

RESOLUTION NOISE BARRIER 10

DRAFTED BY CITIZENS: Mike McGlynn, Noelle O'Neill, Olaf Nitsche, Lynnette Nitsche

- A. WHEREAS, the following three special conditions exist for the land along NB10: 1. Sound will be deflected and amplified by the placement of wall NB6A on the south side of M59, 2. Unlike any other portion of the project, the majority of the land along NB10 lies level with M59, thus allowing sound to travel directly to the residents and increasing the need for this sound mitigation, 3. The affected area contains MDEQ protected wetland;
- B. WHEREAS, the City Council acknowledges that more than 700 residents will have their property values negatively and irreversibly affected by the increased noise from the expansion of M59 resulting in a lower tax revenue for our city. The city council agrees to the need to always further increase the property values within this community;
- C. WHEREAS, the city council acknowledged the need for this sound barrier and arranged a meeting with MDOT on May 21, 2009 to reconsider their assumptions and the dwelling count for the NB10 portion of the study;
- D. WHEREAS, this area contains a developing subdivision with 256 new homes (many with young children) and a clubhouse, pool and tennis courts as well as state protected wetlands;
- E. WHEREAS, noise is recognized as a controllable pollutant that can yield to abatement technology; the increased noise levels will negatively affect the health and safety of all residents;
- F. WHEREAS, the cohesive group of citizens known as Raise the Wall is increasing in size and has committed itself to obtaining NB10 through increased public knowledge in a variety of ways; including, but not limited to: the media, flyers, signs and a petition;
- G. WHEREAS, this united group is dedicated to see Noise Barrier 10 built in order to protect their quality of life and their property values and they acknowledge and appreciate the support of Mayor Barnett and the City Council to accomplish this goal;

H. WHEREAS, the citizens demand that NB10 becomes a priority for the city;

I. WHEREAS, the money should be available through the originally budgeted city share for the M59 widening project MR-42A of the CIP 2009-2014 which is not needed since this became a stimulus project;

J. WHEREAS, should this funding not be feasible anymore other sources need to be made available from within the major road funds (i.e. Act 51);

K. WHEREAS, it should be considered to reallocate the funding of an unwanted five lane Tienken Road to the very wanted noise barrier NB10;

NOW THEREFORE BE IT RESOLVED, that the City Council pass this resolution to include a sound abatement wall for specifically NB10 in the major road fund portion of the 2010 budget;

BE IT FURTHER RESOLVED, that this plan be included within the city's Capital Improvement Plan as a specific item tonight.

Date: July 13, 2009

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