

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2015 – 030

By: Mayor Perciak and All Members of Council

**AN ORDINANCE APPROVING AND AUTHORIZING THE MAYOR AND CITY ENGINEER TO FILE AN APPLICATION ON BEHALF OF THE CITY OF STRONGSVILLE FOR FUNDING ASSISTANCE UNDER THE OHIO DEPARTMENT OF TRANSPORTATION AND OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION'S TURNPIKE MITIGATION PROGRAM, IN CONNECTION WITH THE CITY'S SOUTH LAGUARDIA PARKWAY AND TIMBER EDGE/PINE TREE PLACE NOISE BARRIER WALL PROJECT, AND DECLARING AN EMERGENCY.**

WHEREAS, in November, 2008, the Ohio Turnpike Commission 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 areas where barriers would be beneficial to residential homes within such areas; and

WHEREAS, the City of Strongsville is now planning to initiate a project to mitigate certain traffic noise on the north side of the Ohio Turnpike near South Laguardia Parkway and also on the south side of the Ohio Turnpike near Timber Edge and Pine Tree Place, by constructing noise barrier walls at these two locations in order to address audio effects of traffic to residents arising from the flow of traffic on the Ohio Turnpike (the "Project"); and

WHEREAS, the Project consists of the design and construction of two (2) 8-foot high "T"-top noise barrier walls, with the first being approximately 1,500 linear feet and located on the north side of the Ohio Turnpike near mile marker 162, and the second being approximately 1,300 linear feet located on the south side of the Ohio Turnpike near mile marker 163; and

WHEREAS, the City intends to request funding from the Ohio Department of Transportation and Ohio Turnpike and Infrastructure Commission under the 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 and Ohio Turnpike and 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 Mayor and City Engineer to file an application with the Ohio Department of Transportation and Ohio

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Turnpike and Infrastructure Commission for funds under its Turnpike Mitigation Program in an amount up to \$1,075,200.00, on behalf of the City of Strongsville, for funding of two (2) noise barrier walls, one being on the north side of the Ohio Turnpike near South Laguardia Parkway, and another on the south side of the Ohio Turnpike near Timber Edge and Pine Tree Place, 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 \$89,600.00 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: Michael Daymut  
 Acting Mayor

Date Passed: February 17, 2015

Date Approved: February 18, 2015

	<u>Yea</u>	<u>Nay</u>
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"/>

Attest: Aimee Pientka  
 Clerk of Council

ORD. No. 2015-030 Amended: \_\_\_\_\_  
 1st Rdg. 02-17-15 Ref: \_\_\_\_\_  
 2nd Rdg. Suppended Ref: \_\_\_\_\_  
 3rd Rdg. Suppended Ref: \_\_\_\_\_

Pub Hrg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 Adopted: 02-17-15 Defeated: \_\_\_\_\_