



# City of Toledo

One Government Center  
Toledo, OH 43604

## Agenda Review City Council

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Tuesday, September 4, 2018

1:57 PM

Council Chambers

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### Agenda Review for the September 11, 2018 Meeting of Toledo City Council

#### SPECIAL COUNCIL MEETING - TUESDAY, SEPTEMBER 4, 2018, 1:59 pm

[O-355-18](#)

**Approving the revision of the current Collective Bargaining Agreement between the City of Toledo and the Toledo Firefighters Association, IAFF Local 92, for a successor agreement, consistent with the bargained understandings; and declaring an emergency.**

**Body:**

**SUMMARY & BACKGROUND:**

The City of Toledo and the Toledo Firefighters Association, IAFF Local 92 ("Local 92") reached a tentative agreement over terms that revise the current collective bargaining agreement, which expired on December 31, 2017, for a successor agreement, for the new term of January 1, 2018 through December 31, 2020. The Union ratified that tentative agreement on August 23, 2018. Pursuant to Ohio Revised Code section 4117.10(B), the economic provisions of that agreement are now being submitted to City Council for consideration and passage. If not acted upon within 30 days, the agreement is deemed approved.

Pursuant to the statutory bargaining process under the Ohio Revised Code, the City and the Union met multiple times during the last several months to negotiate the terms of a successor agreement.

The tentative agreement reached provides the City with the ability to reassign six (6) Lieutenants from the Communications Bureau to line operations and civilianize those Fire Communications Bureau Shift Supervisor positions. Also, this agreement enhances the safety of the citizens of Toledo as well as the firefighters by providing a process to

achieve all four-person engines by the end of the agreement. In addition, the agreement provides revisions to the drug and alcohol testing policy to include discretionary testing for alcohol and post-accident drug and alcohol testing. Further, the agreement decreases the amount of union release time and reduces the number of members permitted to negotiate a successor collective bargaining agreement.

Regarding the economic terms, the agreement provides for a 1.5% base pay increase in January 2018, another 2.5% increase in January 2019, and a 3% increase in January 2020. Also, the agreement provides on-call pay to members of the Fire Investigation Unit, to reflect parity with members of the Toledo Police Department working in the unit. The agreement also adds Veterans' Day and Easter as major holidays to reflect parity with the Toledo Police Patrolman's Association ("TPPA.") In exchange for the civilianization of positions in the Communications Bureau, the agreement increases the amount paid into the Local 92 Career Enhancement Program ("CEP") from 51% of the amount spent on TPPA CEP to 75% in 2019 and 2020. Subsequently, by 2021, Local 92's CEP will be completely separate from the TPPA CEP. In order to improve the efficiency and effectiveness of the Toledo Fire and Rescue Department, the agreement establishes a Field Training Officer/Paramedic Training Officer Program to train and mentor firefighters within the Department. Finally, reflecting the ever-increasing costs of healthcare, the agreement provides for increased contributions to the Union's Health and Welfare Fund. The City's monthly contributions will be based on the City's PEPM from the previous year.

**Label:** Toledo Firefighters Association, IAFF Local 92 Tentative Agreement  
HR Dept.-Michael Niedzielski (x2182); Anthony Markwood (x1525)

**Attachments:** [Tentative Agreement](#)  
[Memo](#)  
[Current CBA](#)

**Legislative History**

8/28/18

City Council

immediate  
consideration

[O-356-18](#)

**Approving the revision of the current Collective Bargaining Agreement between the City of Toledo and AFSCME Ohio Council 8, Local 2058, Main Unit, for a successor agreement, consistent with the bargained understandings; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

The City of Toledo and the American Federation of State, County, and Municipal Employees (AFSCME), Ohio Council 8, Local 2058, Main Unit, have reached a tentative agreement over terms that revise the current collective bargaining agreement, which expired May 31, 2018, for a successor agreement, for the new term of June 1, 2018 through May 31, 2021. The Union ratified that tentative agreement on August 22, 2018. Pursuant to Ohio Revised Code section 4117.10(B), the provisions of that agreement are being submitted to City Council for consideration and passage. If not acted upon within 30 days, the agreement is deemed approved.

