



City of Toledo

One Government Center
Toledo, OH 43604

Agenda Review City Council

Tuesday, March 27, 2018

4:00 PM

Council Chambers

APPOINTMENT FROM THE OFFICE OF THE MAYOR:

[TMP-2594](#) **City Plan Commission**

Attachments: [City Plan Commission](#)

SECOND READING ITEMS:

[O-096-18](#) **Amending Toledo Municipal Code Section 187.19 relating to the Land Reutilization Program (Landbanking Program); making certain findings with respect thereto; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:
Ordinance No. 340-91 established the Land Reutilization Program which adopted and implemented procedures of Chapter 5722 of the Ohio Revised Code. Ordinance No. 617-05 amended Toledo Municipal Code Sections 187.19(a)(1) and 187.19(a)(2) to permit the Mayor and the Director of Development to sell unbuildable residential parcels acquired by the City of Toledo Land Reutilization Program (Landbank Program) to adjacent residential property owners without competitive bidding and without separate ordinances. Ordinance 165-12 amended the Code again, this time to allow for property sales and donations to the Lucas County Land Reutilization Corporation without competitive bidding and without separate ordinances. It is estimated that the number of residential vacant lots available for purchase through the Land Reutilization Program is going to grow from just over 800 in 2017 to well over 3,000 parcels by 2023.

The goal of the program is to return vacant property to productive use by putting it in the hands of nearby property owners. This amendment will expand authorization to a Lot Transfer Committee to convey

properties without competitive bidding and without separate ordinance in two ways. First, eligible applicants will include adjacent property owners, and businesses, non-profit organizations or owner-occupied residents located in proximity to the subject parcel. Second, there are no lot dimension restrictions for properties to be conveyed.

Label: DOD AmendTMC187.19(a)
Real Estate / Department of Development
Bill Burkett (x1692)
(Revised)

[O-102-18](#)

Amending and supplementing Title Seven of Part One of the Toledo Municipal Code and enacting a new Chapter 162 to create the Joe E Brown Park Advisory Board and establishing the Joe E. Brown Park Trust Fund; and declaring an emergency.

Body: SUMMARY & BACKGROUND:
The utilization and maintenance of Joe E. Brown Park is a matter of great concern. It is important that citizens become involved and participate in decisions affecting how Joe E. Brown Park is operated. The passage of this Ordinance will establish the Joe E. Brown Park Advisory Board to assist the City of Toledo and the Division of Parks, Recreation & Forestry in operating the park in a competent manner and create the Joe E. Brown Park Trust Fund.

Label: Joe E. Brown Park Board
Office of the Mayor
Abby Arnold (x1007)
(Revised)

PRESIDENT OF COUNCIL CHERRY PRESENTS:

[TMP-2595](#)

Neighborhood Block Watch Board

Attachments: [Neighborhood Block Watch](#)

NEW ITEMS FROM CITY COUNCIL:

[TMP-2596](#)

Accepting the petition of David Kosmyrna and Marcus Keppi-Kosmyrna 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.

Label: All Council Members

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

[TMP-2597](#) Determining to proceed with certain 2044 Collingwood Avenue, Toledo, Ohio 43620 Special Energy Improvement Projects by way of special assessments in accordance with Chapters 1710 and 727 of the Ohio Revised Code; and declaring an emergency.

Label: All Council Members

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

[TMP-2598](#) Levying special assessments for the 2044 Collingwood Avenue, Toledo, Ohio 43620 Special Energy Improvement Project; and declaring an emergency.

