



City of Toledo

One Government Center
Toledo, OH 43604

Agenda Review City Council

Tuesday, March 6, 2018

2:00 PM

Council Chambers

Agenda Review for the March 13, 2018 Meeting of Toledo City Council

APPOINTMENT FROM THE OFFICE OF THE MAYOR:

[TMP-2536](#) Appointments - TARTA Board

Attachments: [TARTA](#)

COUNCIL MEMBER KOMIVES PRESENTS:

[TMP-2546](#) Expressing the sense of the Toledo City Council that the Ohio General Assembly must enact greater safety requirements on guns to prevent the death and injury caused by the use of firearms.

Label: Council Member Komives

NEW ITEMS FROM CITY COUNCIL:

[TMP-2537](#) Accepting the petition of Dennis Lange 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: [Exhibits A, B & C](#)
[Petition](#)
[Agreement](#)

[TMP-2538](#) Determining to proceed with certain 2116 Scottwood Ave., 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-2539](#) Levying special assessments for the 2116 Scottwood Ave., Toledo, Ohio 43620 Special Energy Improvement Project; and declaring an emergency.

Label: All Council Members

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

[TMP-2540](#) Accepting the petition of Beauty Bar II, 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.

Label: All Council Members

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

[TMP-2541](#) Determining to proceed with certain Beauty Bar Energy Improvement Project 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-2542](#) Levying special assessments for the Beauty Bar Energy Improvement Project; and declaring an emergency.

Label: All Council Members

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

[TMP-2543](#) Accepting the petition of The Law Offices of Stevin J. Groth, LLC, Toledo Legal Building, Ltd, and 416 North Erie Street, 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.

Label: All Council Members

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

[TMP-2544](#) Determining to proceed with certain Toledo Legal Building Energy Improvement Project 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-2545](#) Levying special assessments for the Toledo Legal Building Energy Improvement Project; and declaring an emergency.

Label: All Council Members

Attachments: [Exhibits A, B & C](#)**TOLEDO MUNICIPAL COURT:**[TMP-2547](#)

Authorizing the Clerk of Toledo Municipal Court to enter into an agreement with GBS Corporation for the purchase of case file folders for \$31,072.90; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

In 2017, the Toledo Municipal Court Clerk's Office processed over 64,000 cases. Each case is assigned an individual file folder for all documents associated with that case. File folders are necessary for efficient recordkeeping and case processing.

The Clerk of Toledo Municipal Court solicited bids for the bulk printing of Case File Folders and Case File Inserts. The bid from GBS Corporation met the Clerk's specifications and was selected. The total bid price was \$31,072.90.

Label: GBS Corporation File Folder Purchase Agreement
Toledo Municipal Court
V. Bowman-English (x1780)
A. Huguelet (x1011)

DEPARTMENT OF LAW:1. [TMP-2548](#)

Authorizing the settlement of all claims now pending in *McGranahan v. City of Toledo, et. al*, in the Lucas County Court of Common Pleas, before the Honorable Judge Stacy Cook for the sum of \$15,000; and authorizing the expenditure of \$15,000 from the Risk Management Fund; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

Donald McGranahan filed a lawsuit in the Lucas County Court of Common Pleas as a result of events which occurred on September 7, 2015. On that date officers were led to believe from a 911 call that they were responding to multiple on-going felonies that created a life-threatening situation. The Plaintiff was arrested and faced criminal

charges before the case was dismissed.

A proposed agreement has been reached in the amount of \$15,000 to settle all claims from the incident described herein without constituting an admission of liability for any violation of state or federal law.

Label: McGranahan, Donald
Department of Law
J. Charles (x1038)
Revised

DEPARTMENT OF PUBLIC UTILITIES:

2. [TMP-2549](#) **Authorizing the appropriation and operating transfer of \$670,000 from the unappropriated balance of the Demolition Trust Fund into the Water Operating Fund in the amount of \$536,000 and into the Sewer Operating Fund in amount of \$134,000; authorizing the Mayor to renew contracts with Taylor Excavating for the purpose of providing water and sanitary sewer kills for the City of Toledo, Lucas County Land Reutilization Corporation, and private demolition projects; authorizing the expenditure in an amount not to exceed \$782,203 from the Water Operating Fund and an amount not to exceed \$249,800 from the Sewer Operating Fund; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:
In compliance with Toledo Municipal Code (TMC) Section 927.13 and Section 107.03; whenever a building is demolished, sewer and water is taken out of service, the connection to the public sewer and water services shall be plugged (killed) at the tapping or opening into the public sewer/water main. To execute this process, the Division of Sewer and Drainage Services bid out and awarded price determining contracts with the lowest bidder, Taylor Excavating, as authorized under Ordinance 420-16, to perform sewer and water service kills for the City of Toledo, Lucas County Land Reutilization Corporation, and private demolition projects through utilization of the Water Operating Fund, Sanitary Sewer Fund, and Demolition Trust Fund. In order to maintain 2016 pricing, Taylor Excavating and Sewer and Drainage

Services desire the renewal of the existing contract for Sewer and Water Kills. Sufficient funds have been provided in the proposed 2018 Operating Budget and Expendable Trust Fund. There is no additional financial impact to the City of Toledo as these funds were budgeted for the 2018 budget.