Pursuant to the statutory bargaining process under the Ohio Revised Code, the City and the Union met several times over the last four months to negotiate the terms of a successor agreement.

The tentative agreement reached clarifies the overtime process for on-call personnel. In addition, it provides for a more efficient progressive disciplinary process, which will streamline the timeframes for City managers, administrators, and commissioners. The new agreement also provides some flexibility in the promotional process.

Regarding the economic terms, the agreement provides for a 1.5% base pay increase in January 2019, another 2.5% increase in January 2020, and a 3% increase in January 2021. There is also an increase in the meal allowance provision, from \$9.00 to \$11.00, to reflect parity with AFSCME Local 7. Lastly, to help curb health care costs, the agreement provides for an increase in the emergency room co-pay from \$65 to \$200. The remaining terms of the health care provision remain the same, with the parties agreeing to continue to negotiate that issue together with the other affected bargaining units as part of a multi-unit bargaining.

**Label:** AFSCME Local 2058, Tentative Agreement  
HR Dept.- Michael Niedzielski (x2182); Anthony Markwood (x1525)

**Attachments:** [Tentative Agreement](#)  
[Memo](#)  
[Current CBA](#)

**Legislative History**

8/28/18                      City Council                      immediate  
consideration

**APPOINTMENTS FROM THE OFFICE OF THE MAYOR:**

[TMP-3151](#)                      Appointments - Directors and Commissioners

**Attachments:** [Directors & Commissioners](#)

[TMP-3152](#)                      Appointment - Human Relations Commission

**Attachments:** [Human Relations Commission](#)

[TMP-3153](#)                      Appointments - Rev. H.V. Savage Park Advisory Board

**Attachments:** [Savage Park Advisory Board](#)

**SECOND READING ITEMS:**

[O-332-18](#)                      Authorizing the mayor to enter into an agreement with HealthScope Benefits, Inc. for the provision of Third Party Administrator Services related hospitalization, surgical-medical, major medical, and medical management services for the City of Toledo's covered employees for a period of three (3) years; and further authorizing the expenditure of funds; and declaring an emergency.

**Body:** SUMMARY & BACKGROUND:  
The City of Toledo's contract with HealthScope Benefits, Inc., the incumbent Third Party Administrator expires on September 30, 2018.

The City of Toledo's Human Resources Department sought competitive proposals in accordance with law and received eight (8)

responsive proposals for third party administration services. The Human Resources Department reviewed each proposal, with consultation from representatives of the Law and Finance Departments, Risk Management and an external consultant, and determined that HealthScope Benefits, Inc. presented the best proposal. The Health Care Cost Containment Committee also recommended that the city continue with this provider. It is estimated that the administrative fee cost associated with this agreement will be approximately \$321,750, year one; \$347,490 year two; and \$373,230 year three.

**Label:** HealthScope Benefits  
Human Resources  
C.W. Brown (x1563)  
(Revised)

**Attachments:** [Calvin W. Brown memo](#)  
[Review Summary](#)

**Legislative History**

8/28/18	City Council	Batch Final
8/28/18	City Council	Batch Final
8/28/18	City Council	First Reading
8/28/18	City Council	First Reading

[O-333-18](#)

**Authorizing the mayor to enter into an agreement with FrontPath Health Coalition for the provision of preferred provider network services related to hospitalization, surgical-medical, major medical, and medical management for the city of Toledo's covered employees for a period of three (3) years; and further authorizing the expenditure of funds; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:  
The city of Toledo's contract with FrontPath Health Coalition, the incumbent preferred provider organization, expires on September 30, 2018.

The city of Toledo's human resources department sought competitive

proposals in accordance with law and received eight (8) responsive proposals for a preferred provider organization. The human resources department reviewed each proposal, with consultation from representatives of the law and finance departments, risk management and an external consultant, and determined that FrontPath Health Coalition presented the lowest and best proposal. The Health Care Cost Containment Committee also recommended that the city continue with this provider. It is estimated that the administrative fee cost associated with this agreement will be approximately \$180,180 per year for three (3) years.

