.E., P.S.  
Municipal Administrator

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.  
Technician fe Date Processed SEP 26 2016

**City of Waterville**

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## RECORD OF RESOLUTIONS

Resolution No. 41-16

Passed September 12, 2016

**A RESOLUTION AUTHORIZING AND DIRECTING THE MUNICIPAL ADMINISTRATOR TO FILE AN APPLICATION WITH THE PUBLIC UTILITIES COMMISSION OF OHIO REQUESTING THE APPROVAL OF RAILROAD CROSSING EXEMPTIONS FOR FOUR PUBLIC ROADWAYS WITHIN THE CITY OF WATERVILLE**

**WHEREAS**, the Toledo, Lake Erie & Western Railway & Museum, Inc. railroad crossing on Waterville-Monclova Road has not had rail traffic for several years; and

**WHEREAS**, the Norfolk Southern Railway has formally discontinued rail service on its track within the City, affecting railroad crossings on Farnsworth Road, Michigan Avenue (State Route 64) and Village Parkway; and

**WHEREAS**, ORC §4511.63 requires the operator of any bus, any school vehicle, or any vehicle transporting hazardous materials to stop before crossing railroad tracks at grade, including stopping at the four crossings herein described; and

**WHEREAS**, since the railroad crossings herein described have virtually no rail traffic, the requirement that certain vehicles stop at the crossings is more dangerous than exempting such vehicles from said requirement; and

**WHEREAS**, ORC §4511.63 allows any local authority to file an application with the Public Utilities Commission of Ohio to request the approval of an exempt crossing; and

**WHEREAS**, the Superintendent of the Anthony Wayne Local School District has expressed support for said railroad crossing exemptions.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Waterville, Lucas County, Ohio that:

**SECTION 1.** The Municipal Administrator is hereby authorized and directed to file an application with the Public Utilities Commission of Ohio requesting the approval of railroad crossing exemptions for the four public roadways as described above.

**SECTION 2.** It is found and determined that all formal actions of the Council concerning and relating to this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

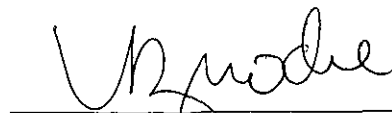
**SECTION 3.** This Resolution shall take effect from and after the date of its passage as authorized by the Charter of the City of Waterville.

VOTE ON PASSAGE:


YEAS: 7 NAYS: 0

ATTEST:

  
Jon D. Gochenour, Clerk of Council

  
Lori A. Brodie, Mayor

Prepared by:  
James M. Bagdonas  
Municipal Administrator

  
Approved as to form:  
Philip L. Dombey, Law Director