Label: DPU031318KillContractRenewal
Sewer and Drainage Services
David Pratt (x2172)
(Revised)

DEPARTMENT OF ECONOMIC & BUSINESS DEVELOPMENT:

3. [TMP-2550](#) **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)

DEPARTMENT OF PUBLIC SERVICE:

4. [TMP-2551](#) **Authorizing the expenditure in an amount not to exceed \$110,000 from the Toledo Urban Forestry Trust Fund for the purchase of two tree stump removal machines; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:
It is the intent of this ordinance to appropriate an amount not to exceed \$110,000 from the Toledo Urban Forestry Trust Fund. This equipment will assist the Division in the backlog of stumps. Sufficient funds are currently available with the Fiscal Year 2018 Department of Public Service Parks, Recreation and Forestry Division Toledo Urban Forestry Trust Fund.

Label: DPS Tree Stump Removal Machines - \$110,000
Parks, Recreation and Forestry
Paul M. Rasmusson (x7868), Rick Akeman (x2896)
(Revised)

DEPARTMENT OF PUBLIC UTILITIES:

5. [TMP-2552](#) **Authorizing the Mayor to enter into cooperative grant agreements with and accept financial assistance from the State of Ohio Department of Transportation (ODOT) for multiple construction projects; authorizing the acceptance, deposit, appropriation and expenditure of grant proceeds into the Capital Improvement Fund in an amount not to exceed \$17,024,253; authorizing the Mayor to execute all necessary documentation for the grants; authorizing the Mayor to accept bids and award contracts related to the construction; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

The Division of Engineering Services has been working closely with TMACOG and ODOT to secure grant funding through multiple funding programs for multiple projects. All amounts are grant dollars and are assigned to specific projects as follows:

A maximum of \$400,000 has been allocated by ODOT through the TMACOG TIP for a resurfacing project; Woodruff Avenue from Collingwood to Cherry. Matching funds will be provided through the Division of Engineering Services Matches and Planning budget.

A maximum of \$2,860,258 has been allocated by ODOT through the TMACOG TIP for a reconstruction project; South Detroit Avenue from Copland to the Anthony Wayne Trail. Matching funds will be provided through the Ohio Public Works Commission (OPWC) and the Division of Engineering Services Matches and Planning budget.

A maximum of \$4,257,498 has been allocated by ODOT through the TMACOG TIP for a reconstruction project; South Avenue from Reynolds to Byrne. Matching funds will be provided through the Ohio Public Works Commission (OPWC) and the Division of Engineering Services Matches and Planning budget.

A maximum of \$1,679,900 has been allocated by ODOT through the ODOT Urban Paving Program for a roadway resurfacing project; State Route 25 (Anthony Wayne Trail) from South to Glendale. Matching funds will be provided through the Ohio Public Works Commission (OPWC) and the Division of Engineering Services Matches and Planning budget.

A maximum of \$1,000,000 has been allocated by ODOT through the ODOT Urban Paving Program for a roadway resurfacing project; US Route 20 (Reynolds Road) from Glendale to Angola. Matching funds will be provided through the Ohio Public Works Commission (OPWC) and the Division of Engineering Services

Matches and Planning budget.

A maximum of \$375,000 has been allocated by ODOT through the ODOT Urban Paving Program for a roadway resurfacing project; US Route 24 (South Detroit Avenue) from Sherwood to Glendale. Matching funds will be provided through the Ohio Public Works Commission (OPWC) and the Division of Engineering Services Matches and Planning budget.

A maximum of \$400,000 has been allocated by ODOT through the ODOT Urban Paving Program for a roadway resurfacing project; State Route 120 (Cherry Street) from Summit to Greenbelt. Matching funds will be provided through the Ohio Public Works Commission (OPWC) and the Division of Engineering Services Matches and Planning budget.

A maximum of \$2,847,597 has been allocated by ODOT through Safety Funding for a resurfacing and widening project; Monroe Street at the intersections of Talmadge Road, Secor Road, and East Mall Drive. Matching funds will be provided through the Division of Engineering Services TIF budget.

