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Windsor, Ontario December 3, 2013

A meeting of the **Rail Issues Committee** is held this day commencing at 2:00 o'clock p.m. in Room 406, 400 City Hall Square East, there being present the following members:

Councillor Jo-Anne Gignac, Chairperson
Councillor Alan Halberstadt
Councillor Ron Jones
Councillor Fulvio Valentinis

Delegations in attendance:

Councillor Al Maghnieh, regarding Item 6.2
Patrick Redko regarding Item 6.2
Chris Woodall regarding Item 5.1

Also present are the following resource personnel:

Josette Eugeni, Manager of Transportation Planning
Mike Palanacki, Executive Director Operations
Mario Sonogo, City Engineer
Phil Sznurkowski, Operations/Asset Analyst
Mark Winterton, Manager of Contracts and Field Services
Karen Kadour, Committee Coordinator

1. CALL TO ORDER

The Chairperson calls the meeting to order at 2:05 o'clock p.m. and the Committee considers the Agenda being Schedule "A" attached hereto, matters which are dealt with as follows:

2. DECLARATIONS OF CONFLICT

None disclosed.

3. ADOPTION OF THE MINUTES

Moved by Councillor Jones, seconded by Councillor Valentinis,
That the minutes of the Rail Issues Committee at its meeting held August 27, 2013 **BE ADOPTED** as presented.
Carried.

5. COMMUNICATIONS

5.1 E-Mail from Chris Woodall

Chris Woodall, resident, 2585 Lincoln Road is present to speak to the matter regarding noise issues due to the VACIS (Vehicle and Cargo Inspection System) System installed to scan the rail cars prior to their entrance to the United States. He notes when the trains start to "shunt" there is a large banging sound and adds there is no noise mitigation barriers between their residence and the tracks. He indicates the Federal Assessment – *Windsor VACIS Secure Corridor* stated the VACIS System would cause no environmental impacts to the residents.

In response to a question asked by Councillor Jones regarding if the noise occurs at certain times of the day, Mr. Woodall responds it occurs all day.

Councillor Valentinis questions who oversees the VACIS System. M. Palanacki responds CP Rail and the U.S. Border Security.

M. Winterton advises landscaping features provide no noise attenuation. He states lighting and fencing are required for a secure corridor. In terms of the noise issue, an appeal could be made to CP and the CTA.

J. Eugeni indicates public information centres relating to the Howard Grade Separation Environmental Assessment were held and comments received were documented in the Study Report. This study was separate from the Federal Assessment Mr. Woodall is citing.

For resolution of the matter refer to 6.1.

6. REPORTS

6.2 Proposed Terms of Reference for Central Box Environmental Assessment

Patrick Redko is present to speak to the Central Box Environmental Assessment. He states he is pleased the Environmental Assessment is moving forward, however, he expresses concern relating to the safety of cyclists, and pedestrians. He states the sidewalks "stop and go nowhere".

J. Eugeni indicates the general problems and opportunities in the Central Box Study Area have been provided in the report 16847 *Central Box Environmental Assessment RFP*.

In response to a question asked by Councillor Halberstadt regarding if CN should be contacted prior to the initiation of the RFP, M. Palanacki advises once City Council determines the Terms of Reference, CN will be contacted.

Councillor Maghnieh asks the following questions:

- What is the actual resolution of Council?
- What needs to go back to Council?
- What are the timelines to send out the RFP?
- From a safety standpoint, how does this fit in the Official Plan in this area?
- In terms of funding, why have no monies been available?

The Council Resolution CR155/213 is provided in Appendix A of the report. Minutes of the Rail Issues Committee are approved by Council and since the resolution required the noted review by the Rail Issues Committee, the RFP will be published after Council has considered the results of this review.

M. Sonogo states the RFP will be published early in the new year, pending Council decision. The timeframe allows sufficient time for the consultants to respond to the RFP and for administration to review the submissions and to prepare the necessary contract documents with the successful bidder. It is anticipated the project will commence in Spring of 2014 and will likely take in excess of one year to complete

The Capital Funding is generally awarded to projects after the preferred alternative has been identified and the study has been completed. The timing of funding is at Council discretion.

