



City of Toledo

One Government Center
Toledo, OH 43604

Formal Agenda

City Council

Tuesday, April 18, 2023

4:00 PM

Council Chambers

**COUNCIL PRESIDENT CHERRY AND THE MEMBERS OF CITY COUNCIL
PRESENT:**

[R-190-23](#) Designating the month of April as National Arab
American Heritage Month.

COUNCILMAN HOBBS PRESENTS:

[R-191-23](#) Celebrating the University of Toledo's 2022-2023 MAC
Champions.

APPOINTMENTS FROM THE OFFICE OF THE MAYOR:

[A-192-23](#) Appointments - Human Relations Commission

Attachments: [HRC](#)

[A-193-23](#) Appointments - Toledo City Historic District
Commission

Attachments: [Toledo City HDC](#)

[A-194-23](#) Appointment - Toledo City Historic District
Commission

Attachments: [Toledo City HDC](#)

[A-195-23](#) Appointment - Toledo-Lucas County Port Authority

Attachments: [T-LC Port Authority](#)

SECOND READING ITEMS:

[O-141-23](#) Amendment of Toledo Municipal Code Section 945.10
related to when a facility owner is or is not responsible
to bear the costs associated with moving facilities

located in a public right of way; and declaring an emergency.

Attachments: [Exhibit A \(Redline\)](#)

Legislative History

3/21/23 City Council First Reading

4/4/23 City Council held

[O-180-23](#)

Authorizing the expenditure in an amount not to exceed \$1,160,000 from the Sewer Replacement Fund, \$1,136,000 from the Water Replacement Fund and \$60,000 from the Storm Replacement Fund for the purchase of vehicles and related equipment; authorizing the mayor to accept bids and enter into contracts; and declaring an emergency.

Legislative History

4/4/23 City Council First Reading

[O-181-23](#)

Authorizing the mayor to execute a one (1) year contract with the option for two one (1) year extensions for the purpose of providing sanitary sewer and water kills for the City of Toledo and private demolition projects; authorizing the expenditures of \$336,298 from the Water Operating Fund and \$608,702 from the Sewer Operating Fund; and declaring an emergency.

Legislative History

4/4/23 City Council First Reading

[O-182-23](#)

Authorizing the Mayor to accept and deposit additional grant proceeds into the Operation Grant Fund in the amount of \$30,000 received from the Ohio Environmental Protection Agency for the ambient air monitoring program; authorizing the mayor to execute necessary agreements in connection with the grants; authorizing the appropriation and expenditure of said funds; authorizing the mayor to accept bids and award contracts for the purchase of equipment, supplies and other necessary items to carry out the terms of the amended grants; and declaring an emergency.

Legislative History

4/4/23 City Council First Reading

[R-183-23](#)

Providing for a Vision Zero policy to eliminate fatalities and serious injuries that are a result of crashes on City streets within the City of Toledo by 2031; and declaring an emergency.

Legislative History

4/4/23 City Council First Reading

[R-184-23](#)

Adoption of the Lucas County Active Transportation Plan, improving the well-being of the citizen of Toledo with the objective that by 2040 City of Toledo will be an accessible community where people of all ages and abilities, including children, can conveniently, comfortably, affordably, and safely walk, cycle, or use public transit as part of their everyday travel behaviors; and declaring an emergency.

Legislative History

4/4/23 City Council First Reading

COUNCIL PRESIDENT CHERRY AND THE MEMBERS OF CITY COUNCIL PRESENT:[O-196-23](#)

Authorizing the Mayor to enter into a three-year agreement with Granicus; waiving the competitive procurement requirements of TMC Chapter 187; authorizing the expenditure of an amount not to exceed \$40,000 annually from the General Fund for annual maintenance costs for the Granicus Legislative Management Suite software; and declaring an emergency.

[O-197-23](#)

Approving a Petition For Special Assessments for Special Energy Improvement Projects and a Supplemental 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; to re-approve a Cooperative Agreement and Special Assessment Agreement in connection with such improvements and special assessments; and to repeal Ordinance O-617-21; and declaring an emergency.

Attachments: [Exhibit A, B & C and Receipt Petition](#)

[O-198-23](#)

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 for Woosey Properties, LLC and 970 S. Byrne Rd., Toledo, Ohio 43609; 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 declaring an emergency.

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

OFFICE OF THE MAYOR:

[O-199-23](#)

Authorizing the expenditure of \$25,000 from the General Fund to support the 2023 Jeep Fest as a Collaborative Sponsor; authorizing the Mayor to enter into a sponsorship agreement with Toledo Jeep Fest LLC.; and declaring an emergency.

DEPARTMENT OF PARKS & YOUTH SERVICES:

[O-200-23](#)

Authorizing the Mayor to accept a donation of 8 park benches valued at \$37,893 from Canvus Inc. to support Schneider Park upgrades; and declaring an emergency.

