



Legislation Details (With Text)

**File #:** O-483-23      **Version:** 1      **Name:**

**Type:** Ordinance      **Status:** Approved

**File created:** 8/29/2023      **In control:** Transportation Department

**On agenda:** 10/10/2023      **Final action:** 10/10/2023

**Title:** Authorizing the Mayor to enter into an agreement with Norfolk Southern Railroad (NSRR) for the removal of the Sumner Street Bridge; and declaring an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit A, 2. Audio: Agenda Review 9/5/2023, 3. Video: City Council 9/12/2023, 4. Video: City Council 9/26/2023, 5. Video: Agenda Review 10/3/2023

Date	Ver.	Action By	Action	Result
10/10/2023	1	City Council	Emergency	Pass
10/10/2023	1	City Council	Passage	Pass
9/26/2023	1	City Council	held	Pass
9/12/2023	1	City Council	First Reading	Pass

TDOT091223SUMNERBRIDGEREMOVAL  
 Road & Bridge Maintenance  
 Jeremy Mikolajczyk (x1537)  
 Revised

**Authorizing the Mayor to enter into an agreement with Norfolk Southern Railroad (NSRR) for the removal of the Sumner Street Bridge; and declaring an emergency.**

**SUMMARY & BACKGROUND:**

The bridge currently known as and referred to as the Sumner Street Bridge was originally constructed in 1904, and subsequently renovated in 1921. The bridge is located just south of Toledo’s Amtrak station. This bridge carried vehicular traffic until the construction of I-75 in the late 1950s and early 1960s. The bridge was eventually closed to vehicular traffic once it was found to be structurally deficient for such use. NSRR has proposed to remove the structure at no cost to the City of Toledo, thereby eliminating the City’s potential liability, inspection, maintenance and/or potential rehabilitation costs. Furthermore, the current structure also poses a potential hazard for trains traveling under it as it does not meet the current railroad safe height clearance standards. This legislation allows the mayor to enter into an agreement with NSRR for the removal of Sumner Street Bridge while reserving the rights to install a new pedestrian-only bridge at a later date, should the need arise and appropriate funding be secured.

NOW, THEREFORE, Be it ordained by the Council of the City of Toledo:

SECTION 1. That the Mayor is authorized to enter into an agreement with Norfolk Southern Railroad for their removal of the Sumner Street Bridge at their cost, pursuant to terms and conditions acceptable to the Director of Law and the Director of Transportation.

SECTION 2. That it is found and determined that all formal actions of City Council concerning and relating to the passage of this ordinance were adopted in an open meeting of City Council and that all deliberations of City Council and any of its committees that result in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22, Ohio Revised Code.

SECTION 3. That this Ordinance is declared to be an emergency measure and shall take effect and be in force immediately from and after its passage. The reason for the emergency lies in the fact that same is necessary for the preservation of the public peace, health, safety, and property and for the further reason that this Ordinance must be immediately effective in order to facilitate the removal of this bridge.

Vote on emergency clause: yeas 12, nays 0.

Passed: October 10, 2023, as an emergency measure: yeas 11, nays 1.

Attest:

Gerald E. Dendinger  
Clerk of Council

Matt Cherry  
President of Council

Approved:

October 10, 2023  
Wade Kapszukiewicz  
Mayor