Councillor Valentinis suggests recommendations from the Rail Issues Committee proceed directly to Council with this report as Council has already had direct involvement.

Moved by Councillor Valentinis, seconded by Councillor Halberstadt,
That the issues identified for the Central Box Environmental Assessment Study Area **BE RECEIVED**; and
That Administration **BE DIRECTED** to finalize and issue the RFP.
Carried.

4. BUSINESS ARISING FROM THE MINUTES

4.1 Senior and Junior Rail Locations

The "Railway Crossing Maintenance Responsibility Summary" was provided as Appendix "A" to the August 27, 2013 minutes. M. Sonogo notes the Railway Crossing Maintenance Schedule will be provided for the next meeting.

4.2 Rail Rationalization Study

M. Sonogo advises copies of the Rail Rationalization Study were provided to the Rail Issues Committee.

Councillor Valentinis suggests representatives from CN and CP be invited to a future meeting to provide an update.

Moved by Councillor Halberstadt, seconded by Councillor Valentinis,
That the verbal update by the City Engineer relating to the Rail Rationalization Study **BE RECEIVED** for information.
Carried.

5.2 Moved by Councillor Jones, seconded by Councillor Valentinis
That the update on the FCM National Municipal Rail Safety Working Group **BE RECEIVED** for information.
Carried.

5.3 Moved by Councillor Halberstadt, seconded by Councillor Valentinis
That the regional passenger transportation initiative for the communities of Southwestern Ontario **BE RECEIVED** for information.
Carried.

5.4 Moved by Councillor Halberstadt, seconded by Councillor Jones,
That the Globe and Mail article dated November 19, 2013 entitled "Ottawa changes rules for rail" and the Globe and Mail article dated November 25, 2013 entitled "Raitt threatens to prosecute oil shippers that flout federal safety rules" **BE RECEIVED** for information.
Carried.

Moved by Councillor Halberstadt, seconded by Councillor Jones,
That Bruce Montone, Fire Chief **BE INVITED** to attend the next meeting of the Rail Issues Committee regarding the transportation of dangerous goods.
Carried.

6.1 Information regarding Environment Assessment for Howard Avenue and an update on the Rail/Tunnel Project

The primary purpose of the Continental Rail Gateway Tunnel is to provide a high clearance rail tunnel to accommodate the new generation of larger railcars and intermodal containers used in domestic and international trade.

Councillor Halberstadt states there is no opportunity for residents living near the VACIS System operations to provide comments.

Moved by Councillor Jones, seconded by Councillor Valentinis,

That Administration **BE DIRECTED** to send a letter to CP Rail to engage them in discussions to determine options to mitigate the noise emanating from the VACIS System.

Carried.

Moved by Councillor Halberstadt, seconded by Councillor Valentinis,

That the report of the Manager of Transportation Planning dated November 1, 2013 entitled "Information regarding Howard Avenue Environmental Assessment and Rail Tunnel Project" **BE ACCEPTED**.

Carried.

An article from the Windsor Star entitled "City will push for safety at crossing" is attached as Appendix "A". The City will ask CN Rail to increase safety measures at the 7th Concession due to a collision with a train and a SUV.

Moved by Councillor Jones, seconded by Councillor Halberstadt,

That Administration **BE DIRECTED** to request CN to undertake an audit of the CN Rail crossing at Concession 7 due to recent safety issues.

Carried.

7. **NEW BUSINESS**

None.

8. **DATE OF NEXT MEETING**

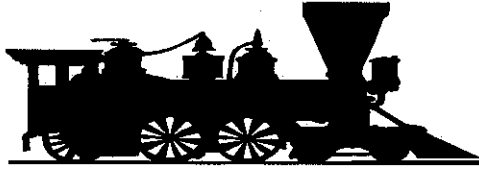
At the call of the Chair.