Attachments: [Canvus Overview](#)

DEPARTMENT OF POLICE OPERATIONS:

[O-201-23](#)

Authorizing the Mayor to enter into an agreement with the Bureau of Justice Assistance through the Office of Criminal Justice Services and to accept and deposit a Paul Coverdell Forensic Science Improvement grant 2022-PC-NFS-7816 in the amount of \$31,827.37 for the Toledo Police Department; authorizing the appropriation and expenditure of funds from the Operation Grants Fund; authorizing the Mayor to accept bids and award contracts; and declaring an emergency.

DEPARTMENT OF LAW:[O-202-23](#)

Authorizing the appropriation and expenditure of \$2,000,000 from the Local Fiscal Recovery Fund for a Behavioral Health Response Grant Program; authorizing the Mayor to enter into an agreement with Lucas County Mental Health & Recovery Services Board for said purpose; and declaring an emergency.

Attachments:[MHRSB](#)[SMART Analysis](#)[Rules and Regulations](#)[O-203-23](#)

Authorizing the settlement of the claims of Mark Riley in case nos. TOL72(41817)10252022, TOL72(41937)12272022, and TOL72(42069)02232023, all pending before the Ohio Civil Rights Commission, for the sum of \$28,000; authorizing the expenditure of \$28,000 from the Risk Management Fund; and declaring an emergency.

[O-204-23](#)

Approving a settlement with some manufacturers and pharmacies consistent with the terms of the National Opioid Settlement Agreement; and authorizing the Mayor and Director of Law to execute any documents necessary to effectuate the settlement according to the terms of the OneOhio Memorandum of Understanding; and declaring an emergency.

DEPARTMENT OF PUBLIC UTILITIES:

- [O-205-23](#) **Authorizing the additional appropriation and expenditure of an amount not to exceed \$2,929,722 from the Water Replacement Fund and \$2,609,292 from the Sewer Replacement fund for the AMI project pursuant to the existing contract with Johnson Controls Inc.; and declaring an emergency.**
- [O-206-23](#) **Authorizing the appropriation and expenditure of \$399,278 from the Sewer Replacement Fund for emergency services to the Sludge Equalization Tank at the Bay View Water Reclamation Plant; authorizing the Mayor to enter into an emergency contract with Denali Water Solutions LLC; waiving the competitive provisions of TMC Chapter 187; and declaring an emergency.**
- [O-207-23](#) **Authorizing the appropriation and expenditure of \$179,825 from the Sewer Replacement Fund for emergency repairs to restore functional capacity of the solids handling process at the Water Reclamation plant; authorizing the Mayor to enter into an emergency repair contract with Kokosing Mosser Joint Venture for said purpose; waiving the competitive provisions of TMC Chapter 187; and declaring an emergency.**
- [O-208-23](#) **Authorizing the expenditure of \$163,390 from the Sanitary Sewer Operating Fund to Taylor Excavating for the emergency replacement and repair of a manhole and attached sewer mains located at Lagrange Street & Moore Street; authorizing the mayor to enter into necessary contracts; finding that the competitive procurement process was waived under TMC Section 187.20; and declaring an emergency.**
- [O-209-23](#) **Authorizing the expenditure of \$109,966 from the Sanitary Sewer Operating Fund to Hillabrand & Sons for the emergency replacement and repairs of a sewer main located near 258 University Boulevard; authorizing the mayor to enter into necessary contract; finding that the competitive procurement process was**

waived under TMC Section 187.20; and declaring an emergency.

[O-210-23](#)

Authorizing the expenditure of \$33,338 from the Sanitary Sewer Operating Fund to E & K Construction for the emergency replacement and repair of a manhole and attached sewer mains located at 1939 Princeton Drive; authorizing the mayor to enter into necessary contracts; finding that the competitive procurement process was waived under TMC Section 187.20; and declaring an emergency.

[O-211-23](#)

Authorizing the expenditure of \$30,134 from the Sanitary Sewer Operating Fund to E & K Contractors for the emergency repair of a sewer lateral attached to sewer main CO114 located near 1865 Meadowlark Avenue; authorizing the mayor to enter into necessary contracts; finding that the competitive procurement process was waived under TMC Section 187.20; and declaring an emergency.

[O-212-23](#)

Authorizing the expenditure of \$26,324 from the Sanitary Sewer Operating Fund to E & K Construction for the emergency replacement and repair of a manhole and attached sewer mains located at 3160 S Byrne Road; authorizing the mayor to enter into necessary contracts; finding that the competitive procurement process was waived under TMC Section 187.20; and declaring an emergency.

[O-213-23](#)

Authorizing the expenditure of \$22,087 from the Sanitary Sewer Operating Fund to Taylor Excavating for the restoration of the emergency sewer repairs located at 2625 Calverton Road; authorizing the mayor to enter into an amended emergency repair contract; finding that the competitive procurement process was waived under TMC Section 187.20; and declaring an emergency.

