



ILLINOIS COMMERCE COMMISSION

May 18, 2009

City of Jerseyville,
Petitioner

v.

Kansas City Southern Railroad,
Respondent

Petition for an Order directing the construction of a railroad crossing
surface and relocation of existing signals on East Fairgrounds Avenue
in Jerseyville, Illinois.

Ms. Cathie Ward
Clerk, City of Jerseyville
115 East Prairie Street
Jerseyville, IL 62052-0037

Dear Ms. Ward:

Receipt is acknowledged of the original Petition filed May 15, 2009 in the above matter.

All future correspondence/pleadings should be filed and addressed to: Mr. Dave Lazarides, Director of Processing, Illinois Commerce Commission, 527 East Capitol Avenue, Springfield, IL 62701 or you may file the original electronically through E-docket if you have an account. To apply for an account, please log on to www.icc.illinois.gov and apply for an E-docket account.

Processing and Information Section

KI

Cc: Staff: Mr. Joseph VonDeBur
Mr. David C. Reeves, KCS
Mr. Michael Van Tiem, KCS
C T Corporation System, KCS

Ms. Yvonne Hartmann, Mayor
Mr. William H. Strang, City Attorney

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ORIGINAL

RAILROAD CROSSING IMPROVEMENT PETITION (USDOT Crossing #294570Y)

BEFORE THE ILLINOIS COMMERCE COMMISSION

RECEIVED
MAY 15 2009

City of Jerseyville, Petitioner)
)
vs.)
)
Kansas City Southern Railroad, Respondent)

ICC Case #

Illinois Commerce Commission
RAIL SAFETY SECTION
T09-0064

**PETITION FOR AN ORDER DIRECTING THE CONSTRUCTION OF
A RAILROAD CROSSING SURFACE AND RELOCATION OF EXISTING SIGNALS
ON EAST FAIRGROUNDS AVENUE IN JERSEYVILLE, ILLINOIS**

The City of Jerseyville (hereinafter known as "Petitioner"), in conjunction with its attorney, respectfully petition the Illinois Commerce Commission (hereinafter referred to as "ICC"), as follows:

1. Petitioner is a municipal corporation established under the laws of the State of Illinois with its principal corporate office located in Jersey County, Illinois.
2. The Kansas City Southern Railroad Company (hereinafter referred to as "KCS") is a railroad company subject to the jurisdiction of the ICC. KCS has tracks located within the municipal boundaries of the Petitioner.
3. The Illinois Department of Transportation (hereinafter referred to as "IDOT") is a unit of Illinois State Government.
4. The Federal Highway Administration (hereinafter referred to as "FHWA") is a unit of United States Government.
5. The Americans with Disabilities Act Accessibility Guidelines (hereinafter referred to as "ADAAG") are technical requirements for accessibility to buildings and facilities by individuals with disabilities under the Americans with Disabilities Act (hereinafter referred to as "ADA") of 1990.
6. Petitioner has undertaken a pavement widening and reconstruction project of FAU Route 8801 (hereinafter referred to as "East Fairgrounds Avenue") from U.S. Route 67 to Cemetery Road. This 0.95 mile project will convert East Fairgrounds Avenue from the existing variable width oil and chip rural section to a constant width Portland Cement Concrete urban section; complete with pedestrian accommodations on the north side of the roadway. The noted widening and reconstruction project will include and extend through several vehicular intersections and 1 vehicular/railroad intersection (USDOT Crossing #294570Y, Railroad Milepost 042.61, Line AG). Significant roadway vertical alignment modifications are being proposed adjacent to USDOT Crossing #294570Y to improve public safety while minimizing any necessary railroad crossing adjustments. The reconstruction of East Fairgrounds Avenue is currently an IDOT FY10 project; slated for letting between 7/1/09 and 6/30/10. Please refer to the attached Exhibits A-E for additional project/crossing information.
7. Petitioner is requesting permission to have a new, 54' concrete or 56' rubber crossing surface installed to accommodate both a 30' face to face vehicular crossing and an at-grade pedestrian crossing on the north side of East Fairgrounds Avenue; and the existing railroad crossing signals relocated at the subject crossing. Issuance of an order to construct the petitioned crossing improvements will promote the

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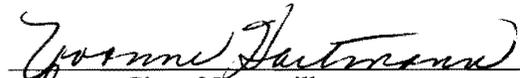
RAILROAD CROSSING IMPROVEMENT PETITION (USDOT Crossing #294570Y)

reconstruction of East Fairgrounds Avenue and aid the ICC/KCS with future crossing/signalization improvements throughout the City of Jerseyville. Despite the fact that construction costs pertinent to these petitioned improvements are typically paid for by the City, the City kindly seeks financial assistance from additional sources; such as the Grade Crossing Protection Fund (hereinafter referred to as "GCPF"). Crossing closure incentives are being considered as an alternate funding source at this time. Future maintenance of the petitioned improvements will most likely be ordered the responsibility of KCS.

