



# City of Toledo

One Government Center  
Toledo, OH 43604

## Agenda Review City Council

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Wednesday, November 6, 2019

2:00 PM

Council Chambers

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### COUNCILMAN SYKES PRESENTS:

[TMP-4590](#)                      **Recognize Jaden Jefferson.**

### APPOINTMENTS FROM THE OFFICE OF THE MAYOR:

[TMP-4591](#)                      **Appointment - Tax Board of Review**

**Attachments:**    [Tax Board of Review](#)

### SECOND READING ITEMS:

[O-381-19](#)                      **Amending Toledo Municipal Code Ch. 1760,  
Registration of Lead Safe Residential Rental Units,  
and enacting a new Ch. 1760, Lead-Safe Housing.**

**Body:** SUMMARY & BACKGROUND:  
Toledo City Council is desirous of moving forward with an ordinance repealing the current chapter of the Toledo Municipal Code, Ch. 1760, Registration of Lead Safe Residential Rental Units, and enacting a new Ch. 1760, Lead-Safe Housing, which includes amendments needed to address the current Injunction.

**Attachments:** [Redline](#)[Audio: Agenda Review 8/13/2019](#)[Audio: City Council 8/20/2019](#)[Audio: Agenda Review 8/27/2019](#)[Audio: City Council Meeting 9/3/2019](#)[Audio: Agenda Review September 11, 2019](#)[Audio: Agenda Review 9/24/2019](#)[Audio: City Council 10/1/2019](#)[Audio: Agenda Review 10/8/2019](#)[Audio: City Council October 15, 2019](#)[Audio: Agenda Review 10/22/2019](#)[Audio: City Council October 29, 2019](#)**Legislative History**

8/20/19	City Council	First Reading
9/3/19	City Council	held
9/17/19	City Council	held
10/1/19	City Council	held
10/15/19	City Council	held
10/29/19	City Council	held

[O-455-19](#)

**Authorizing the Mayor to execute and deliver needed instruments to release the mortgage and forgive the loan in whole on the Low-Income Housing Tax Credit Project for 48 scattered site, single family rental housing units called Autumn Wood I; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

The Low-Income Housing Tax Credits program (LIHTC) is a public tool used to provide funding for the development of affordable housing. The federal government allows developers of particular affordable-housing project to sell tax credits to investors to provide the capital necessary to build the project. Locally, community development corporations have used LIHTC as a financing tool to build many units of affordable housing and promote homeownership in Toledo.

Autumn Wood I originated as a portfolio with 48 single-family housing units under the auspices of Preferred Properties, Inc., identified as Autumn Wood Limited Partnership. An investment of \$300,000 of HOME Investment Partnerships (HOME) funds was made to this project. This project, while close to 100% occupancy, has a high debt ratio. The request is for forgiveness of the \$300,000 HOME loan in its entirety and to deliver a Release of Mortgage through forgiveness of the note and interest and move the portfolio into the hands of a stable entity as Preferred Properties, Inc. intends to sell its interest to Great Lakes Realty. This will have no financial impact upon the current HOME balance within the City's budget.

As part of the agreement to release the mortgage, the City of Toledo, Department of Neighborhood and Business Development is requiring that three (3) of the units remain affordable to tenants earning less than or equal to 60% of the Area Median Income (AMI). Rent restrictions will remain on the three units until April 30, 2023.

The City of Toledo, along with Local Initiatives Support Corporation (LISC), and Preferred Properties, Inc. have been instrumental in working with the buyer, securing the portfolio toward a partner that will work with tenants to move them toward homeownership, along with homebuyer counseling, financial literacy, home maintenance and education opportunities.