9. **ADJOURNMENT**

There being no further business, the meeting is adjourned at 3:05 o'clock p.m.

CHAIRPERSON

COMMITTEE COORDINATOR



AGENDA
Rail Issues Committee
Tuesday, December 3, 2013
2:00 o'clock p.m.
Room 406, 400 City Hall Square East

1. CALL TO ORDER

2. DECLARATIONS OF CONFLICT

3. ADOPTION OF THE MINUTES

Adoption of the minutes of the meeting held August 27, 2013 (*previously distributed*)

4. DELEGATION

Chris Woodall regarding *Item 5.1*

4. BUSINESS ARISING FROM THE MINUTES

4.1 Seniors and Junior Rail Locations

Verbal update.

4.2 Rail Rationalization Study

Verbal update.

5. COMMUNICATIONS

5.1 E-Mail from Chris Woodall

E-mail from Chris Woodall dated November 15, 2013 regarding noise issues relating to the VACIS System.

5.2 Update on FCM National Municipal Rail Safety Working Group

City Council at its meeting held September 9, 2013 approved the following:

M347-2013 “That the letter from the Federation of Canadian Municipalities (FCM) dated August 26, 2013 regarding Update on FCM National Municipal Rail Safety Working Group **BE REFERRED** to the Rail Issues Committee.” – *attached.*

5.3 Regional passenger transportation initiative for the communities of Southwestern Ontario

City Council at its meeting held October 7, 2013 adopted M374-2013 – *attached.*

5.4 Transport Canada – Minister Raitt reaffirms Canada’s commitment to the safe transportation of dangerous goods

The communication from Transport Canada dated November 19, 2013 – *attached.*
Globe and Mail article dated November 21, 2013 entitled “Ottawa changes rules for rail” – *attached.*

Globe and Mail article dated November 25, 2013 entitled “Raitt threatens to prosecute oil shippers that flout federal safety rules” – *attached.*

6. REPORTS

6.1 Information regarding Environment Assessment for Howard Avenue and an update on the Rail/Tunnel Project

The report of the Manager of Transportation Planning dated November 1, 2013 entitled “Information regarding Howard Avenue Environmental Assessment and Rail Tunnel Project” – *attached.*

6.2 Proposed Terms of Reference for Central Box Environmental Assessment

The report of the Manager of Transportation Planning dated November 1, 2013 entitled “Central Box Environmental Assessment RFP”- *attached.*

7. NEW BUSINESS

8. DATE OF NEXT MEETING

To be determined.

9. ADJOURNMENT

City will push for safety at crossing

TREVOR WILHELM
The Windsor Star

The City of Windsor will ask CN Rail to beef up safety measures at one of its crossings after a train collided with an SUV.

"Based on development in the area, we are going to be pressing CN that perhaps they need to increase the level of protection, even though they meet the standards now," said Mike Palanacki, the city's executive director of operations.



Mike Palanacki

A woman driving the SUV suffered non-life-threatening injuries in the crash, which happened around 7:45 p.m. Tuesday.

Windsor police said the SUV was headed south on Concession 7, near the Windsor Christian Fellowship, when it crossed into the path of a westbound freight train.

The SUV was heavily damaged. Firefighters had to free the woman from the wreckage.

The crossing is only marked by a static "X" sign. Palanacki said the crossing meets minimum safety standards, but the city is hoping CN will go beyond that. One concern about the crossing, he said, is that the road and rail line don't meet at a 90-degree angle.

"There's quite a skew where the road and the railway line meet," he said. "It's somewhat difficult to see the approaching trains."

Palanacki said he'd like to see wigwags and flashing lights at the crossing.

"We will be following up with CN to see if they're prepared to improve the level of safety," he said.

"There are minimum guidelines. They can always exceed the minimum. Having the flashing lights would be a higher level of protection."

CN spokesman Patrick Waldron stressed the crossing does meet necessary standards, but added the company is willing to listen to the city's concerns.

"We would welcome discussions with the city as part of this shared process for the warning systems," he said.