A maximum of \$3,204,000 has been allocated by ODOT through Safety Funding for a reconstruction and widening project; Perrysburg-Holland at the intersection of Heatherdowns, Garden, and Manley. Matching funds will be provided through the Division of Engineering Services Matches and Planning budget.

The matching funds will be proposed in the Division of Engineering Services 2019 Matches and Planning budget and the TIF budget that will be covered by separate ordinances.

Passage of this ordinance is required to enable the City of Toledo to accept outside funding for these projects and have it in place to help pay for these expenditures.

Label: DPU031318ODOTGrants
Engineering Services

Timothy Grosjean (x1344)
(Revised)

6. [TMP-2553](#)

Authorizing the Mayor to enter into agreements with and accept financial assistance from the State of Ohio, Ohio Public Works Commission (“OPWC”) in an amount not to exceed \$2,253,905 for six roadway projects; authorizing the appropriation and expenditure of said grant and loan proceeds into the Capital Improvement Program Fund on the subject projects; authorizing a dedicated source for repayment of said loans; authorizing the Mayor to execute all necessary documentation for said grants and loans 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:

This ordinance authorizes the Mayor to accept, deposit, appropriate and expend up to \$2,253,905 in grant and loan funds from the Ohio Public Works Commission (“OPWC”). It further authorizes the Mayor to enter into agreements for the referenced grants and loans and to conduct the appropriate budget adjustments and transfers of expense associated with said grants and loans. It further dedicates a source of funds for repayment of the loans.

Resolutions #381-16 and #525-15 authorized applying for this assistance and entering into an agreement with OPWC for this purpose. Sections 1 and 3 of this ordinance details each project’s grant and/or loan amount and account code.

Each of these projects requires match money which is either in place or will be in place through other City or outside funding sources.

Passage of this ordinance is required to enable the City of Toledo to accept OPWC funding and to proceed with the construction of these projects.

Label: DPU 031318OPWCGrantsandLoans
Engineering Services
Tim Grosjean (x1344)
(Revised)

7. [TMP-2554](#) **Authorizing the appropriation and expenditure of \$2,900,000 from the unappropriated balance of the Franklin Park/Westfield Municipal Public Improvement Tax Increment Fund for the Monroe Street construction project from Secor to Nantucket; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:
Ohio Revised Code Sections 5709.40, 5709.42 and 5709.43 provide City Council with the authority to dedicate real estate tax proceeds on specific parcels towards infrastructure improvements in the vicinity of those parcels. In 2004, to improve safety conditions and reduce hazards to vehicular traffic associated with the expansion of the Franklin Park Mall and Westgate Village Shopping Center, City Council passed Ordinance 810-04 enabling tax proceeds from properties in these areas to be dedicated to infrastructure improvements in their respective vicinities.

The estimated unappropriated fund balance of the Franklin Park Tax Increment Fund (TIF) before ordinance passage is \$8,753,000. This ordinance authorizes appropriation and expenditure for the construction of a roadway widening and resurfacing project for Monroe Street from Secor to Nantucket.

Label: [SUBJECT]
DPU031318TIFTransportationFunding
Division of Engineering Services
Timothy Grosjean (x1344)
(Revised)

DEPARTMENT OF HUMAN RESOURCES:

8. [TMP-2555](#) **Authorizing the Mayor to enter into an Agreement with Ergometrics and Applied Personnel Services, Inc. to provide services to the City relating to job analyses,**

development of written examinations and/or assessment centers for Police Sergeant, Police Lieutenant, Police Captain, Fire Lieutenant and Fire Captain and recruitment examinations and physical ability testing for Police Officer and Fire Fighter; further authorizing the expenditure of funds; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The City sought competitive proposals to enter into a new contract for testing services for our safety forces personnel. One (1) proposal was submitted by Ergometrics and Applied Personnel Services, Inc. (hereinafter referred to as Ergometrics). Ergometrics provides entry-level recruitment, examination and physical ability services for Fire Fighters and Police Officers through National Testing Network. In addition, Ergometrics offers custom promotional written exams and/or assessment center exercises for the ranks of Police Sergeant, Police Lieutenant, Police Captain, Fire Lieutenant and Fire Captain. Ergometrics staff includes professional test developers with advanced degrees in Industrial/Organizational Psychology. In addition to the above, they provide the City with job analyses, statistical analysis, and content validation for each part of the process. Accordingly, the City determined Ergometrics to be best suited to provide these essential portions of the hiring process for our safety forces personnel. Total annual expenditure will not exceed \$90,000.

Label: Safety Forces Recruitment and Promotional Testing Services
Human Resources
Michael Niedzielski (x2182)
(Revised)

OFFICE OF THE MAYOR:

9. [TMP-2556](#) **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)

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.