



# City of Toledo

One Government Center  
Toledo, OH 43604

## Formal Agenda City Council

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Tuesday, April 30, 2019

4:00 PM

Council Chambers

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### COUNCILMAN RILEY PRESENTS:

[R-191-19](#) Recognizing Mr. Jitendra “Jay” Singh for being a good Samaritan, his compassion and act of kindness.

**Attachments:** [Audio: Agenda Review 4/23/2019](#)

### COUNCIL MEMBERS JOHNSON AND ADAMS PRESENT:

[R-192-19](#) Declaring April 2019 as Second Chance Month in Toledo.

### APPOINTMENTS FROM THE OFFICE OF THE MAYOR:

[A-193-19](#) Appointment - Board of Building Appeals

**Attachments:** [Audio: Agenda Review 4/23/2019](#)

[A-194-19](#) Appointment - Human Relations Commission

**Attachments:** [Audio: Agenda Review 4/23/2019](#)

### SECOND READING ITEMS:

[O-172-19](#) Authorizing the expenditure not to exceed \$115,320 from the Capital Improvement Fund District Improvement Program for the purchase and installation of decorative streetlights along Sylvania Avenue from approximately Douglas Road to Secor Road on the north side of the roadway; authorizing the Mayor to accept bids and to execute the necessary contract(s); and declaring an emergency.

**Attachments:** [Application](#)[Audio: Agenda Review 4/9/2019](#)[Audio: Agenda Review 4/23/2019](#)**Legislative History**

4/16/19 City Council First Reading

[O-177-19](#)

Authorizing the disappropriation of \$151,208.95 from the Water Bond Improvement Fund; authorizing the appropriation and expenditure of \$151,208.95 in the Water Bond Improvement Fund for the Pump, Motor, Large Valve, Repair/Rebuild/Replacement Project at the Collins Park Water Treatment Plant; authorizing the Mayor to execute the necessary contract(s) for the design, preparation of plans and specifications, engineering, bidding, construction oversight, testing, permits, renovation, construction, appurtenances, and other related work, tasks, equipment, and materials needed; and declaring an emergency.

**Attachments:** [Audio: Agenda Review 4/9/2019](#)[Audio: 4/23/2019](#)**Legislative History**

4/16/19 City Council First Reading

[O-179-19](#)

Authorizing the expenditure of \$17,680 from the Sanitary Sewer Operating Fund to pay the National Association of Clean Water Agencies (NACWA) for Water Reclamation's 2019 membership dues; and declaring an emergency.

**Attachments:** [Audio: Agenda Review 4/9/2019](#)[Audio: Agenda Review 4/23/2019](#)**Legislative History**

4/16/19 City Council First Reading

[R-182-19](#)

Declaring it necessary to improve Dorr Street at the intersection of Sawyer Road by installing street lighting; and declaring an emergency.

**Attachments:** [Audio: Agenda Review 4/9/2019](#)  
[Audio: Agenda Review 4/23/2019](#)

**Legislative History**

4/16/19 City Council First Reading

[R-183-19](#)

Declaring it necessary to improve Machen Street at the alley between Putnam Street and Warren Street by installing street lighting; and declaring an emergency.

**Attachments:** [Audio: Agenda Review 4/9/2019](#)  
[Audio: Agenda Review 4/23/2019](#)

**Legislative History**

4/16/19 City Council First Reading

[O-186-19](#)

Authorizing the disappropriation of \$435,405 from the Capital Improvement Fund; authorizing the appropriation of \$3,543,000 from the Capital Improvement Fund and the expenditure of same for additional capital improvement projects; authorizing the Mayor to award contracts for said improvement projects; and declaring an emergency.

**Attachments:** [Audio: Agenda Review 4/9/2019](#)  
[Audio: Agenda Review 4/23/2019](#)

**Legislative History**

4/16/19 City Council First Reading

[O-189-19](#)

Amending Ordinance 380-18, by repealing Section 1 and enacting a new Section 1 in order to re-classify the purpose of the expenditure; and declaring an emergency.