**Attachments:** [Audio: Agenda Review 9/24/2019](#)  
[Audio: City Council 10/1/2019](#)  
[Closing Statement - AW I](#)  
[Closing Statement - AW II](#)  
[Audio: Agenda Review 10/8/2019](#)  
[Audio: City Council October 15, 2019](#)  
[Audio: Agenda Review 10/22/2019](#)  
[Audio: City Council October 29, 2019](#)

**Legislative History**

10/1/19	City Council	First Reading
10/15/19	City Council	held

10/29/19 City Council held

[O-507-19](#)

**Declaring a Moratorium until January 31, 2020, on the enforcement of Toledo Municipal Code Section 1105.0301 as it relates to fence height requirements; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

This ordinance establishes a moratorium on the enforcement of fence height requirements in Toledo Municipal Code Section 1105.0301 until January 31, 2020. The purpose of this moratorium is to allow the Plan Commission time to review a proposed ordinance amending this section and increasing fence height requirements.

**Attachments:** [Audio: Agenda Review 10/22/2019](#)  
[Audio: City Council October 29, 2019](#)

**Legislative History**

10/29/19 City Council First Reading

[O-508-19](#)

**Amending Toledo Municipal Code 1105.0301, “Fences and Hedges; Residential Districts.”**

**Body:** SUMMARY & BACKGROUND:

The success of the Lucas County Land Bank demolition program has resulted in numerous nuisance residential properties being converted into vacant parcels available for acquisition by responsible adjacent landowners. The impact of fence height restrictions on these “side lot” acquisitions and subsequent utilization needs to be explored. As has been reviewed in several cases at the Board of Zoning Appeals in recent months, there are many reasons that a higher fence height will positively impact these transfers and facilitate the productive use of these properties.

**Attachments:** [Audio: Agenda Review 10/22/2019](#)  
[Audio: City Council October 29, 2019](#)

**Legislative History**

10/29/19 City Council First Reading

**NEW ITEMS FROM CITY COUNCIL**

[TMP-4592](#)

**Approving a Petition For Special Assessments for Special Energy Improvement Projects and a Project Plan for the Northwest Ohio Advanced Energy Improvement District under Chapter 1710 of the Ohio Revised Code; to authorize and levy special assessments for the purpose of acquiring, constructing, and improving certain public improvements in the City of Toledo in cooperation with the Northwest Ohio Advanced Energy Improvement District; and to approve an Energy Project Agreement in connection with such improvements and special assessments; and declaring an emergency.**

**Attachments:** [Exhibit A, B & C](#)  
[Petition](#)  
[Agreement](#)

[TMP-4596](#)

**Authorizing the expenditure not to exceed \$15,000 from the Capital Improvement Fund District Improvement Program for the Dorr Street Beautification Project; authorizing the Mayor to execute the necessary contract(s); and declaring an emergency.**

**Body:****SUMMARY & BACKGROUND:**

Empowering People to Improve our Community (“EPIC”) submitted a District Improvement Program application for the Dorr Street Beautification Project in District 1. The proposal includes the installation of benches and trash receptacles on Dorr Street between Parkside and Bell. The District Improvement Review Committee convened on November 4, 2019, and recommended approval of this application for a total of seven benches and seven trash receptacles in an amount not to exceed \$15,000.

**Attachments:** [Dorr St Beautification.pdf](#)

[TMP-4597](#)

**Authorizing the expenditure not to exceed \$8,870 from the Capital Improvement Fund District Improvement Program for the Legends Arena Basketball Units for Robinson Park Project; authorizing the Mayor to execute the necessary**

**contract(s); and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

The Lincoln School Community Coalition submitted a District Improvement Program application for the Legends Arena Basketball Units for Robinson Park Project in District 1. The proposal includes replacement of the current basketball poles, backboards and rims at Robinson Park with updated Legend Arena Basketball Units. The District Improvement Review Committee convened on November 4, 2019, and recommended approval of this application in an amount not to exceed \$8,870.