Label: All Council Members

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

DEPARTMENT OF PUBLIC UTILITIES:

1. [TMP-2612](#) Authorizing the mayor to apply for, enter into agreement(s), accept and deposit loan proceeds of up to \$49,000,000 from the Ohio EPA Water Supply Revolving Loan Account (WSRLA) and/or the Ohio Water Development Authority (OWDA) into the Water Replacement Fund; authorizing the appropriation and expenditure of said loan proceeds from the unappropriated balance of the Water Replacement Fund

for the Harmful Algal Bloom Ozone Treatment Improvements; appropriating \$600,750 from the unappropriated balance of the Water Replacement Fund for the payment of loan administrative fees and miscellaneous project costs; authorizing a dedicated source for repayment of said loan(s); authorizing the mayor to execute all necessary documentation for said loan(s) and to execute the necessary documentation for all contracts related to construction, professional services, contingencies, capitalized interest, testing, and permit fees; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

On August 2, 2014 the city of Toledo issued a “Do Not Drink” advisory impacting over 400,000 residents in the Toledo region due to the presence of the algal toxin microcystin in the finished drinking water. The city subsequently applied for and was successful in securing Ohio EPA - Water Supply Revolving Loan Account (WSRLA) funding for chemical feed improvements constructed in 2015 as a short term control measure to treat Harmful Algal Bloom (HAB) toxins. In addition to the recent chemical feed improvements, the new Ozone Treatment Facilities will serve as the long-term control measure for removal of HAB toxins. Prior to loan approval, the Ohio EPA requires an ordinance be passed authorizing the loan application, acceptance, and the execution of an agreement as well as designating a dedicated repayment source for the WSRLA funds.

Label: DPU - OZONE TREATMENT FACILITIES

Water Treatment

P. Bannister (x1846)

(Revised)

2. [TMP-2610](#)

Authorizing the appropriation and expenditure of \$8,750,000 from the Capital Improvement Fund for the 2018 General Resurfacing Program; authorizing the mayor to prepare plans and specifications, acquire required rights-of-way as appropriate, and enter into contracts for these projects within the Division of Engineering Services; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

Engineering Services requests \$8,750,000 from the Capital Improvement Fund for the 2018 General Resurfacing program. This item is for projects that utilize 100% city of Toledo capital funds to rebuild or resurface primarily local residential streets.

This project is included in the 2018 Proposed Capital Improvement Budget that was submitted on November 15, 2017. Appropriation of these funds now will allow for timely bidding and construction to ensure all projects are completed this year.

Label: DPU - CIP General Resurfacing
Engineering Services
Timothy Grosjean (x1344)
(Revised)

3. [TMP-2614](#)

Authorizing the mayor to enter into a cooperative grant agreement with and to accept additional financial assistance from the state of Ohio, Department of Transportation (ODOT), in an amount not to exceed \$166,580 for construction of the project entitled LUC-Summit Street Streetscape Phase 2; authorizing acceptance, deposit, appropriation and expenditure of the grant proceeds into the Capital Improvements Fund; authorizing the mayor to accept bids and award contracts for said project; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

This ordinance is required to enable the city of Toledo to enter into an agreement with ODOT and to accept additional funding for the project entitled LUC-Summit Street Streetscape Phase 2. The funds will be used to construct streetscape and bike path related improvements along Summit Street associated with this planned and phased streetscape enhancement project. Passage of this ordinance will allow additional grant funds in the amount of \$166,580 to be added to the original grant amount of \$610,364 authorized by Ordinance 161-17. Local matching funds totaling \$414,180 for the project are required and will be included with the proposed Engineering Services 2019 Matches and Planning Program.

Label: DPU - Summit Street Streetscape Phase 2
Engineering Services
Steve Day (x2893)
(Revised)

Attachments: [Phasing Plan](#)

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

[TMP-2599](#)

Changing the zoning maps attached to Part 11, Planning and Zoning, Toledo Municipal Code, for the property located at 901 Front Street, in the City of Toledo, Lucas County, Ohio; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

An application (Z-12006-17) for a proposed change in zoning for the property located at 901 Front Street, Toledo, Ohio, was submitted to the Toledo City Plan Commission for its review and recommendation.

On February 8, 2018, the Toledo City Plan Commission recommended approval of the request for a zone change from “IL” Limited Industrial to “CR” Regional Commercial for the property located at 901 Front Street, Toledo, Ohio.