**Attachments:** [Audio: Agenda Review 4/9/2019](#)  
[Audio: Agenda Review 4/23/2019](#)

**Legislative History**

4/16/19 City Council First Reading

**COUNCIL MEMBER KOMIVES PRESENTS:**

[O-195-19](#)

Amending Toledo Municipal Code Chapter 719,

“Courtesy Benches”; and declaring an emergency.

**Attachments:** [TMC Ch. 719, redline](#)  
[Audio: 4/23/2019](#)

[O-196-19](#)

Authorizing the Mayor to enter into a contract for the installation of Courtesy Benches throughout the City and trash and recycling receptacles in the downtown area; and declaring an emergency.

**Attachments:** [Audio: Agenda Review 4/23/2019](#)

**NEW ITEMS FROM CITY COUNCIL:**

[R-197-19](#)

Accepting the petition of 123 N Erie, LLC. for special assessments for various special energy improvement projects in accordance with Chapters 1710 and 727 of the Ohio Revised Code; declaring the necessity of proceeding with the special energy improvement projects and approving the plans and specifications therefor; stating the method for making the special assessments against the benefitted properties and the amount of such special assessments; and declaring an emergency.

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

[O-198-19](#)

Determining to proceed with certain 123 N Erie Energy Improvement Project by way of special assessments in accordance with Chapters 1710 and 727 of the Ohio Revised Code; and declaring an emergency.

**Attachments:** [Exhibit A, B & C](#)  
[Audio: Agenda Review 4/23/2019](#)

[O-199-19](#)

Levying special assessments for the 123 N Erie Energy Improvement Project; and declaring an emergency.

**Attachments:** [Exhibit A, B & C](#)  
[Audio: Agenda Review 4/23/2019](#)

**OFFICE OF THE MAYOR:**

[O-200-19](#) Authorizing the expenditure of \$10,000 from the General Fund as a contribution for the TARTA TARPS program in order to restore weekend and holiday paratransit services; and declaring an emergency.

**Attachments:** [Invoice](#)  
[Hyperlink](#)  
[Audio: Agenda Review 4/23/2019](#)

**DEPARTMENT OF PUBLIC UTILITIES:**

[O-201-19](#) Authorizing the mayor to execute a fourth amendment to the professional engineering services agreement with Black & Veatch Corporation to adjust the scope of services performed for the Environmental Protection Agency (EPA) Consent Decree project, increase the length of contract and increase the amount by \$800,000; and declaring an emergency.

**Attachments:** [Audio: Agenda Review 4/23/2019](#)

[O-202-19](#) Authorizing the appropriation and expenditure in an amount not to exceed \$1,333,334 from the unappropriated balance of the Sewer Replacement Fund, \$679,666 from the unappropriated balance of the Storm Water Replacement Fund, and \$1,477,000 from the unappropriated balance of the Water Replacement Fund for the purchase or lease of vehicles and equipment; authorizing the mayor to accept bids and enter into contracts; and declaring an emergency.

**Attachments:** [Audio: Agenda Review 4/23/2019](#)

[O-203-19](#) Authorizing the appropriation and expenditure in an amount not to exceed \$200,000 from the unappropriated balance of the Sewer Replacement Fund for the Laskey Road Sewer Replacement Project; authorizing the mayor to prepare plans and specifications, acquire rights-of-way and easements as necessary, accept bids

and enter into contracts; and declaring an emergency.

**Attachments:** [Audio: Agenda Review 4/23/2019](#)

[O-204-19](#)

Authorizing the expenditure of \$46,509 from the Sanitary Sewer Operating Fund to R&S Construction for the emergency repair of a sinkhole located at 2301 W. Bancroft; authorizing the mayor to enter into necessary agreements and waiving the competitive bidding requirement of the TMC 187; and declaring an emergency.

**Attachments:** [Audio: Agenda Review 4/23/2019](#)

**DEPARTMENT OF LAW:**

[O-205-19](#)

Authorizing the closure of the pedestrian concourse over Summit St. connecting to the Four Seagate parking garage and the city-owned Imagination Station property; authorizing the demolition of said concourse; authorizing an amendment to the May 25, 1983 Concourse Agreement with the George F. Eyde Family, LLC, as successor in interest, and IST Theatre, LLC; authorizing an indemnity agreement with IST Theatre, LLC; authorizing the Commissioner of Transportation to take actions necessary to address safety issues related to removal/demolition of the concourse; and declaring an emergency.