- 8. Petitioner requests that KCS prepare itemized cost estimates for the petitioned crossing improvements prior to hearing. Inclusively, the petitioner further requests that all necessary items be categorized into divisions by the agency responsible for funding the various portions of the work; to expedite the hearing/order process.
- 9. Petitioner requests that the resulting order, including cost information for the aforementioned cost divisions, serve as the final agreement between the ICC, KCS, and the City for the subject railroad crossing improvements on East Fairgrounds Avenue.

IN WITNESS WHEREOF, the Petitioner and its attorney respectfully submit this petition to the ICC on this 11th day of May, 2009 to initiate the aforementioned public safety improvements and promote the reconstruction of:

FAU Route 8801 (East Fairgrounds Avenue)
Section #05-00034-01-RP
Project #M-5033(008)
City of Jerseyville
Jersey County


Mayor - City of Jerseyville

Yvonne M. Hartmann

Printed Name


Attorney - City of Jerseyville

William H. Strang

Printed Name

RAILROAD CROSSING IMPROVEMENT PETITION (USDOT Crossing #294570Y)

I, Catherine L. Ward, a Notary Public, in and for

Jersey County, Illinois do hereby certify that

Yvonne Hartmann & William Strang

are personally known to me to be the same individuals whose names are subscribed to the foregoing instrument as mayor and attorney appeared before me this day in person and severally acknowledged that they signed and delivered the foregoing instrument of writing as a free and voluntary act of themselves and/or the subject municipality for the uses and purposes therein set forth, pursuant to authority given by the company board of directors (if applicable).

Given under my hand and Notarial Seal this 11th day

of May, 2009.

Catherine L. Ward
Notary Public Signature



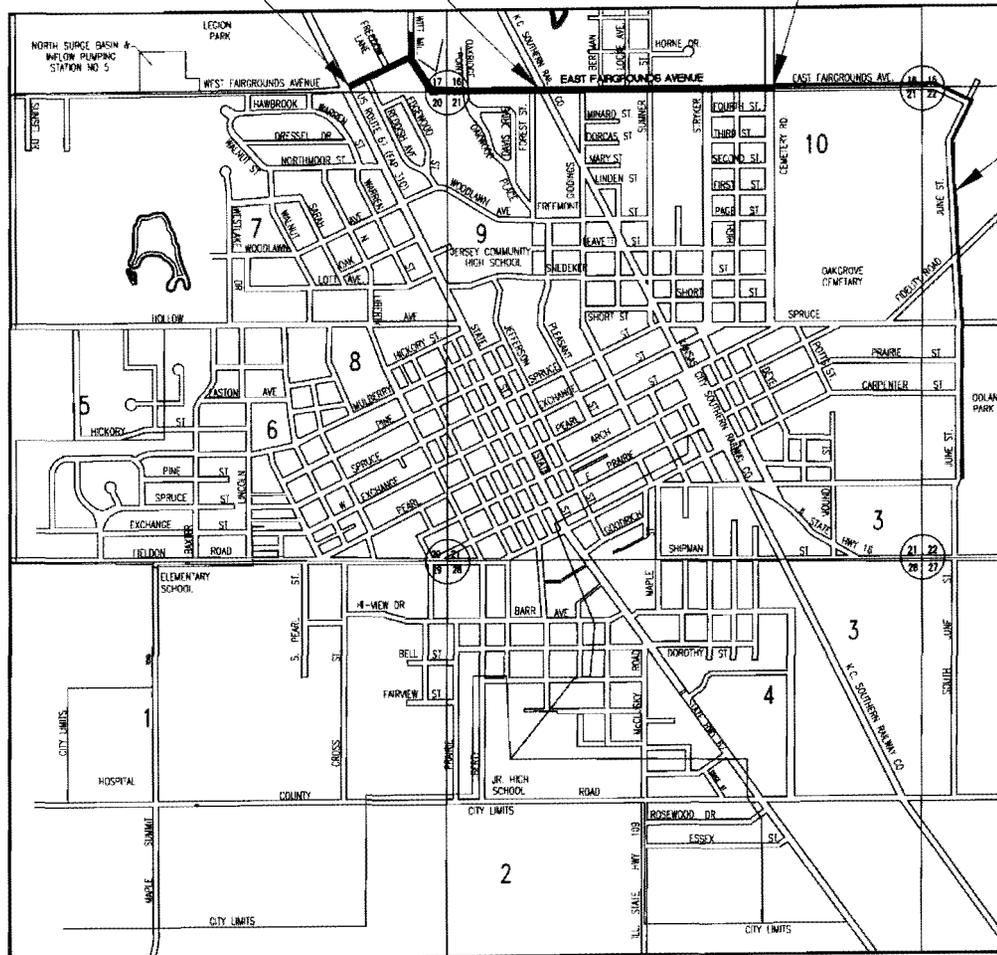
EXHIBIT A
PROJECT LOCATION / IMPROVEMENTS MAP

