



Legislation Details (With Text)

File #: O-297-20 **Version:** 1 **Name:**
Type: Ordinance **Status:** Approved
File created: 7/28/2020 **In control:** Public Utilities Department
On agenda: 8/25/2020 **Final action:** 8/25/2020
Title: Authorizing the closure of the pedestrian concourse over Summit St. connecting to the buildings located at 300 Madison Avenue and 3 SeaGate; authorizing amendments to the original concourse agreements with the successor in interest for 300 Madison and 3 SeaGate; authorizing an indemnity agreement with ProMedica Health Systems Inc.; authorizing the demolition of said concourse; authorizing the Commissioner of Transportation to take actions necessary to address safety issues related to removal/demolition of the concourse; and declaring an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Bullet Points, 2. Exhibit A, 3. Exhibit B, 4. Exhibit C, 5. Exhibit D

Date	Ver.	Action By	Action	Result
8/25/2020	1	City Council		
8/25/2020	1	City Council		
8/11/2020	1	City Council		

Bridge Concourse Closure
Utilities Administration
Doug. Stephens (x1006)
(Revised)

Authorizing the closure of the pedestrian concourse over Summit St. connecting to the buildings located at 300 Madison Avenue and 3 SeaGate; authorizing amendments to the original concourse agreements with the successor in interest for 300 Madison and 3 SeaGate; authorizing an indemnity agreement with ProMedica Health Systems Inc.; authorizing the demolition of said concourse; authorizing the Commissioner of Transportation to take actions necessary to address safety issues related to removal/demolition of the concourse; and declaring an emergency.

SUMMARY & BACKGROUND:

Pursuant to Ordinances 179-20 and 180-20 passed by Toledo City Council on May 20, 2020, the City is authorized to move forward with the reconstruction of Summit Street from Lafayette Street to Jackson Boulevard.

In order for the reconstruction project to proceed, it is necessary that the overhead pedestrian concourse connecting to the buildings located at 300 Madison Avenue and 3 SeaGate (the "Bridge Concourse") be removed.

This ordinance authorizes the closure and demolition of the Bridge Concourse.

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

SECTION 1. That the elevated public pedestrian concourse over Summit St. connecting 300 Madison Avenue to 3 SeaGate (the “Bridge Concourse”) is closed.

SECTION 2. That the physical structure of Bridge Concourse is authorized for removal/demolition subject to the following conditions:

- 1) Plans for the removal/demolition shall be submitted to and approved by the City’s Division of Engineering Services.
- 2) Removal shall be coordinated with the Division of Transportation and no removal shall be initiated until steps are taken to physically prohibit access for the protection of pedestrians and vehicular traffic as deemed acceptable to the Division of Transportation, and as may be required by the Director of Public Safety.
- 3) Execution of the agreements provided for in Sections 3 and 4.

SECTION 3. That the mayor is authorized to execute amendments to the original concourse agreement between the City of Toledo and the successor in interest of the 300 Madison and 3 SeaGate properties, to include: i) agreement to the removal of the Bridge Concourse; ii) that ProMedica Health System Inc. shall be responsible for the removal of the Bridge Concourse and subsequent restoration of the support structures; iii) termination, upon removal of the Bridge Concourse, of maintenance provisions and easements; and iv) such other terms and conditions as may be approved by the Law Director and the mayor.

SECTION 4. That the mayor is authorized to execute an indemnity agreement with ProMedica Health System Inc. related to ProMedica’s removal of the Bridge Concourse and other items, subject to terms and conditions approved by the Law Director and the Mayor.

SECTION 5. That the Commissioner of Transportation may erect such signs and/or barricades which the Commissioner deems necessary to carry out this closure and allow such temporary closures of adjacent right-of-way, all as may be prudent for public safety and in the best interest of the City.

SECTION 6. That the closure authorized by this Ordinance be properly recorded in the appropriate public record.

SECTION 7. That the City of Toledo reserves exclusive control over access to the right-of-way over Summit St. at this location.

SECTION 8. That this Ordinance is declared to be an emergency measure and shall be in force and take effect from and after its passage. The reason for the emergency lies in the fact that the 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 to carry out the public purpose of encouraging cultural, educational, and downtown redevelopment opportunities in the City of Toledo, and to enable the Summit Street Reconstruction project to move forward in time for current construction season.

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