The City Council Zoning and Planning Committee on March 14, 2018, sent as approved the request for a zone change from “IL” Limited Industrial to “CR” Regional Commercial for the property located at 901 Front Street, Toledo, Ohio.

Label: Zoning & Planning Committee

Attachments: [Plan Commission Report](#)

[TMP-2600](#)

Changing the zoning maps attached to Part 11, Planning and Zoning, Toledo Municipal Code, for the property located at 0 Front Street, in the City of Toledo, Lucas County, Ohio; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

An application (Z-12007-17) for a proposed change in zoning for the property located at 0 Front Street, Toledo, Ohio, was submitted to the

Toledo City Plan Commission for its review and recommendation.

On February 8, 2018, the Toledo City Plan Commission recommended approval of the request for a zone change from “IL” Limited Industrial to “CR” Regional Commercial for the property located at 0 Front Street, Toledo, Ohio.

The City Council Zoning and Planning Committee on March 14, 2018, sent as approved the request for a zone change from “IL” Limited Industrial to “CR” Regional Commercial for the property located at 0 Front Street, Toledo, Ohio.

Label: Zoning & Planning Committee

Attachments: [Plan Commission Report](#)

[TMP-2601](#)

Granting an amendment to a Special Use Permit for Community Recreation, Active for a site located at 1302 Linden Lane, in the City of Toledo, Lucas County, Ohio; subject to certain conditions and waivers; declaring an emergency.

Body: SUMMARY & BACKGROUND:

By application (SUP-11004-17) filed with the City of Toledo Central Permit Center, a request for an amendment to a Special Use Permit for Community Recreation, Active for the site located at 1302 Linden Lane, in the City of Toledo, Lucas County, Ohio; was submitted to the Toledo City Plan Commission for its review and recommendation.

On January 11, 2018, the Toledo City Plan Commission recommended approval for an amendment to a Special Use Permit for Community Recreation, Active for the site located at 1302 Linden Lane, in the City of Toledo, Lucas County, Ohio.

On March 14, 2018, Toledo City Council, Planning and Zoning Committee reviewed, and sent as approved an amendment to a Special Use Permit for Community Recreation, Active for the site located at 1302 Linden Lane, City of Toledo, Lucas County, Ohio; and all other things required by law to be done, have been done.

Label: Zoning & Planning Committee

Attachments: [Plan Commission Report](#)

[TMP-2602](#)

Granting a Special Use Permit for a Day Care Center for a site located at 4859 Douglas Road, in the City of Toledo, Lucas County, Ohio; subject to certain conditions and waivers; declaring an emergency.

Body: SUMMARY & BACKGROUND:

By application (SUP-12001-17) filed with the City of Toledo Central Permit Center, a request for a Special Use Permit for a Day Care Center for a site located at 4859 Douglas Road, in the City of Toledo, Lucas County, Ohio; was submitted to the Toledo City Plan Commission for its review and recommendation.

On February 8, 2018, the Toledo City Plan Commission recommended approval for a Special Use Permit for a Day Care Center for a site located at 4859 Douglas Road, in the City of Toledo, Lucas County, Ohio.

On March 14, 2018, Toledo City Council, Planning and Zoning Committee reviewed, and sent as approved a Special Use Permit for a Day Care Center for a site located at 4859 Douglas Road, City of Toledo, Lucas County, Ohio; and all other things required by law to be done, have been done.

Label: Zoning & Planning Committee

Attachments: [Plan Commission Report](#)

[TMP-2603](#)

Granting a Special Use Permit for a Medical Marijuana Dispensary for a site located at 3151-3157 W. Sylvania Avenue, in the City of Toledo, Lucas County, Ohio; subject to certain conditions; declaring an emergency.

Body: SUMMARY & BACKGROUND:

By application (SUP-11001-17) filed with the City of Toledo Central Permit Center, a request for a Special Use Permit for a Medical Marijuana Dispensary for a site located at 3151-3157 W. Sylvania Avenue, in the City of Toledo, Lucas County, Ohio; was submitted to

the Toledo City Plan Commission for its review and recommendation.

