

A RESOLUTION URGING THE LEGISLATIVE BRANCHES OF THE FEDERAL GOVERNMENT AS WELL AS THE STATE OF OHIO TO ENACT LEGISLATION TO INCREASE RAIL SAFETY AND OVERSIGHT; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Hudson has commercial train tracks located throughout the city; and,

WHEREAS, certain train operators operate on train tracks within the City of Hudson, twenty-four (24) hours of the day, seven (7) days a week, known commonly as Amtrak, BNSF Railway, Canadian National Railway, CSX Transportation, Kansas City Southern Railway, Norfolk Southern Railway, Union Pacific Railroad, as well as others; and,

WHEREAS, certain train operators regularly block rail crossings in the City of Hudson, preventing vehicles, school buses, and emergency services from reaching their destination; and,

WHEREAS, certain track owners regularly create unnecessary, costly, and burdensome delays to road and safety projects that are budgeted and enacted by the City of Hudson; and,

WHEREAS, railway derailments have occurred twice in the State of Ohio in the past forty (40) days and said incidents have cause and will continue to cause significant medical issues to the residents of the communities where the incidents occurred and the incident have cause and will continue to cause serious damage to the infrastructure located at/or near the site of the derailments and said incidents have cause and will continue to cause serious damage to the ecosystems at/near the site; and,

WHEREAS, further regulation of train operators operating in the City of Hudson, relating to the tracks, rail cars, processes, and employees is needed to provide the citizens of the City of Hudson with enhanced protection from injury and damage due to any future train derailments, necessary emergency services, and the ability to execute on municipal projects timely and economically.

NOW, THEREFORE, BE IT RESOLVED by the Council of Hudson, Summit County, Ohio, that:

Section 1. The Council of the City of Hudson finds that it is in the best interests of the citizens of the City of Hudson to pass a resolution urging the Legislative Branches of the Federal government as well as the State of Ohio to enact legislation to:

- a. Further protect our citizens from the inherent dangers of train derailments on tracks located in or near the City of Hudson;
- b. Further protect our citizens from the inherent dangers of vehicle crossings blocked by trains in the City of Hudson; and,

- c. Establish a dispute resolution process and mandatory response times for train operators on municipal projects involving rail lines.

Section 2. That the aforesaid recitals are rendered to be the findings of this Council and are hereby incorporated into this Resolution.

Section 3. That the City Manager and/or his designee transmit to U.S. Senator Sherrod Brown, U.S. Senator J.D. Vance, U.S. Representative Emilia Sykes, Governor Mike DeWine, State Senator Kristina Roegner, and State Representative Casey Weinstein a fully executed copy of this Resolution.

Section 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of 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 action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 5. This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public health, safety and general welfare of the citizens of the City of Hudson; wherefore, this Resolution shall be in effect immediately upon its passage provided it receives the affirmative vote of five members of Council, except that six affirmative votes shall be required if all members are present; otherwise, it shall be in full force and effect from and after the earliest period allowed by law.

PASSED: _____

Jeffrey L. Anzevino, Mayor

ATTEST:

Aparna Wheeler, Clerk of Council

I certify that the foregoing Resolution No. 23-42 was duly passed by the Council of said Municipality on _____, 2023.

Aparna Wheeler, Clerk of Council