



City of Toledo

One Government Center
Toledo, OH 43604

Formal Agenda City Council

Tuesday, March 21, 2023

4:00 PM

Council Chambers

COUNCIL MEMBERS CHERRY AND MELDEN PRESENT:

[R-114-23](#) Recognizing March as Developmental Disabilities Awareness Month.

COUNCIL MEMBERS McPHERSON AND MORRIS PRESENT:

[R-115-23](#) Recognizing and congratulating Toledo Police Department Officer Dana Slay for being the first black officer awarded badge #1.

APPOINTMENTS FROM THE OFFICE OF THE MAYOR:

[A-116-23](#) Appointment - City Plan Commission

Attachments: [City Plan Commission](#)

[A-117-23](#) Appointment - City Plan Commission

Attachments: [City Plan Commission](#)

SECOND READING ITEMS:

[O-096-23](#) Authorizing the expenditure of \$750,000 from the Capital Improvement Fund for the 2023 Sidewalk Program; authorizing the expenditure of \$1,400,000 from the Special Assessment Improvement Fund for the 2023 Sidewalk Program; authorizing the mayor to prepare plans and specifications, acquire required rights-of-way as appropriate, and enter into contracts for this project within the Division of Engineering and Construction Management; and declaring an emergency.

Legislative History

3/7/23 City Council First Reading

[O-104-23](#)

Authorizing the appropriation of \$45,000 from the unappropriated balance of the Water Replacement Fund and operating transfer of same into the Water Operating Fund; authorizing the appropriation of \$50,000 from the unappropriated balance of the Sewer Replacement Fund and operating transfer of same into the Sewer Operating Fund; authorizing the appropriation of \$5,000 from the unappropriated balance of the Storm Water Replacement Fund and operating transfer of same into the Storm Water Operating Fund; authorizing the appropriation and expenditure of an amount not to exceed \$45,000 from the Water Operating Fund, the appropriation and expenditure of an amount not to exceed \$50,000 from the Sewer Operating Fund, and the appropriation and expenditure of an amount not to exceed \$5,000 from the Storm Water Operating Fund to fund the customer assistance grant program; and declaring an emergency.

Legislative History

3/7/23 City Council First Reading

COUNCIL PRESIDENT CHERRY PRESENTS:[A-118-23](#)

Appointment - Board of Zoning Appeals (BZA)

Attachments: [BZA](#)[A-119-23](#)

Nominations - City Auditor

Attachments: [City Auditor](#)**COUNCIL MEMBERS MORRIS, GADUS AND HOBBS PRESENT:**[R-120-23](#)

Supporting the passage and implementation of federal legislation and regulations regarding Railroad Safety and Maintenance; and declaring an emergency.

COUNCIL MEMBERS WHITMAN AND HARTMAN PRESENT:

[O-121-23](#) Authorizing the expenditure of \$16,924 from the General Fund to pay the National League of Cities (NLC) 2023 membership dues; and declaring an emergency.

COUNCIL MEMBERS McPHERSON, GADUS AND HOBBS PRESENT:

[O-122-23](#) Authorizing the expenditure of \$50,000 from the General Fund for a sponsorship to support the 2023 Glass City Jazz Fest; and declaring an emergency.

COUNCIL PRESIDENT CHERRY AND THE MEMBERS OF CITY COUNCIL PRESENT:

[O-123-23](#) 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 2717 Collingwood; 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](#)

OFFICE OF THE MAYOR:

[O-124-23](#) Authorizing the expenditure of \$100,000 from the General Fund to support the 2023 ProMedica Summer Concert Series as a Collaborative Sponsor; and declaring an emergency.

[O-125-23](#) Authorizing the expenditure of \$75,000 from the

General Fund to support the 2023 Italian Bowl as a Collaborative Sponsor; and declaring an emergency.

DEPARTMENT OF PUBLIC SERVICE:

[O-126-23](#)

Authorizing the expenditure from multiple funds for the collection, hauling, and processing of materials collected through the 2023 Clean Toledo Recycling events; authorizing the mayor to accept bids and enter into necessary contracts for recycling and disposal services; waiving the competitive procurement requirements of TMC Section 187; and declaring an emergency.

DEPARTMENT OF TRANSPORTATION:

[O-127-23](#)

Authorizing the expenditure of an amount not to exceed \$90,000 from the Capital Improvement Fund for the lease of vehicles for the Division of Engineering and Construction Management; and declaring an emergency.

[O-128-23](#)

Authorizing the expenditure of an amount not to exceed \$1,300,000 from the Capital Improvement Fund for the Road & Bridge Maintenance Matches and Planning Program; authorizing the mayor to prepare plans and specifications, acquire rights-of-way as appropriate, accept bids and award contracts and enter into agreements for said program; and declaring an emergency.

[O-129-23](#)

Authorizing the expenditure of an amount not to exceed \$600,000 from the Capital Improvement Fund for the Road & Bridge Maintenance Levees and Harbor Program; authorizing the mayor to prepare plans and specifications, acquire rights-of-way as appropriate, accept bids and award contracts for said Levee and Harbor program within the Division of Road & Bridge Maintenance; and declaring an emergency.