**Label:** FrontPath Health Coalition  
Human Resources  
C.W. Brown (x1563)  
(Revised)

**Attachments:** [Calvin W. Brown memo](#)  
[Review Summary](#)

**COUNCILMAN WANIEWSKI PRESENTS:**

[TMP-3154](#)

**Repealing Toledo Municipal Code (TMC), Part Thirteen, Subsections 1393.08(a) , and TMC, and 1393.11, and enacting new Part Thirteen, Subsections 1393.08(a) and 13912.02(y).**

**Body:** SUMMARY & BACKGROUND:

The City of Toledo recognizes the importance of signs advertising businesses and events in the community and the need to enhance the appearance and safety of shopping areas or similar locations within the City through a consistent approach to the size, presentation and placement of A-frame and sandwich board signs with a degree of flexibility as appropriate.

The proposed sign regulations reflect a mandate for quality design and the creation of "pedestrian friendly" activity centers. The regulations also recognize that commercial signage is indispensable to the economy. Good signage presents a positive image and promotes that economy. The new regulations provide business establishments with signage options that may be utilized through a variety of creative and

effective signing techniques.

**Label:** Councilman Waniewski

**[TMP-3155](#)**

**Authorizing the Mayor to implement a District Improvement Program (DIP); encumbering \$750,000 from the Capital Improvement Fund; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

Toledo City Council has funded, through the budgeting process, \$125,000 for each Council District to be used for capital improvements to enrich the quality of life for individuals, families and business owners. This District Improvement Program (DIP) will empower community members to take steps toward long-term improvements. The purpose of DIP is to give community members an opportunity to have direct input and influence into the improvement of their neighborhoods. The emphasis of the program is to help fund capital projects not currently planned by the City that have community-wide benefit.

**Label:** District Improvement Program  
Toledo City Council  
Councilman Tom Waniewski (x1281)

**DEPARTMENT OF FINANCE:**

1. **[TMP-3145](#)**

**Authorizing the expenditure of \$20,000 from the General Fund for annual access to the Priority Based Budgeting applications; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

Ordinance 500-17 authorized a one-year contract, with two renewal options, with Resource Exploration for access to and support costs for the priority based budgeting (PBB) online software applications. The annual cost for the PBB applications is \$20,000. This ordinance authorizes the expenditure of funds for year two of the contract. Funds have been included in the General Fund 2018 operating budget for this expenditure.

**Label:** Priority Based Budgeting Annual  
Finance

M. Campbell (x1252)

Revised

## DEPARTMENT OF FIRE & RESCUE OPERATIONS:

### 2. [TMP-3159](#)

**Authorizing the Mayor to execute a memorandum of understanding regarding Toledo's fire services agreement with the Village of Ottawa Hills; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

In an effort to promote regional cooperation and to improve efficiencies in the mutual provision of public service, the City of Toledo and the Village of Ottawa Hills (VOH) entered into a Fire Services Agreement to combine firefighting services under the control of the City of Toledo. Pursuant to the 20 year agreement, which was authorized by Ord. 17-2011 the Toledo Fire and Rescue Department ("TFRD") absorbed the facilities, equipment and full-time personnel of the VOH Fire Department. The VOH would pay the City an "annual service fee" of \$430,000, subject to adjustment based upon the Consumer Price Index ("CPI"). The agreement required TFRD to occupy and man the fire station in VOH.

TFRD has determined that it can cover VOH territory from stations located within the City of Toledo without any negative effect on the quality of service to VOH. Moreover, it is anticipated that TFRD would realize savings if it were no longer required to man a station it believes is superfluous in terms of coverage. VOH has agreed to enter a memorandum of understanding modifying the original agreement by creating a six month trial period to determine what if any impact the new coverage will have on VOH. TFRD has, subject to Council's approval, agreed to suspend service payments to the City during the trial period. It is anticipated that, should the trial period prove acceptable, an amendment will be made to the Fire Services Agreement that would make the arrangement permanent for the remainder of the agreement term and adjust the service payment paid by VOH.