BEGIN PROJECT
EAST FAIRGROUNDS AVENUE
STA. 10+12

SUBJECT CROSSING
(USDOT Crossing #294570Y)

END PROJECT
EAST FAIRGROUNDS AVENUE
STA. 60+04.47

FUTURE SIDEWALK ALONG
NORTH SIDE OF NEWLY
CONSTRUCTED SECTION OF
EAST FAIRGROUNDS AVENUE
AND ALONG EAST SIDE OF
JUNE STREET TO DOLAN PARK



PROJECT LOCATION / IMPROVEMENTS MAP



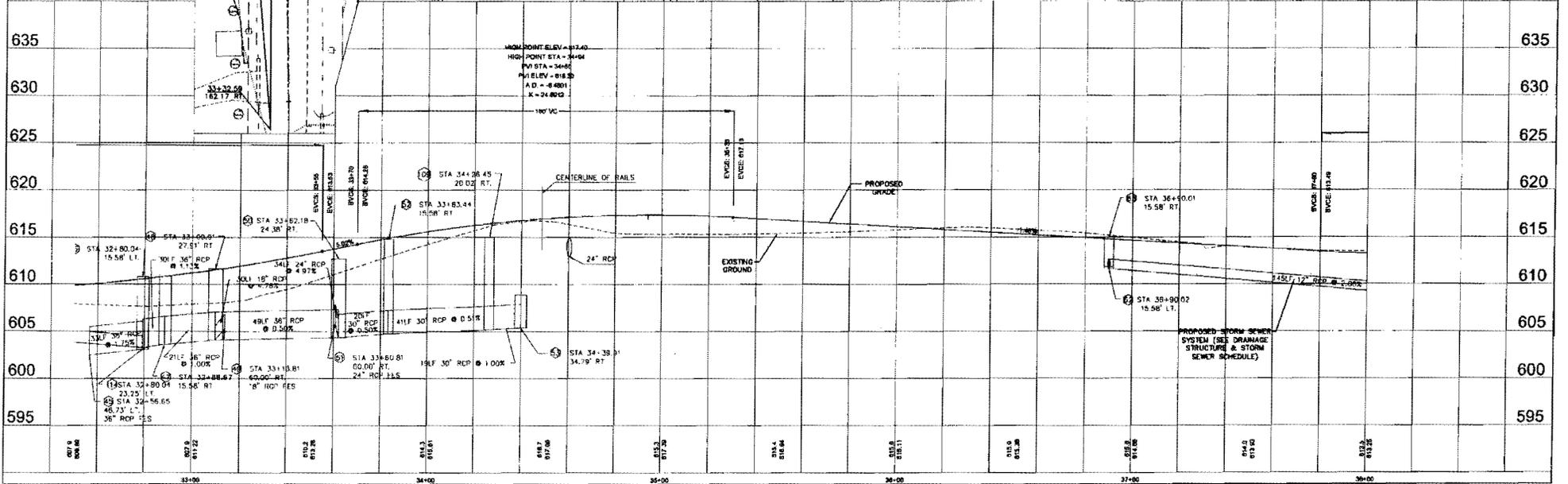
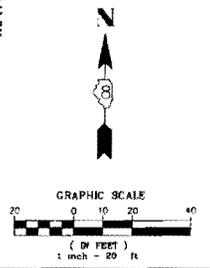
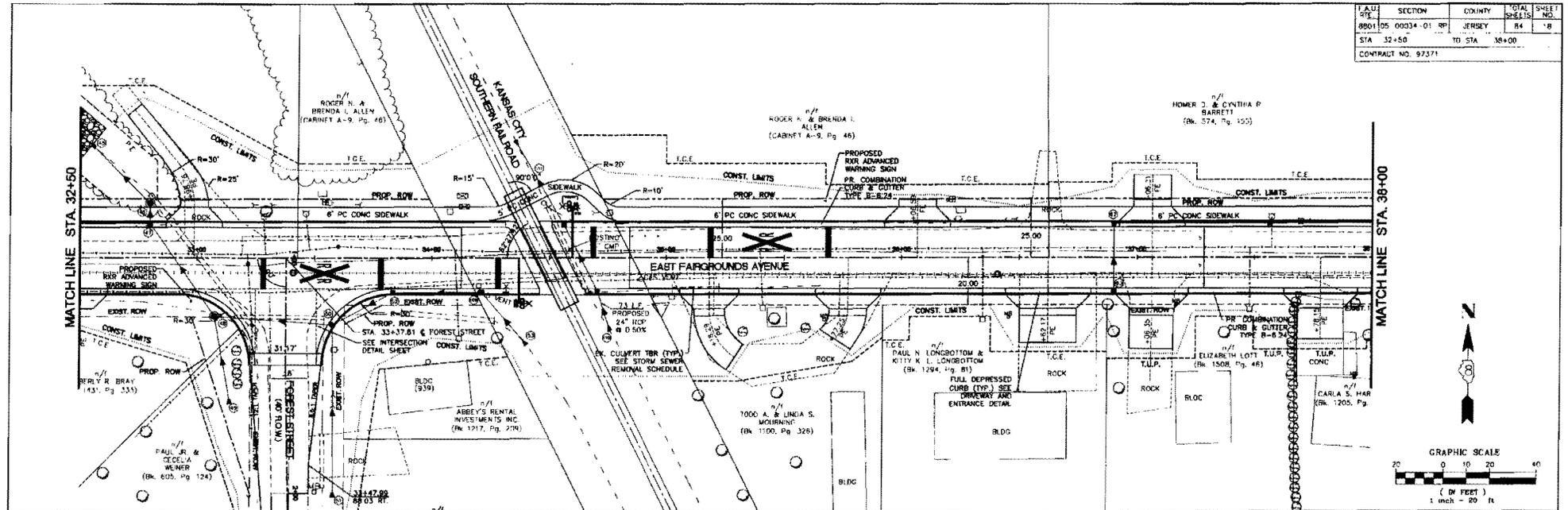
LOCATION/
IMPROVEMENTS
MAP