- [O-130-23](#) Authorizing the expenditure of an amount not to exceed \$500,000 from the Capital Improvement Fund for the Road & Bridge Maintenance Central Avenue Facility project; authorizing the mayor to prepare plans and specifications, acquire rights-of-way as appropriate, accept bids and award contracts for the Central Avenue Facility project; and declaring an emergency.

DEPARTMENT OF ECONOMIC DEVELOPMENT:

- [O-131-23](#) Authorizing the Mayor and Department of Economic Development to implement a Facade Improvement Grant (“FIG”) Program; authorizing the Mayor to enter into program grant agreements; authorizing, subject to annual appropriations, expenditures from the General Fund for the FIG Program; and declaring and emergency.

- [O-132-23](#) Authorizing the Mayor and Department of Economic Development to implement a White Box Grant Program; authorizing the Mayor to enter into program grant agreements; authorizing, subject to annual appropriations, the expenditure of funds from the General Fund for the White Box Grant Program; and declaring an emergency.

- [O-133-23](#) Authorizing the Mayor to execute and deliver needed instruments for the acquisition of the real property known as the Scott Park District Police Station located at 2225 Nebraska Avenue and the Scott Park Baseball/Softball Complex from the State of Ohio; and declaring an emergency.

Attachments: [Exhibit A](#)
[Exhibit B](#)

- [O-134-23](#) Authorizing the Mayor to enter into an Easement Agreement with Glass City Energy, LLC granting an easement over a portion of certain city-owned property lying between Miami Street and the Maumee River;

making certain findings related thereto; waiving competitive bid provisions of TMC Ch. 187; authorizing the deposit of proceeds; and declaring an emergency.

Attachments: [Exhibit A](#)

DEPARTMENT OF PARKS & YOUTH SERVICES:

[O-135-23](#)

Authorizing the Mayor to accept US Department of Housing and Urban Development grant funds in the amount of \$1,381,000 awarded to the Toledo Football Academy to support improvements at Schneider Park; authorizing the deposit, appropriation and expenditure of \$1,381,000 in the Capital Improvement Fund for Schneider Park improvements; authorizing the Mayor to accept bids and award contracts; and declaring an emergency.

[O-136-23](#)

Authorizing and expressing City Council's support for the mayor to prepare and submit applications to apply for a Recreational Trails Program grant from the Ohio Department of Natural Resources (ODNR) in the amount of \$150,000 for resurfacing and preventative maintenance on the paved loop trail at Ottawa Park; authorizing the expenditure of \$100,000 in local matching funds from the Capital Improvement Fund; and declaring an emergency.

[O-137-23](#)

Authorizing the appropriation and expenditure of \$1,952,500 from the Local Fiscal Recovery Fund for youth engagement, mentoring, and development initiatives; authorizing the Mayor to enter into necessary agreements for these initiatives; and declaring an emergency.

Attachments: [Schedule A](#)
[SMART Analysis](#)

[O-138-23](#)

Authorizing the appropriation and expenditure of \$47,500 from the Local Fiscal Recovery Fund for youth engagement, mentoring, and development initiatives;

authorizing the Mayor to enter into necessary agreements for these initiatives; and declaring an emergency.

Attachments: [Schedule A](#)

[O-139-23](#)

Authorizing the expenditure of \$500,000 from the Capital Improvement Fund for the City Toledo Parks infrastructure revitalization initiative; authorizing the Mayor to accept bids and award contracts for said purpose; and declaring an emergency.

Attachments: [2023 Park Infrastructure Investment](#)

[O-140-23](#)

Authorizing the expenditure of \$60,000 from the Capital Improvement Fund for the design of a river access ramp and overlook structure at River Road Park; authorizing the Mayor to accept bids and award contracts for said purpose; and declaring an emergency.

DEPARTMENT OF LAW:

[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 \(Redline\)](#)

[O-142-23](#)

Repealing Toledo Municipal Code Chapter 719, “Courtesy Benches”; and declaring an emergency.

DEPARTMENT OF POLICE OPERATIONS:

[O-143-23](#)

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 an Edward Byrne Memorial Grant 2022-JG-A02-6907 in the amount of \$23,467.97 for the Toledo Police Department; authorizing the appropriation and expenditure of funds from the Operation Grants fund; and declaring an emergency.

[O-144-23](#) Authorizing the Mayor to enter into an agreement with the Criminal Justice Coordinating Council and to accept and deposit an OCJS Violence Against Women Act Grant in the amount of \$19,030.88 for the Toledo Police Department Domestic Violence Unit; authorizing the appropriation and expenditure of funds from the Operation Grants fund; and declaring an emergency.

[O-145-23](#) Authorizing the expenditure in an amount not to exceed \$350,000 from the Capital Improvement Fund for the cost of police Tasers; and declaring an emergency.

[O-146-23](#) Authorizing the expenditure in an amount not to exceed \$280,000 from the Capital Improvement Fund for the cost of Shot Spotter gunshot detection; and declaring an emergency.