This ordinance authorizes the Mayor and TFRD to execute a



memorandum of understanding to provide for the six-month trial period.

**Label:** Fire & Rescue Operations

**Attachments:** [MOU](#)

#### DEPARTMENT OF PUBLIC UTILITIES:

3. [TMP-3147](#) Authorizing the appropriation of \$72,000 from the unappropriated balance of the Water Replacement Fund and operating transfer of same to the Water Operating Fund; authorizing the appropriation of \$72,000 from the unappropriated balance of the Sewer Replacement Fund and operating transfer of same to the Sewer Operating Fund; authorizing the appropriation and expenditure in an amount not to exceed \$72,000 from the unappropriated balance of the Water Operating Fund; authorizing the appropriation and expenditure in an amount not to exceed \$72,000 from the unappropriated balance of the Sewer Operating Fund; authorizing an amendment to an existing independent consulting contract for the completion of a comprehensive sustainable asset management plan; and declaring an emergency.

**Body:** SUMMARY & BACKGROUND:  
Ordinance 330-17 authorized the mayor to enter into a professional services agreement with Stantec Consulting, Inc. to assist with the completion of a comprehensive sustainable asset management plan for the Department of Public Utilities as identified by the 2015 performance audit of the DPU. The scope of work included in this contract was developed to meet and exceed the mandates of Senate Bill number 2 (SB 2) which legislated the requirements for a state-mandated asset management plan for Public Water Systems (PWS) at that time. Subsequently, the bill was amended to include a requirement for succession planning within the PWS. This ordinance requests the authorization and expenditure of \$144,000 for professional engineering services through a supplement to the original contract with Stantec Consulting Services, Inc. to assist in the

completion of a sustainable asset management plan that meets and exceeds the mandates of Senate Bill number 2 (SB 2) and addresses a deficiency identified by the 2015 Performance Audit of DPU. Pricing from the original contract will be held in place for the supplemental work.

**Label:** DPU091118ComprehensiveSustainableAssetManagementPlan  
Supplemental  
Water Reclamation / Water Treatment  
Kelly O'Brien (x1009)  
(Revised)

4. [TMP-3148](#)

**Authorizing the mayor to accept bids and enter into bulk chemical supply contracts for a period of three (3) years with an option to renew for two (2) additional years for various bulk chemicals for use at the Collins Park and Bay View Treatment Plants; authorizing expenditures from the Water Operating Fund and Sewer Operating Fund; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:  
The treatment of drinking water and wastewater requires the use of many chemicals, some at large feed rates, to process and remove pollutants necessary to meet regulatory requirements. To eliminate the need for a separate legislation for each bulk chemical contract, it is deemed efficient to combine all bulk chemicals used at the Collins Park and the Bay View Treatment Plants into one ordinance. This ordinance authorizes the Mayor to take bids and award contracts for the chemicals listed in the attached Exhibit A for the purpose of treating drinking water and wastewater, upon such terms and conditions as shall be approved by the Director of Public Utilities and the Director of Law.

**Label:** DPU91118BulkChemicals  
Division of Water Treatment / Water Reclamation  
Mike Schreidah (x2607) / Chris McGibbeny (x2624)  
Revised

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

5. [TMP-3149](#)

**Authorizing the expenditure in an amount not to exceed**

**\$90,000 from the Water Operating Fund for the purchase of commercial water meters; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

This ordinance authorizes expenditures for the purchase of commercial water meters for the water distribution system. This work is necessary to maintain safe, reliable water service and to collect revenue from commercial accounts in the City of Toledo service area. Ordinance 386-17 previously authorized entering into a contract with Badger Meter Inc and authorized the waiving of competitive bidding. The previously authorized contract and its unit pricing will be utilized for this expenditure.

