

## CITY OF OVERLAND PARK

Intra-City Communication

### DEPARTMENT OF PUBLIC WORKS

July 29, 2009

To: Mayor Carl Gerlach  
Council President Fred Spears  
Members of the City Council

From: Doug Brown  
Director of Public Works

**Re:** Agreement – Union Pacific Railroad Company and WatersEdge Land Company, LLC for the installation of a quiet zone and the reconstruction and widening of the existing 159<sup>th</sup> Street at-grade public road crossing east of Mission Road for a total cost of \$85,494.

**Policy Issue:** City policy requires Governing Body approval of Agreements when consideration exceeds \$50,000.

**Recommendation:** Staff recommends approving the Agreement with Union Pacific Railroad and WatersEdge Land Company.

**Background:** The developer for WatersEdge located at 159<sup>th</sup> Street and Mission has been working to establish a quiet zone so that trains traveling nearby will not need to sound their horn as they approach the crossing on 159<sup>th</sup> Street east of Mission. In order to become a quiet zone, the developer is funding the cost of all improvements necessary which includes some work required by the UPRR (relocating a crossing signal and extending some track surface) as well as work that will be done by a contractor hired by the developer (widening the roadway, constructing some short lengths of median, adding new guardrail and extending a drainage structure). This agreement is for the work to be done by the railroad. A similar quiet zone was established farther north for the same railroad near 151<sup>st</sup> and Kenneth by a different developer about two years ago.

**Budget Impact:** City funds will not be used for this work. The developer will be responsible for the work and will provide funds for the city to use during the execution of this work.

**Attachment:** Agreement.