[O-147-23](#) Authorizing the expenditure of an amount not to exceed \$55,000 from the General Fund for medical screening services for the 2023 TPD wellness program; authorizing the Mayor to accept bids and award contracts; and declaring an emergency.

DEPARTMENT OF PUBLIC UTILITIES:

[O-148-23](#) Authorizing the expenditure of \$38,002 from the Water Replacement Fund for materials needed for the emergency replacement of the watermain on Galena Street and Chase Street; authorizing the mayor to enter into a contract with ETNA Supply - Toledo; finding that the competitive procurement process was waived under TMC Section 187.20; and declaring an emergency.

[O-149-23](#) Authorizing the expenditure of \$488,041 from the Water Replacement Fund for the restoration at the intersection of Galena Street and Chase Street;

authorizing the Mayor to enter into a contract with Geddis Paving and Excavating; finding that the competitive procurement process was waived under TMC Section 187.20; and declaring an emergency.

[O-150-23](#)

Authorizing the expenditure of an amount not to exceed \$9,278 from the Water Replacement Fund for additional costs to purchase one (1) HIAB Crane, Winch and Remote Control through Hiab USA, Inc. for the Department of Public Utilities, Division of Water Distribution; and declaring an emergency.

[O-151-23](#)

Authorizing the appropriation and expenditure of \$15,623 from the Sewer Replacement Fund to pay E&K Contractors for emergency repairs to the force main associated with the North Cross Sanitary Pump Station in North Toledo; finding that the competitive procurement process was waived under TMC Section 187.20; and declaring an emergency.

DEPARTMENT OF TRANSPORTATION:

[O-152-23](#)

Authorizing the mayor to enter into an agreement with and accept financial cooperation from the Toledo Area Regional Transit Authority in an amount not to exceed \$300,000 for the TARTA LITE bench program; authorizing the acceptance, deposit, appropriation, and expenditure of proceeds into the Capital Improvement Project Fund in an amount not to exceed \$300,000 for said program; authorizing the mayor to prepare plans and specifications, acquire required rights-of-way as appropriate, and enter into contracts for said project; and declaring an emergency.

THE CLERK REPORTS:

[R-153-23](#)

Declaring the intent to vacate the full 80.00 foot right of ways along the centerlines of both Walbridge Avenue and along the deflecting southeasterly portion along Fassett Street, with one half of the right of way lying

40.00 feet on each side as measured perpendicular along the following courses, all within the City of Toledo, Lucas County Ohio; and declaring an emergency.

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

[O-154-23](#) Granting a Planned Unit Development for a Multi Family Development for a site located at 1338 N. Summit Street, in the City of Toledo, Lucas County, Ohio; subject to certain conditions and 4 waivers; and declaring an emergency.

Attachments: [Plan Commission Report](#)

[O-155-23](#) Granting an amendment to a Special Use Permit, originally granted by Ord. 90-19 and Ord. 293-21 for the Glass City Metropark Campground for a site located at 1821 Front Street, in the City of Toledo, Lucas County, Ohio; subject to certain conditions; and declaring an emergency.

Attachments: [Plan Commission Report](#)

[O-156-23](#) Granting a Special Use Permit, for a Day Care Center for a site located at 1822 Upton Avenue, in the City of Toledo, Lucas County, Ohio; subject to certain conditions and a waiver; and declaring an emergency.

Attachments: [Plan Commission Report](#)

[O-157-23](#) Granting a Special Use Permit, for a Type A Day Care for a site located at 5532 Douglas Road, in the City of Toledo, Lucas County, Ohio; subject to certain conditions and a waiver; and declaring an emergency.

Attachments: [Plan Commission Report](#)

[O-158-23](#) Granting an amendment to a Special Use Permit, originally granted by Ord. 524-85 and Ord. 852-86 to raze and rebuild a gas station and canopy for a site located at 950 W. Alexis Road, in the City of Toledo, Lucas County, Ohio; subject to certain conditions; and

declaring an emergency.

Attachments: [Plan Commission Report](#)

[O-159-23](#)

Granting a Special Use Permit, for a Community Center for a site located at 3319 Nebraska Avenue, in the City of Toledo, Lucas County, Ohio; subject to certain conditions; and declaring an emergency.

Attachments: [Plan Commission Report](#)

COUNCILWOMAN WILLIAMS PRESENTS:

[R-160-23](#)

Memorializing the life of William Griffin and renaming the boxing gym at Rev. HV Savage Park to be the William Griffin Boxing Gym.

ITEMS LIKELY TO RECEIVE IMMEDIATE CONSIDERATION

[O-161-23](#)

Authorizing the appropriation and expenditure of \$25,000 from the Local Fiscal Recovery Fund for youth engagement, mentoring, and development initiatives; authorizing the Mayor to enter into necessary agreement with Toledo Area Regional Transit Authority (TARTA) for these initiatives; and declaring an emergency.

[O-162-23](#)

Authorizing the appropriation and expenditure of \$5,000 from the Local Fiscal Recovery Fund for youth engagement, mentoring, and development initiatives; authorizing the Mayor to enter into necessary agreement with Nature's Nursery Center for Wildlife for these initiatives; 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.