**Label:** DPU091118CommercialWaterMeters  
Water Distribution  
Christy Soncrant (x2826)  
Revised

6. [TMP-3150](#)

**Authorizing the expenditure of \$500,000 from the Capital Improvement Fund for professional design services for and the repair and/or reconstruction of Levis Square Park (Phase 1); authorizing the mayor to accept bids and enter into contracts necessary to complete said project; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

Levis Square Park was originally constructed in the early 1970's and various elements of the park are in a state of disrepair. This ordinance authorizes expending \$500,000 from the Engineering Services approved 2018 Capital Improvement Program (CIP) budget for professional design services and the repair and/or reconstruction of Levis Square Park (Phase 1) including walks, planting beds, stairs, drainage structures and conduits, utility connections and other landscape and park elements that are past their useful life.

**Label:** DPU091118LevisSquareImprovements  
Engineering Services  
David Dysard (x2693)  
Revised

7. [TMP-3146](#)

**Declaring the necessity and intention of appropriating, in**

**fee, a portion of the property located 2510 Perrysburg-Holland Road, required for the Perrysburg-Holland, Manley & Heatherdowns Intersection Safety Improvement Project; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

The city is proceeding with the reconstruction of the Perrysburg-Holland, Manley & Heatherdowns Intersection Safety Improvement Project. This public improvement project will include the construction of new turn-lane improvements, construction of new center median islands and new roadway pavement at this intersection, as well as certain sidewalk, curb, drainage and utility improvements, which will improve the traffic flow and safety for both vehicular and pedestrian traffic at and near this intersection. The project will require the acquisition of .0039 acre of land, more or less, in fee, across a portion of the property located at 2510 Perrysburg-Holland Road (TD 26-80501). Negotiations to purchase the property interests have been unsuccessful to date and it is now necessary to begin appropriation proceedings to protect the City's interest in the right-of-way to be acquired and keep the project on schedule.

**Label:** DPU091118APPROPRIATE2510PBURGHOLL  
DPU Admin for Engineering Services  
Jamie Miller (x1409)  
Revised

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

**THE CLERK REPORTS:**

[TMP-3156](#)

**Declaring the intent to vacate an existing street known as "Amherst Drive" PT of Lot 2 and part of subdivision of Lot 1 in the Harvard Terrace Addition, within the City of Toledo, Lucas County, Ohio; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

Petitioner has filed a request to vacate an existing 25 foot street known as "Amherst Drive" PT of Lot 2 and part of subdivision of Lot 1 in the Harvard Terrace Addition, in the City of Toledo, Lucas County, Ohio,

as more fully described in Section 1 hereof.

**Label:** The Clerk Reports

**Attachments:** [Drawing](#)  
[2013 Plan Commission Report](#)  
[2013 Board of Revision of Assessments](#)

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

**[TMP-3157](#)**

**Declaring the vacation of the 16 foot wide alley running east of Doty Drive and between Lots 1 and 5 in the Plat of Chiefton, in the City of Toledo, Lucas County, Ohio; waiving the fees and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

The Council of the City of Toledo, by Resolution No. 605-05 adopted August 23, 2005, declared its intent to vacate the 16 foot wide alley running east of Doty Drive and between Lots 1 and 5 in the Plat of Chiefton; in the City of Toledo, Lucas County, Ohio, as more fully described in Section 1 herein.

All actions have been performed as required by law, the Charter of the City of Toledo, and the Toledo Plan Commission and City Board of Revision of Assessments have made recommendations regarding the proposed vacations.

**Label:** Zoning & Planning Committee

**[TMP-3158](#)**

**Declaring the vacation of that portion of right of way, adjacent to Manley Road, South of Garden Road, within the City of Toledo, Lucas County, Ohio; waiving the fees and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

The Council of the City of Toledo, by Resolution No. 80-18 adopted on February 27, 2018, declaring its intent to vacate, portion of right of way, adjacent to Manley Road , South of Garden Road, within the City of Toledo, Lucas County, Ohio; as more fully described in Section 1 hereof.

All of the preliminary steps have been taken as required by law, the Charter of the City of Toledo, and the Toledo Plan Commission has made reports regarding the proposed vacations; and all things required by law to be done, have been done. During the vacation process it was determined the City of Toledo has received all fees for this vacation.

**Label:** Zoning & Planning Committee

**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.**