4/1/09

EXHIBIT B

ADJACENT ROADWAY PLAN/PROFILE SHEET

LAU NO.	SECTION	COUNTY	TOTAL SHEET SHEETS
8801	05 00334-01 RP	JERSEY	84 '8
STA 32+50	TO STA 36+00		
CONTRACT NO. 97371			



33+00 34+00 35+00 36+00

EXHIBIT C
CURRENT PROJECT SCHEDULE/TIMELINE

NOVEMBER 2009 LETTING W/ 2010 CONSTRUCTION SEASON

Planning/Design:

5/1/09 – Submit Railroad Petition

7/5/09 – Submit LA Files to IDOT District 8 (Date for Nov. 2009 Letting = 8/23/09)

8/5/09 – ROW Certified

8/7/09 – Submit Final Plans to IDOT District 8

11/1/09 – Order Issued by ICC

11/6/09 – Project Letting

Construction (190 Workable Days Between 3/1/10 and 11/15/10) (5,257.5' of Project Length):

3/1/10 to 4/10/10 – Phase I Construction

4/10/10 to 5/5/10 – Phase II Construction

5/5/10 to 6/10/10 – Phase III Construction

6/10/10 to 7/10/10 – Phase IV Construction

7/10/10 to 8/20/10 – Phase V Construction

8/20/10 to 9/30/10 – Phase VI Construction

9/30/10 to 10/30/10 – Phase VII Construction

10/30/10 to 11/30/10 – Phase VIII Construction

11/30/10 to 12/30/10 – Cleanup

EXHIBIT D

**FEDERAL RAILROAD ADMINISTRATION INVENTORY REPORT
(USDOT Crossing #294570Y)**

**U.S. DOT - CROSSING INVENTORY INFORMATION
AS OF 3/12/2009**

Crossing No.: **294570Y** Update Reason: **Changed Crossing** Effective Begin-Date of Record: **12/02/08**
 Railroad: **KCS Kansas City Southern Rwy Co. [KCS]** End-Date of Record:
 Initiating Agency **State** Type and Position: **Public At Grade**