On February 8, 2018, the Toledo City Plan Commission recommended approval for a Special Use Permit for a Medical Marijuana Dispensary for a site located at 3151-3157 W. Sylvania Avenue, , in the City of Toledo, Lucas County, Ohio.

On March 14, 2018, Toledo City Council, Planning and Zoning Committee reviewed, and sent as approved a Special Use Permit for a Medical Marijuana Dispensary for a site located at 3151-3157 W. Sylvania Avenue, City of Toledo, Lucas County, Ohio; and all other things required by law to be done, have been done.

Label: Zoning & Planning Committee

Attachments: [Plan Commission Report](#)

[TMP-2604](#)

Changing the zoning maps attached to Part 11, Planning and Zoning, Toledo Municipal Code, for the property located at 1415 W. Delaware Avenue, in the City of Toledo, Lucas County, Ohio; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

An application (Z-12004-17) for a proposed change in zoning for the property located at 1415 W. Delaware Avenue, Toledo, Ohio, was submitted to the Toledo City Plan Commission for its review and recommendation.

On February 8, 2018, the Toledo City Plan Commission recommended approval of the request for a zone change from “IL” Limited Industrial to “CM” Mixed Commercial for the property located at 1415 W. Delaware Avenue, Toledo, Ohio.

The City Council Zoning & Planning Committee on March 14, 2018, sent as approved the request for a zone change from “IL” Limited Industrial to “CM” Mixed Commercial for the property located at 1415 W. Delaware Avenue, Toledo, Ohio.

Label: Zoning & Planning Committee

Attachments: [Plan Commission Report](#)[TMP-2605](#)

Granting an amendment to a Special Use Permit for an expansion of an existing used auto sales lot for a site located at 1108 Woodville Road, in the City of Toledo, Lucas County, Ohio; subject to certain conditions and waivers; declaring an emergency.

Body:

SUMMARY & BACKGROUND:

By application (SUP-8002-16) filed with the City of Toledo Central Permit Center, a request for an amendment to a Special Use Permit for the expansion of an existing used auto sales lot for a site located at 1108 Woodville Road, in the City of Toledo, Lucas County, Ohio,, was submitted to the Toledo City Plan Commission for its review and recommendation.

On February 8, 2018, the Toledo City Plan Commission recommended approval for an amendment to a Special Use Permit for an expansion of an existing used auto sales lot for a site located at 1108 Woodville Road, in the City of Toledo, Lucas County, Ohio.

On March 14, 2018, Toledo City Council, Planning and Zoning Committee reviewed, and sent as approved an amendment to a Special Use Permit for an expansion of an existing used auto sales lot for a site located at 1108 Woodville Road, in the City of Toledo, Lucas County, Ohio; and all other things required by law to be done, have been done.

Label: Zoning & Planning Committee

Attachments: [Plan Commission Report](#)

PRESIDENT OF COUNCIL CHERRY, CHAIR, ZONING & PLANNING COMMITTEE, REPORTS WITHOUT RECOMMENDATION:

[TMP-2606](#)

Changing the zoning maps attached to Part 11, Planning and Zoning, Toledo Municipal Code, for the property located at 2310 Jefferson Avenue, in the City of Toledo, Lucas County, Ohio; and declaring an emergency.

Body:

SUMMARY & BACKGROUND:

An application (Z-11006-17) for a proposed change in zoning for the property located at 2310 Jefferson Avenue, Toledo, Ohio, was submitted to the Toledo City Plan Commission for its review and recommendation.

On January 11, 2018, the Toledo City Plan Commission recommended approval of the request for a zone change from “Co” Office Commercial to “RM36” Multi Dwelling Residential for the property located at 2310 Jefferson Avenue, Toledo, Ohio.

The City Council Zoning and Planning Committee on March 14, 2018, sent without recommendation the request for a zone change from “Co” Office Commercial to “RM36” Multi Dwelling Residential for the property located at 2310 Jefferson Avenue, Toledo, Ohio.