**Attachments:** [Robinson Park App.pdf](#)

**TOLEDO MUNICIPAL COURT:**

[TMP-4593](#)

**Authorizing an agreement between Justice AV Solutions, an Ohio corporation (“JAVS”) City of Toledo, by and through, Toledo Municipal Court (“TMC”) for access to JAVS Preventative Maintenance, Support and Services in addition to audio and visual equipment for the court located at 555 N. Erie Toledo, Ohio 43604; authorizing an expenditures of \$38,892.00 for the year, waiving the requirements of TMC 187 and making certain findings with respect thereto; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

This Ordinance authorizes an agreement between City, TMC and JAVS, for access to JAVS Preventative Maintenance, Support and Services in addition to audio and visual equipment for the court located at 555 N. Erie Toledo, Ohio 43604; the Agreement is for one (1) year (7/1/2019 through 6/30/2020) at a cost of \$38,892.00.

**DEPARTMENT OF LAW:**

1. [TMP-4587](#)

**Authorizing the settlement of the claims of Alexandria R. Presberry in an incident occurring on January 7, 2018, while driving westbound on Glendale Avenue, Toledo, Ohio, when she hit an open manhole in the right lane, authorizing the expenditure of \$23,000 from the Risk Management Fund; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

Alexandrea R. Presberry submitted a claim to the City of Toledo Law Department on December 14, 2018, after she hit an open manhole causing her to have an automobile accident. Ms. Presberry received medical treatment as a result of the accident. The vehicle she was operating was totaled.

A proposed agreement has been reached in the amount of \$23,000 to settle all claims resulting from the incident described herein without constituting an admission of liability for any violation of state or federal law.

**Attachments:** [Memo of settlement](#)**DEPARTMENT OF POLICE OPERATIONS:**

2. [TMP-4582](#) **Authorizing the mayor to donate to the Toledo Police Museum one retired TPD Harley Davidson Police trike motorcycle, one retired TPD Harley Davidson Police motorcycle, and one retired TPD Ford Bomb Squad truck; authorizing the transfer of titles.**

**Body:** SUMMARY & BACKGROUND:

The purpose of this legislation is to allow the Toledo Police Department to donate three retired police vehicles to the Toledo Police Museum. The vehicles will be displayed to preserve the history of their use in service to the citizens of Toledo.

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): \$0.
- 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)? No.
- If yes, is it new or existing (new/existing)? No.
- What section of the City's Strategic Plan does this support:

- Excellence in Basic Services (yes/no) Yes.
- Quality Community Investment (Livable City, Development) (yes/no) Yes.
- Workplace Culture & Customer Service (yes/no) Yes.
- Environment (yes/no) No.

**Attachments:** [Photos](#)

**DEPARTMENT OF FIRE AND RESCUE OPERATIONS:**

3. [TMP-4583](#) **Authorizing the mayor to accept bids and award a two-year contract for recruitment consulting services for the Department of Fire and Rescue Operations; authorizing the expenditure of an amount not to exceed \$59,600 over two years from the General Fund; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

The Toledo Fire & Rescue Department (TFRD) is seeking to improve diversity within its recruitment efforts. It is also the department's desire to increase the number of diverse and capable candidates to complete the recruitment process, and continue to support all recruitment efforts with strategic, effective and measurable marketing strategies and tools.

To assist the Department with this endeavor TFRD wishes to enter into a two-year diversity recruitment agreement with Vince Rocha Productions LLC, DBA VCREATIVE, a Toledo based consulting firm. VCREATIVE is the area's only, minority-owned and operated firm that specializes in effectively communicating to diverse audiences for recruitment intended for public safety organizations. VCREATIVE recently received the Mosaic Diversity Award from the American Advertising Federation for its work with the Toledo Police Department's recruiting campaign.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: \$25,400 for year 2020 and \$34,200 for year 2021
- The expenditure budget line item: 537410 Contractual



## Services

- New revenue generated (operational revenue, grants, if any):
- Revenue budget line item (if any): n/a
- Are funds budgeted in the current fiscal year (yes/no)?: yes
- Is this a capital project (yes/no)? No
- If yes, is it new or existing (new/existing)? N/A
- 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): yes
  - o Environment (yes/no): no