**Attachments:** [Audio: Agenda Review 4/23/2019](#)

[O-206-19](#)

Authorizing the Mayor to execute an amendment to and assignment and assumption of the city's current Imagination Station property lease to Ohio Facilities Construction Commission to the Toledo Science Center and to consent to termination of the Management Agreement between Toledo Science Center and Ohio Facilities Construction Commission; authorizing sublease and sub-sublease agreements between the Toledo Science Center and IST Theatre, LLC; authorizing the Mayor to execute an amendment to the

deed of service facility easements recorded in the Lucas County records as Instrument Nos. 83-235A11; authorizing the Mayor to enter into an indemnity agreement with the IST Theatre, LLC related to project improvements; waiving TMC Sec. 187.19 competitive bid requirements pertaining to city property; authorizing the Mayor to execute and deliver a petition and other needed instruments with the Northwest Ohio Advanced Energy Improvement District for the purpose of providing qualifying energy improvements for city-owned Imagination Station property; authorizing the Mayor to take other actions as necessary to consummate the approved transactions; and declaring an emergency.

**Attachments:** [Exhibit A - Amendment to Lease](#)  
[Exhibit B-1](#)  
[Exhibit B-2](#)  
[Exhibit C](#)  
[Exhibit D](#)  
[Audio: Agenda Review 4/23/2019](#)

#### DEPARTMENT OF NEIGHBORHOOD & BUSINESS DEVELOPMENT:

[O-207-19](#) Authorizing the mayor to execute and deliver a Real Estate Purchase Agreement and other needed instruments to effectuate the sale and conveyance of certain City-owned real property located at 37 Vance Street to I.B.C., Inc.; authorizing the deposit of the net sale proceeds; waiving the competitive bidding provisions of T.M.C. 187; and declaring an emergency.

**Attachments:** [Exhibit A](#)  
[Exhibit B](#)  
[Audio: Agenda Review 4/23/2019](#)

#### DEPARTMENT OF PUBLIC UTILITIES:

[O-208-19](#) Authorizing the mayor to execute needed instruments for the granting of a temporary right-of-way over a portion

of city-owned real property to the State of Ohio Department of Transportation (ODOT), required for the construction of a new interchange and related improvements at Interstate 475 (I-475) and Dorr Street, a portion of which will be within the City of Toledo; authorizing the mayor to enter into a donation agreement with ODOT for the temporary property rights required over said land; dedicating portions of city-owned land as public right-of-way required for ODOT's I-475/Dorr Street Interchange Project; and declaring an emergency.

**Attachments:** [Exhibit A](#)  
[Exhibit B](#)  
[Exhibit C](#)  
[Audio: Agenda Review 4/23/2019](#)

[O-209-19](#)

Authorizing the mayor to accept certain rights-of-way from the Ohio Department of Transportation (ODOT), located within the City of Toledo, related to the development, construction and improvement of a new interchange along I-475 at Dorr Street, and dedicating the same; and declaring an emergency.

**Attachments:** [Exhibit A](#)  
[Exhibit B](#)  
[Audio: Agenda Review 4/23/2019](#)

#### DEPARTMENT OF PUBLIC SERVICE:

[O-210-19](#)

Authorizing the appropriation and expenditure of an amount not to exceed \$150,000 from the General Fund for the second year of the Bike Sharing agreement maintenance costs with Gotcha Bikes, LLC; and declaring an emergency.

**Attachments:** [Bullet Points](#)  
[Audio: Agenda Review 4/23/2019](#)

#### DEPARTMENT OF FIRE & RESCUE OPERATIONS:



[O-211-19](#) Authorizing the Mayor to continue the Property Lease with Triversified LLC for certain real property located at 1310 (aka 1302) Expressway Drive South, Toledo, Lucas County, Ohio; authorizing the expenditure of funds; and declaring an emergency.