Label: Zoning & Planning Committee

Attachments: [Plan Commission Report](#)
[Unison Health](#)
[Women of The Old West End](#)

[TMP-2607](#)

Granting a Special Use Permit for a Drug and Alcohol Treatment Facility- Residential for a site located at 2310 Jefferson Avenue, in the City of Toledo, Lucas County, Ohio; subject to certain conditions and waivers; declaring an emergency.

Body: SUMMARY & BACKGROUND:

By application (SUP-11007-17) filed with the City of Toledo Central Permit Center, a request for a Special Use Permit for a Drug and Alcohol Treatment Facility-Residential for a site located at 2310 Jefferson Avenue, in the City of Toledo, Lucas County, Ohio; was submitted to the Toledo City Plan Commission for its review and recommendation.

On January 11, 2018, the Toledo City Plan Commission recommended approval for a Special Use Permit for a Drug and Alcohol Treatment Facility-Residential for a site located at 2310 Jefferson Avenue, in the City of Toledo, Lucas County, Ohio.

On March 14, 2018, Toledo City Council, Planning and Zoning Committee reviewed, and sent without recommendation a Special Use Permit for a Drug and Alcohol Treatment Facility-Residential for a site located at 2310 Jefferson Avenue, City of Toledo, Lucas County, Ohio; and all other things required by law to be done, have been done.

Label: Zoning & Planning Committee

Attachments: [Plan Commission Report](#)
[Unison Health](#)
[Women of The Old West End](#)

PRESIDENT OF COUNCIL CHERRY, CHAIR, ZONING & PLANNING COMMITTEE, REPORTS AS DISAPPROVED:

[TMP-2608](#)

Granting a Special Use Permit for a rooming house for a site located at 936 N. Superior Street, in the City of Toledo, Lucas County, Ohio; subject to certain conditions and waivers; declaring an emergency.

Body: SUMMARY & BACKGROUND:
By application (SUP-12005-17) filed with the City of Toledo Central Permit Center, a request for a Special Use Permit for a rooming house for a site located at 936 N. Superior Street, in the City of Toledo, Lucas County, Ohio; was submitted to the Toledo City Plan Commission for its review and recommendation.

On February 8, 2018, the Toledo City Plan Commission recommended disapproval for a Special Use Permit for a rooming house for a site located at 936 N. Superior Street, in the City of Toledo, Lucas County, Ohio.

On March 14, 2018, Toledo City Council, Planning and Zoning Committee reviewed, and sent as disapproved a Special Use Permit for a rooming house for a site located at 936 N. Superior Street, City of Toledo, Lucas County, Ohio; and all other things required by law to be done, have been done.

Label: Zoning & Planning Committee

Attachments: [Plan Commission Report](#)
[Additional information](#)

THE CLERK REPORTS:

[TMP-2609](#)

Declaring the intent to vacate a portion of Whiteford Center Road and right of way, in the City of Toledo, Lucas County, Ohio; and declaring an emergency.

Body: SUMMARY & BACKGROUND:
Petitioner has filed a request to vacate a portion of Whiteford Center Road and right of way in the City of Toledo, Lucas County, Ohio, as more fully described in Section 1 hereof.

Label: The Clerk Reports

ITEM LIKELY TO BE RELIEVED OF BUDGET OVERSIGHT COMMITTEE:

[O-503-17](#)

Appropriating from various funds to individual accounts for the current expenses and other expenses of the City of Toledo for the fiscal year ending December 31, 2018; and declaring an emergency.

Body: SUMMARY & BACKGROUND:
It is provided by law that an Annual Appropriation Ordinance shall be passed by Council. The Revised Code of Ohio and the Charter of the City of Toledo provide for such Ordinance and the method of enacting same. Section 46 of the Toledo City Charter states that, unless specifically provided otherwise, not more than one-half of any appropriation shall be expended before the first day of July in the current year.

Label: 2018 Budget Ordinance
Finance
Peter Rancatore

Attachments: [Attachment A & B](#)

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