



Legislation Details (With Text)

File #: O-322-18 **Version:** 4 **Name:**

Type: Ordinance **Status:** Agenda Ready

File created: 8/10/2018 **In control:** City Council

On agenda: 8/14/2018 **Final action:** 8/14/2018

Title: Authorizing the disappropriation of \$30,000 from the Economic Development General Fund budget; authorizing the appropriation of \$30,000 for the purchase and installation of fencing to secure the perimeter of the former Champion Spark Plug site at 900 Upton Avenue; authorizing the expenditure of said funds; authorizing the Mayor to execute the necessary contract for said purchase and installation; certifying said costs as a lien on the property; and declaring an emergency.

Sponsors:

Indexes:

Code sections:

Attachments:

| Date | Ver. | Action By | Action | Result |
|-----------|------|--------------|-------------------------|--------|
| 8/14/2018 | 1 | City Council | immediate consideration | Pass |

Dept. of Economic & Business Development

Authorizing the disappropriation of \$30,000 from the Economic Development General Fund budget; authorizing the appropriation of \$30,000 for the purchase and installation of fencing to secure the perimeter of the former Champion Spark Plug site at 900 Upton Avenue; authorizing the expenditure of said funds; authorizing the Mayor to execute the necessary contract for said purchase and installation; certifying said costs as a lien on the property; and declaring an emergency.

SUMMARY & BACKGROUND:

The United States Environmental Protection Agency recently completed a Superfund cleanup at the former Champion Spark Plug site at 900 Upton Avenue, removing asbestos and debris from the property at an estimated cost of \$1.2 million. The site is ready for redevelopment and the City of Toledo Department of Economic and Business Development is actively pursuing a viable end use of the property. A portion of the property is not secured by fencing and is at risk for further trespass and illegal dumping. The installation of a fence is needed immediately to secure and preserve the property. The city plans to place a lien on the property to recover the fencing costs.

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

SECTION 1. That the Mayor is authorized to enter into a contract after accepting bids in accordance with law for the purchase and installation of fencing to secure the perimeter of the property at 900 Upton Avenue.

SECTION 2. That the amount not to exceed \$30,000 is disappropriated from the General Fund account code 1001-16400-537610-5661001STDSTD (business incentives) and the appropriation of same is authorized

to the General Fund account code 1001-16400-537410-5661001STDSTD (contractual services) and authorized for expenditure for the purchase and installation of fencing to secure the perimeter of the property at 900 Upton Avenue.

SECTION 3. That the Director of Finance is authorized to draw his warrant or warrants against the account code identified in Section 2 above in an amount not to exceed \$30,000 in payment of the above authorized obligations upon presentation of proper voucher or vouchers.

SECTION 4. That the City is vested with permissive authority under Ohio Revised Code Section 715.261 and Toledo Municipal Code Section 1726.05 to certify delinquent nuisance abatement charges to the County Auditor, the same to be placed upon the tax duplicate of the parcel for collection.

SECTION 5. That the following parcel(s) has nuisance abatement charges certified against them:
Parcel ID No.: 0411814.

SECTION 6. That the existence of a perfected lien is hereby certified upon each of the aforementioned parcel(s) for the corresponding amounts, plus costs, together with the allowable interest and penalties, pursuant to the Ohio Revised Code.

SECTION 7. That the Clerk of Council is hereby authorized and directed to cause a copy of this Ordinance to be served upon the Auditor of Lucas County, Ohio, who shall place the same upon the tax duplicate of said County, to be collected in the same manner as other taxes and assessments, together with all lawful interest and penalties, pursuant to the Ohio Revised Code.

SECTION 8. That this Ordinance hereby is declared to be an emergency measure, and shall be in force and effect from and after its passage. The reason for the emergency lies in the fact that same is necessary for the immediate preservation of the public peace, health, safety and property, and for the further reason that the Ordinance must be immediately effective in order to ensure the efficient collection of nuisance abatement charges by the City of Toledo.

Vote on emergency clause: yeas _____, nays _____.

Passed: _____, as an emergency measure: yeas _____, nays _____.

Attest: _____
Clerk of Council

President of Council

Approved: _____

Mayor

I hereby certify that the above is a true and correct copy of an Ordinance passed by Council

_____.

Attest: _____
Clerk of Council