**Attachments:** [Audio: Agenda Review 4/23/2019](#)

**DEPARTMENT OF POLICE OPERATIONS:**

[O-212-19](#) Authorizing the mayor to accept and deposit grant proceeds from the Criminal Justice Coordinating Council (CJCC) for the United States Department of Justice/Bureau of Justice Assistance/Edward Byrne Memorial Justice Assistance Grant Program in the amount of \$155,523.55; authorizing the appropriation from the unappropriated balance of the Operation Grants Fund; authorizing an expenditure in an amount not to exceed \$155,523.55 for the purchase of firing range upgrades: and declaring an emergency.

**Attachments:** [Audio: Agenda Review 4/23/2019](#)

[O-213-19](#) Authorizing the expenditure of \$155,523.55 from the United States Department of Justice/Bureau of Justice Assistance/Edward Byrne Memorial Justice Assistance Grant Program BJA 2018-JG-LE-1000; authorizing the expenditure of \$325,000 from the 2019 capital improvements fund: authorizing the expenditure of \$7,023.62 from the general fund; authorizing the mayor to accept bids and award a contract for upgrades to the Toledo Police firing range; and declaring an emergency.

**Attachments:** [Audio: Agenda Review 4/23/2019](#)

[O-214-19](#) Authorizing the mayor to enter into an agreement and accept \$5,977.66 from the Office of Criminal Justice Services for an Edward Byrne Memorial Grant funded through the U.S. Department of Justice Assistance (2018-JG-A02-6907); authorizing the appropriation

and expenditure of said proceeds from the Operation Grants Fund; and declaring an emergency.

**Attachments:** [Audio: Agenda Review 4/23//2019](#)

**THE CLERK REPORTS:**

[O-215-19](#) Approving inclusion of certain land situated in the City of Toledo, Ohio owned by Jackson Industries Corporation into an Agricultural District for a five-year period; and declaring an emergency.

**Attachments:** [Audio:Agenda Review 4/23/2019](#)

**ITEMS LIKELY TO BE RECEIVED OF ZONING & PLANNING COMMITTEE:**

[O-216-19](#) Changing the zoning maps attached to Part 11, Planning and Zoning, Toledo Municipal Code, for the property located at 1800 Krieger Drive, in the City of Toledo, Lucas County, Ohio; and declaring an emergency.

**Attachments:** [Plan Commission Report](#)  
[Audio: Agenda Review 4/23/2019](#)

[O-217-19](#) Changing the zoning maps attached to Part 11, Planning and Zoning, Toledo Municipal Code, for the property located at 219 Southard Avenue, in the City of Toledo, Lucas County, Ohio; and declaring an emergency.

**Attachments:** [Plan Commission Report](#)  
[Audio: Agenda Review 4/23/2019](#)

[O-218-19](#) Granting a Special Use Permit for Community Recreation Active for a site located at 4100 Harvest Lane, in the City of Toledo, Lucas County, Ohio; subject to certain conditions and waivers; and declaring an emergency.

**Attachments:** [Plan Commission Report](#)  
[Audio: Agenda Review 4/23/2019](#)

[O-219-19](#) Granting an amendment to a Special Use Permit for

Gas Station and Convenience store for a site located at 3023 Dorr Street, in the City of Toledo, Lucas County, Ohio; subject to certain conditions; and declaring an emergency.

**Attachments:** [Plan Commission Report](#)  
[Audio: Agenda Review 4/23/2019](#)

[O-220-19](#) Changing the zoning maps attached to Part 11, Planning and Zoning, Toledo Municipal Code, for the property located at 5901 Airport Highway, in the City of Toledo, Lucas County, Ohio; and declaring an emergency.

**Attachments:** [Plan Commission Report](#)  
[Audio: Agenda Review 4/23/2019](#)

[O-221-19](#) Authorizing the Institutional Campus Master Plan for the St Johns Jesuit High School and Academy, in the City of Toledo, Lucas County, Ohio; subject to certain conditions; and declaring an emergency.

**Attachments:** [Plan Commission Report](#)

**ITEM LIKELY TO BE GIVEN IMMEDIATE CONSIDERATION:**

[O-222-19](#) Authorizing the Mayor to enter into an agreement with the City of Dayton to provide law enforcement mutual aid; and declaring an emergency.

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