



Legislation Text

File #: R-103-21, **Version:** 1

DPU030221SIDEWALKRESOLUTION

Division of Engineering Services

Karl Huss (x2847)

Revised

Declaring it necessary and providing for the rehabilitation of sidewalks and driveway approaches on various streets in the City of Toledo; and declaring an emergency.

SUMMARY & BACKGROUND:

The following resolution is procedurally required to allow for the repair or construction of new sidewalks in conjunction with the annual sidewalk rehabilitation program. By attending to the rehabilitation of sidewalks, the City will be preserving and enhancing this important asset for the benefit of residents. The 2021 approved Capital Improvement (CIP) budget allocates \$1,000,000 for the City's portion of the total project cost to pay for sidewalks damaged or raised by City tree roots and the installation of pedestrian curb ramps. The assessed sidewalk budget allocates \$750,000 for the property owners' portion of the total project cost to be assessed to the property identified as needing repair. It is necessary to perform both City portion and property owner portion together in this program since the rehabilitation is completed in conjunction with one another. This resolution initiates the assessment process by providing notice to those property owners whose property is in need of sidewalk rehabilitation in accordance with the City's sidewalk policy. The locations targeted for this year's program are identified in Exhibit A.

The fiscal impact of this Ordinance is as follows:

- The amount of funds requested: \$0
- The expenditure budget line item: n/a
- New revenue generated (operational revenue, grants, if any): n/a
- Revenue budget line item (if any): n/a
- Are funds budgeted in the current fiscal year (yes/no)? n/a
- Is this a capital project (yes/no)? n/a
- If yes, is it new or existing (new/existing)?
- What section of the City's Strategic Plan does this support:
 - o Excellence in Basic Services (yes/no) yes
 - o Quality Community Investment (Livable City, Development) (yes/no) yes
 - o Workplace Culture & Customer Service (yes/no) no
 - o Environment (yes/no) yes

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

SECTION 1. That City Council finds and determines that it is necessary for the sidewalk and driveway approaches to be rehabilitated at the listed locations throughout the City as identified in the attached Exhibit A.

SECTION 2. That the plans, specifications and estimated cost of the proposed rehabilitation by

reconstructing or installing new sidewalks, including driveway approaches and curbs, heretofore filed in the Office of the Clerk of Council are hereby approved, and that owners of the lots and lands abutting thereon shall cause said rehabilitation to be made on or before May 1, 2021 in accordance with the specifications on file in the Office of the Clerk of Council. In the event that the sidewalks, including driveway approaches, are not rehabilitated in accordance with such plans and specifications and within the time prescribed in this Resolution, this Council will cause such rehabilitation and the entire cost will be assessed on the property of the abutting property owner. The Director of Public Utilities and/or Director of Public Service are authorized and directed to cause said rehabilitation to be made. Said assessments shall be based on the actual costs incurred for the rehabilitation work performed on sidewalks and driveway approaches abutting the specific property and shall be paid for in either a one time, up front charge, or via an assessment placed on the real estate tax duplicate over a period of five years.

SECTION 3. That notice of the passage of this Resolution shall be served by the Director of Public Utilities and/or Director of Public Service in accordance with provisions of Sections 212 and 213 of the City Charter or as otherwise provided by law. The notice shall provide that the property owner receiving the same shall have an opportunity for a hearing before the Board of Revision of Assessments not less than five (5) days after service of notice. The notice shall advise as to the date, time and location of the hearing before the Board of Revision of Assessments, and the Director of Public Utilities and/or Director of Public Service shall make the necessary arrangements for said meeting.

SECTION 4. That this Resolution is declared to be an emergency measure and shall be in force and effect from and after its adoption. 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 this Resolution must be immediately effective in order to allow for the expeditious rehabilitation of sidewalks and driveway approaches to locations listed in Section 1 herein.

Vote on emergency clause: yeas _____, nays _____.

Adopted: _____, 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 a Resolution adopted by Council

_____.

Attest: _____
Clerk of Council