

**CITY OF STRONGSVILLE, OHIO**

**ORDINANCE NO. 2014 – 016**

**By: Mayor Perciak and All Members of Council**

**AN ORDINANCE APPROVING AND AUTHORIZING THE MAYOR TO FILE AN APPLICATION ON BEHALF OF THE CITY OF STRONGSVILLE FOR FUNDING ASSISTANCE UNDER THE OHIO DEPARTMENT OF TRANSPORTATION-OHIO TURNPIKE INFRASTRUCTURE COMMISSION'S TURNPIKE MITIGATION PROGRAM, IN CONNECTION WITH THE CITY'S BLAZEY TRAIL NOISE BARRIER WALL PROJECT, AND DECLARING AN EMERGENCY.**

WHEREAS, the City of Strongsville is planning to initiate a project to mitigate certain traffic noise on and near BlazeY Trail by constructing a barrier wall in order to address audio effects of traffic to residents arising from the flow of traffic on the nearby Ohio Turnpike (the "Project"); and

WHEREAS, the Ohio Turnpike Commission in 2009 prepared a Noise Mitigation Study to review and study noise impact mitigation measures that may be used along the Ohio Turnpike; and such study identified the Strongsville location where a barrier would be beneficial to residential homes within the area; and

WHEREAS, the Project consists of the design and construction of approximately 2,350 linear feet of an 8-foot high noise barrier wall located on the south side of the Ohio Turnpike near mile marker 164; and

WHEREAS, the City intends to request funding from the Ohio Department of Transportation-Ohio Turnpike Infrastructure Commission under the Ohio Turnpike Commission's Turnpike Mitigation Program in order to assist the City in supporting the Project; and

WHEREAS, in order to avail itself of the aforesaid funding and meet the application filing deadline for financial assistance, the City must proceed with prompt application to the Ohio Department of Transportation-Ohio Turnpike Infrastructure Commission for funding assistance in connection with the Project.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

**Section 1.** That this Council hereby approves and authorizes the filing of an application with the Ohio Department of Transportation-Ohio Turnpike Infrastructure

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2014 – 016

Page 2

Commission for funds under its Ohio Turnpike Mitigation Program in an amount up to \$770,000.00, on behalf of the City of Strongsville, for funding of a noise barrier wall at mile marker 164 on the south side of the Turnpike with regard to the City's Blazey Trail Noise Barrier Wall Project, a copy of which application is on file with the City's Engineer and which is, in all respects, hereby approved.

**Section 2.** That the City's portion of the costs in connection with the Project estimated to be some \$70,000.00 of the total Project costs, shall be paid from the General Capital Improvement Fund.

**Section 3.** That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance 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.

**Section 4.** That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the City, and for the further reasons that it is immediately necessary to approve and authorize the filing of the application in order to meet the filing deadline and be eligible for the grant program, to alleviate and mitigate undue noise and audio effects of the flow of high-speed traffic within certain areas of the municipality, and to conserve public funds. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

Michael Daymut  
President of Council

Approved: Thomas S. Briener  
Mayor

Date Passed: January 21, 2014  
Yea                      Nay

Date Approved: Jan 22, 2014

Attest: Levina J. Seefried  
Clerk of Council

Carbone	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Daymut	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DeMio	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Dooner	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Maloney	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schonhut	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Southworth	<input checked="" type="checkbox"/>	<input type="checkbox"/>

ORD. No. 2014-016 Amended: \_\_\_\_\_  
1st Rdg. 01-21-14 Ref: \_\_\_\_\_  
2nd Rdg. Suspended Ref: \_\_\_\_\_  
3rd Rdg. Suspended Ref: \_\_\_\_\_

Pub Hrg. \_\_\_\_\_ Ref: \_\_\_\_\_  
Adopted: 01-21-14 Defeated: \_\_\_\_\_