Part I Location and Classification of Crossing

Division:	Midwest	State:	IL
Subdivision:	GODFREY	County:	JERSEY
Branch or Line Name:	GODFREY	City:	In JERSEYVILLE
Railroad Milepost:	0042.61	Street or Road Name:	FAIRGROUND AVE
RailRoad I.D. No.:		Highway Type & No.:	FAU8801
Nearest RR Timetable Stn:	JERSEYVILLE	HSR Corridor ID:	
Parent Railroad:		County Map Ref. No.:	
Crossing Owner:		Latitude:	39.1305390
ENS Sign Installed:		Longitude:	-90.3269880
Passenger Service:		Lat/Long Source:	Actual
Avg Passenger Train Count:	0	Quiet Zone:	No
Adjacent Crossing with Separate Number:			

Private Crossing Information:

Category:		Public Access:	Unknown
Specify Signs:		Specify Signals:	
ST/RR A	ST/RR B	ST/RR C	ST/RR D

Railroad Use:

State Use:

Narrative:

Emergency Contact:

Railroad Contact:

State Contact:

Part II Railroad Information

Number of Daily Train Movements:		Less Than One Movement Per Day:	No
Total Trains: 5	Total Switching: 1	Day Thru:	2
Typical Speed Range Over Crossing: From 5 to 40 mph		Maximum Time Table Speed:	40
Type and Number of Tracks: Main: 1 Other 0		Specify:	
Does Another RR Operate a Separate Track at Crossing?			No
Does Another RR Operate Over Your Track at Crossing?			No

U.S. DOT - CROSSING INVENTORY INFORMATION

Crossing **294570Y**

Continued

Effective Begin-Date of Record: **12/02/08**

End-Date of Record:

Part III: Traffic Control Device Information

Signs:

Crossbucks:	2	Highway Stop Signs:	0
Advanced Warning:	Yes	Hump Crossing Sign:	
Pavement Markings:	No Markings	Other Signs:	0 Specify:
			0

Train Activated Devices:

Gates:	0	4 Quad or Full Barrier:	
Mast Mounted FL:	4	Total Number FL Pairs:	0
Cantilevered FL (Over):	0	Cantilevered FL (Not over):	0
Other Flashing Lights:	0	Specify Other Flashing Lights:	
Highway Traffic Signals:	0	Wigwags:	0 Bells: 1
Other Train Activated Warning Devices:		Special Warning Devices Not Train Activated:	
Channelization:		Type of Train Detection:	None
Track Equipped with Train Signals?	No	Traffic Light Interconnection/Preemption:	

Part IV: Physical Characteristics

Type of Development:	Residential	Smallest Crossing Angle:	60 to 90 Degrees
Number of Traffic Lanes Crossing Railroad:	2	Are Truck Pullout Lanes Present?	No
Is Highway Paved?	No	If Other:	
Crossing Surface:	Asphalt	Is it Signalized?	
Nearby Intersecting Highway?	N/A	Is Crossing Illuminated?	
Does Track Run Down a Street?	No		
Is Commercial Power	Yes		

Part V: Highway Information

Highway System:	Other FA Highway - Not NHS	Functional Classification of Road at Crossing:	Urban Collector
Is Crossing on State Highway System:	No	AADT Year:	2007
Annual Average Daily Traffic (AADT):	000800	Avg. No of School Buses per Day:	0
Estimated Percent Trucks:	00		
Posted Highway Speed:	30		

EXHIBIT E

**FEDERAL RAILROAD ADMINISTRATION ACCIDENT/INCIDENT REPORT
(USDOT Crossing #294570Y)**

**HIGHWAY-RAIL GRADE CROSSING
ACCIDENT/INCIDENT REPORT**

DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION (FRA)