[O-214-23](#)

Authorizing the expenditure of \$12,300 from the Sanitary Sewer Operating Fund to Ed Kelly & Sons for the emergency cleaning, CCTV, and grouting of the 24" sewer main located near 513 Madison Avenue;

authorizing the mayor to enter into necessary contracts; finding that the competitive procurement process was waived under TMC Section 187.20; and declaring an emergency.

[O-215-23](#)

Authorizing the Mayor to enter into an amended grant agreement with the Great Lakes Commission and accept and deposit additional grant proceeds into the Operation Grant Fund in the amount of \$119,449 to fund additional project activities; authorizing the appropriation and expenditure of said grant proceeds for the Restoration of the Ottawa River in Jermain Park project; authorizing the Mayor to execute necessary agreements in connection with the grants; authorizing the Mayor to accept bids and execute necessary contracts to administer the grant; and declaring an emergency.

DEPARTMENT OF PUBLIC SERVICE:

[O-216-23](#)

Authorizing the transfer of \$36,852 from the Demolition Expendable Trust Fund, to the Non-Fiduciary General Fund, “fire damaged structures, repair or removal” fund as identified in TMC 1726.07; authorizing the release of the same to the appropriate insured parties as an account closure of funds held in escrow; and declaring an emergency.

DEPARTMENT OF TRANSPORTATION:

[O-217-23](#)

Authorizing the mayor to enter into a contract with Geddis Paving and Excavating in the amount of \$319,204.50 for the emergency slope improvements on the Anthony Wayne Trail; waiving the formal competitive bidding requirement pursuant to TMC Section 187.20; and declaring an emergency.

[O-218-23](#)

Authorizing the acceptance and deposit of funds in an amount not to exceed \$165,250 into the Capital Improvement Fund from AT&T for the relocation of utilities on Maumee Avenue Bridge; authorizing the appropriation and expenditure of said funds; and

declaring an emergency.

**COUNCIL PRESIDENT CHERRY, CHAIR, ZONING & PLANNING
COMMITTEE, REPORTS AS APPROVED:**

- [O-219-23](#) **Declaring the vacation of a portion of Boers-Boyer Way, City of Toledo, Lucas County Ohio; waiving all fees; and declaring an emergency.**
- [O-220-23](#) **Changing the zoning maps attached to Part 11, Planning and Zoning, Toledo Municipal Code, for the property located at 1405 S. Detroit Avenue, in the City of Toledo, Lucas County, Ohio; and declaring an emergency.**
- Attachments:** [Plan Commission Report](#)
- [O-221-23](#) **Changing the zoning maps attached to Part 11, Planning and Zoning, Toledo Municipal Code, for the property located at 5848 Dorr Street, in the City of Toledo, Lucas County, Ohio; and declaring an emergency.**
- Attachments:** [Plan Commission Report](#)
- [O-222-23](#) **Changing the zoning maps attached to Part 11, Planning and Zoning, Toledo Municipal Code, for the property located at 2582 and 2578 Monroe Street, in the City of Toledo, Lucas County, Ohio; and declaring an emergency.**
- Attachments:** [Plan Commission Report](#)
- [O-223-23](#) **Granting a Special Use Permit, for Parking Lot Modifications to an existing Daycare Center, for a site located at 3901 Shadylawn Drive, in the City of Toledo, Lucas County, Ohio; subject to certain conditions and a waiver; and declaring an emergency.**
- Attachments:** [Plan Commission Report](#)
- [O-224-23](#) **Granting a Special Use Permit, for a Tobacco Shop for a site located at 2041 N. Holland-Sylvania Rd, in the City of Toledo, Lucas County, Ohio; subject to certain conditions; and declaring an emergency.**

Attachments: [Plan Commission Report](#)

THE CLERK REPORTS:

[O-225-23](#)

Extending a Special Use Permit granted by Ordinance No. 199-22 for a period of 6 months for a Scrap and Salvage Facility located at 2351 Hill Avenue, in the City of Toledo, Lucas County, Ohio; subject to certain conditions; and declaring an emergency.

Attachments: [Request](#)

ITEMS LIKELY TO BE GIVEN IMMEDIATE CONSIDERATION:

[O-226-23](#)

Authorizing the expenditure of \$100,000 from the Capital Improvement Fund District Improvement Program for Ottawa Paved Loop Trail Improvements at Ottawa Park; authorizing the Mayor to execute the necessary contracts; and declaring an emergency.

Attachments: [Application](#)

[O-227-23](#)

Authorizing the Mayor to enter into an amended contract with Core and Main, LP. for the purchase of hydrants and valve boxes for water main replacement projects; waiving the competitive bidding requirements of TMC Ch. 187; and declaring an emergency.

The Clerk of Council's Office 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 for arrangements.