**DEPARTMENT OF PUBLIC UTILITIES:**4. [TMP-4581](#)

**Authorizing the appropriation and expenditure of an amount not to exceed \$115,000 from the unappropriated balance of the Stormwater Utility Improvement Fund for the Silver Creek Phase 4 survey; authorizing the mayor to accept bids and to execute the necessary contract(s) after due advertising; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

This ordinance funds the completion of survey data needed for the design of ditch improvements on Silver Creek from Jackman Road to Clegg Drive. This work continues improvements made to the downstream sections of Silver Creek in 2013 and 2014 along with culvert improvements scheduled for construction in 2020. (Lining project)

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: \$115,000
- The expenditure budget line item: 607B-35000-4UC2619STDSTD
- New revenue generated (operational revenue, grants, if any): none
- Revenue budget line item (if any): none
- Are funds budgeted in the current fiscal year (yes/no)?: yes
- Is this a capital project (yes/no)? yes
- If yes, is it new or existing (new/existing)? 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

5. [TMP-4589](#)

**Authorizing an Agreement with Columbia Gas of Ohio to accept its Right of Way permit fees in bulk, annually, and to settle existing pre-suit claims between the City of Toledo and Columbia Gas of Ohio for various instances of alleged damage to each other's infrastructure within the City's Right of Way; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

This ordinance authorizes entering into an Agreement that performs two functions. The first is to allow Columbia Gas of Ohio to pay for its Right of Way permit fees in bulk, annually, for a five-year term. Columbia Gas of Ohio will still abide by all safety and procedural requirements contained within the Toledo Municipal Code as well as Toledo's Engineering Division's internal practice and procedure guidelines. Columbia Gas of Ohio will pay a lump sum of \$350,000 per year for each year in the five-year term. The second function is to settle existing claims of damage to each other's infrastructure within the Right of Way which will forego the need to litigate a resolution for these claims.

The fiscal impact of this ordinance is as follows:

- The total amount of funds requested: \$0
- The expenditure budget line item: n/a
- New revenue generated (operational revenue, grants, if any): No
- Revenue budget line item (if any): 1001-35000-406440-5651003STDSTD
  - Are funds budgeted in the current fiscal year (yes/no)? estimated revenue amount is budgeted in the current year
  - Is this a capital project (yes/no)? no
  - If yes, is it new or existing (new/existing)? n/a

- 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) yes
  - o Environment (yes/no) no

**DEPARTMENT OF PUBLIC SERVICE:**

6. [TMP-4585](#)

**Authorizing the mayor to enter into a ten-year property lease agreement with Arms Dock, Inc. for property space located at 1900 Summit Street, Toledo, Lucas County, Ohio for the storage of bulk salt; authorizing the annual expenditure of an amount not to exceed \$105,000 from the Special Assessment Fund subject to annual appropriation; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

Bulk salt is currently being stored along the Maumee River, where the new Nautical Mile Project will be completed. The city would like to move forward with a lease agreement with Arms Dock, Inc. for salt storage space in an existing building along Summit Street. Moving the salt pile off the river would be more environmentally friendly and allow the Division of Streets, Bridges and Harbor to save on coverage costs.

The fiscal impact of this Ordinance is as follows:

- The total amount of funds requested: Total annual amount of \$105,000 for rent and utilities.
- The expenditure budget line item: 3050-23100-2422001STDSTD
- revenue generated (operational revenue, grants, if any): none
- Revenue budget line item (if any): N/A
- Are funds budgeted in the current fiscal year (yes/no)? yes
- Is this a capital project (yes/no)? no
- If yes, is it new or existing (new/existing)? N/A
- 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)  
yes
- o Environment (yes/no) yes

**Attachments:** [Bullet Points](#)

**Toledo City Council supports the provisions of the Americans' with Disabilities Act. If you need special accommodations, please call 48 hours prior to meeting time at (419) 245-1060.**