OMB Approval No. 2130-0500

Name Of		Alphabetic Code	RR Accident/Incident No.
1. Reporting Railroad Chicago Missouri & Western Rwy [CMNW]		1a. CMNW	1b. M89415
2. Other Railroad Involved in Train Accident/Incident		2a.	2b.
3. Railroad Responsible for Track Maintenance Chicago Missouri & Western Rwy [CMNW]		3a. CMNW	3b. M89415
4. U.S. DOT-AAR Grade Crossing ID No. 294570Y		5. Date of Accident/Incident 01/10/89	6. Time of Accident/Incident 12:30 AM
7. Nearest Railroad Station JERSEYVILLE		8. Division	9. County JERSEY
		10. State Abbr. 17	Code IL
11. City (if in a city) JERSEYVILLE		12. Highway Name or No. EAST FAIRGROUND AVE	
		<input checked="" type="checkbox"/> Public	<input type="checkbox"/> Private
Highway User Involved		Rail Equipment Involved	
13. Type C. Truck-trailer F. Bus J. Other Motor Vehicle A. Auto D. Pick-up truck G. School Bus K. Pedestrian B. Truck E. Van H. Motorcycle M. Other (specify)		Code H	17. Equipment 1. Train (units pulling) 2. Train (units pushing) 3. Train (standing)
14. Vehicle Speed (est. mph at impact)		15. Direction (geographical) 1. North 2. South 3. East 4. West	Code 4
16. Position 1. Stalled on crossing 3. Moving over crossing 2. Stopped on Crossing 4. Trapped		Code 3	18. Position of Car Unit in Train 30
20a. Was the highway user and/or rail equipment involved in the impact transporting hazardous materials? 1. Highway User 2. Rail Equipment 3. Both 4. Neither		Code 4	19. Circumstance 1. Rail equipment struck highway user 2. Rail equipment struck by highway user
20b. Was there a hazardous materials release by 1. Highway User 2. Rail Equipment 3. Both 4. Neither		Code	Code
20c. State the name and quantity of the hazardous materials released, if any			
21. Temperature (specify if minus) 30 °F		22. Visibility (single entry) 1. Dawn 2. Day 3. Dusk 4. Dark	Code 4
		23. Weather (single entry) 1. Clear 2. Cloudy 3. Rain 4. Fog 5. Sleet 6. Snow	Code 1
24. Type of Equipment Consist 1. Freight train 4. Work train 7. Yard/Switching (single entry) 2. Passenger train 5. Single car 8. Light loco(s) 3. Commuter train 6. Cut of cars 9. Main./inspect.		A. Spec. MoW Code 1	25. Track Type Used by Rail Equipment Involved 1. Main 2. Yard 3. Siding 4. Industry
27. FRA Track Class 1		28. Number of Locomotive Units 4	29. Number of Cars 88
		30. Consist Speed (Recorded if available) R. Recorded 0 mph E. Estimated	Code E
		31. Time Table Direction 1. North 2. South 3. East 4. West	Code 2
32. Type of Crossing 1. Gates 4. Wig wags 7. Crossbucks 10. Flagged by crew 2. Cantilever FLS 5. Hwy. traffic signals 8. Stop signs 11. Other (specify) 3. Standard FLS 6. Audible 9. Watchman 12. None		Code(s) 03	33. Signaled Crossing Warning 20 sec warn min (1);
34. Whistle Ban 1. Yes 2. No 3. Unknown		Code	Code
35. Location of Warning 1. Both Sides 2. Side of Vehicle Approach 3. Opposite Side of Vehicle Approach		Code 1	36. Crossing Warning with Highway Signals 1. Yes 2. No 3. Unknown
		Code 2	37. Crossing Illuminated by Street Lights or Special Lights 1. Yes 2. No 3. Unknown
38. Driver's Age		39. Driver's Gender 1. Male 2. Female	Code
40. Driver Drove Behind or in Front of Train and Struck or was Struck by Second Train 1. Yes 2. No 3. Unknown		Code 2	41. Driver 1. Drove around or thru the gate 4. Stopped on crossing 2. Stopped and then proceeded 5. Other (specify) 3. Did not stop
42. Driver Passed Standing Highway Vehicle 1. Yes 2. No 3. Unknown		Code 2	43. View of Track Obscured by (primary obstruction) 1. Permanent Structure 3. Passing Train 5. Vegetation 2. Standing railroad equipment 4. Topography 6. Highway Vehicles 8. Not Obstructed
44. Driver was 1. Killed 2. Injured 3. Uninjured		Code 2	45. Was Driver in the Vehicle? 1. Yes 2. No
46. Highway-Rail Crossing Users Killed 0 Injured 1		47. Highway Vehicle Property Damage (est. dollar damage) \$250	48. Total Number of Highway-Rail Crossing Users (include driver) 1
49. Railroad Employees 0		50. Total Number of People on Train (include passengers and crew)	
52. Passengers on Train 0		51. Is a Rail Equipment Accident / Incident Report Being Filed 1. Yes 2. No	
53a. Special Study Block		53b. Special Study Block	
54. Narrative Description			
55. Typed Name and Title		56. Signature	57. Date