



City of Toledo

One Government Center
Toledo, OH 43604

Agenda Review City Council

Tuesday, November 27, 2018

2:00 PM

Council Chambers

Agenda Review for the December 4, 2018 Meeting of Toledo City Council

COUNCIL MEMBER KOMIVES PRESENTS:

[TMP-3471](#) Recognize Juliana Sample, KTLCB.

APPOINTMENTS FROM THE OFFICE OF THE MAYOR:

[TMP-3472](#) Appointments - Records Commission

Attachments: [Records Commission](#)

[TMP-3473](#) Appointments - Utility Appeals Board

Attachments: [Utility Appeals Board](#)

SECOND READING ITEMS:

[O-476-18](#) Repealing Chapter 1307 (Fees), of the Toledo Municipal Code; enacting a new Chapter 1307 (Fees); and declaring an emergency.

Body: SUMMARY & BACKGROUND:
The Toledo Municipal Code Part Thirteen - Building Code, Chapter 1307 (Fees), specifies the permit fees for: building, electrical, plumbing, HVAC, hydronic, refrigeration and also for licensing, plan review, inspections and administrative services. This ordinance simplifies and streamlines permits. The ordinance also raises the charges for some of the permit fees and associated services. Permit fees have remained at the same level since May of 2015. Contractor and construction trade registration and renewal fees remain unchanged under this proposed ordinance.

Attachments: [Fee Comparison](#)**Legislative History**

11/7/18 City Council First Reading

11/20/18 City Council held

[O-480-18](#)

Changing the zoning maps attached to Part 11, Planning and Zoning, Toledo Municipal Code, for the property located at 3319 Nebraska Avenue, in the City of Toledo, Lucas County, Ohio; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

An application (Z-7002-18) for a proposed change in zoning for the property located at 3319 Nebraska Avenue, Toledo, Ohio, was submitted to the Toledo City Plan Commission for its review and recommendation.

On September 13, 2018, the Toledo City Plan Commission recommended approval of the request for a zone change from “RM12” Multi Dwelling Residential and “IL” Limited Industrial to “RS6” Single Family Residential for the property located at 3319 Nebraska Avenue, Toledo, Ohio.

The City Council Zoning and Planning Committee on October 17, 2018, sent as approved the request for a zone change from “RM12” Multi Dwelling Residential and “IL” Limited Industrial to “RS6” Single Family Residential “for the property located at 3319 Nebraska Avenue, Toledo, Ohio.

Attachments: [Plan Commission Report](#)**Legislative History**

11/7/18 City Council First Reading

11/20/18 City Council held

[O-486-18](#)

Authorizing the disappropriation of \$856,324 from the Capital Improvement Fund; authorizing the appropriation of \$856,324 for the District Improvement Program; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

This Ordinance authorizes the reappropriation of funds for the District Improvement Program. Ordinance 447-17 authorized the expenditure of \$3,350,000 for various capital projects. These projects have been or are close to being completed. Remaining funds from these projects will be reappropriated into the District Improvement Program. The reappropriated funds will be available for improvement projects in the council districts where the previously funded projects occurred.

Legislative History

11/20/18 City Council First Reading

[O-490-18](#)

Authorizing the mayor to enter into a contract for citywide seasonal, intern, temporary, and youth program supplemental staffing services for two (2) years with the option to renew for up to one (1) additional year; authorizing the expenditure of funds; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

This ordinance is for approval of a contract and expenditures for supplemental staffing services citywide as part of the city of Toledo's Seasonal, Intern, Temporary, and Youth (SITY) program. This contract was competitively bid, and Job1USA submitted the only bid. This ordinance authorizes the mayor to enter into a contract with Job1USA for citywide staffing services as part of the SITY program.

Legislative History

11/20/18 City Council First Reading

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

[TMP-3474](#)

Providing for the submission to the electors of the City of Toledo at a special election on February 26, 2019, an amendment to the Charter of the City of Toledo for the purpose of adding a new Section to the Charter entitled "Lake Erie Bill of Rights"; and declaring an emergency.

Body:

Label: All Council Members

COUNCIL MEMBERS KOMIVES AND HARPER PRESENT:[TMP-3475](#)

**Repealing Toledo Municipal Code Chapter 554
“Discrimination Prohibited”; creating new Chapter 554
“Discrimination Prohibited”.**

Body: SUMMARY & BACKGROUND:

The purpose of this chapter is to address serious health, safety, and economic concerns associated with employment and housing discrimination.

Label: Council Members Komives and Harper

Attachments: [Red-line version](#)

[TMP-3476](#)

**Encouraging the Ohio General Assembly to drop their
consideration of changes to personal protection laws
known as “Stand Your Ground,” as introduced in House
Bill 228; and declaring an emergency.**

Label: Council Members Komives and Harper

COUNCIL MEMBERS LUDEMAN AND HARPER PRESENT:[TMP-3477](#)

**Repealing Chapter 378 of the Toledo Municipal Code,
Golf Carts and Low Speed Vehicles, and enacting new
Chapter 378, Operation of Under-Speed Vehicles, Utility
Vehicles and Mini-Trucks on City Streets; and declaring
an emergency.**

Body: SUMMARY & BACKGROUND:

Toledo City Council passed Ordinance 100-17 on March 7, 2017, establishing a “Pilot Program” for the operation of “golf carts and low speed vehicles on public streets within designated areas of the City of Toledo.” The Pilot Program is set to expire on December 31, 2018. Council held a public hearing to review the Pilot Program with particular attention to safety and boundaries. It has been determined that allowing Under-Speed Vehicles to operate on certain public streets within the City of Toledo is beneficial to the economic vitality of the area as well as the quality of life of the residents.

It has been determined that the boundaries will be modified to connect

the Old West End and the Downtown area and include the Toledo Museum of Art, as well as to expand the boundaries of the Point Place area. There will also be minor amendments made to the definitions as well as safety provisions for consistency with state law.

Label: Council Members Ludeman and Harper

Attachments: [OWE and Downtown map](#)
[Point Place map](#)

OFFICE OF THE MAYOR:

1. [TMP-3443](#) **Authorizing the expenditure of \$50,000 from the General Fund for a contribution to the Toledo Chamber Foundation for a talent alignment strategy program; and declaring an emergency.**

Body: This ordinance authorizes the expenditure of funds for a contribution to the Toledo Chamber Foundation for its talent alignment strategy program.

Label: Talent Alignment Strategy
Office of the Mayor

2. [TMP-3444](#) **Authorizing the expenditure of \$25,000 from the General Fund as a contribution to the Promedica Concert Series program; and declaring an emergency.**

Body: This ordinance authorizes the expenditure of funds as a contribution to the Promedica Concert Series.

Label: Promedica Concert Series
Office of the Mayor
Revised

3. [TMP-3455](#) **Authorizing the expenditure of \$20,000 from the General Fund for a contribution to the Black and Brown Coalition; and declaring an emergency.**

Body: This ordinance authorizes the expenditure of funds for a contribution to the Black and Brown Coalition.

Label: Black and Brown Coalition
Office of the Mayor

Revised

DEPARTMENT OF LAW:

4. [TMP-3464](#) **Authorizing the expenditure of an amount not to exceed \$275,000 to the Lucas County Board of Elections as payment for the expenses of a special election to be held on February 26, 2019 related to the submission to the electors of a proposed charter amendment; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

The Clerk of Council has received the adequate number of petition signatures as required by law for a proposed charter amendment to be submitted to the electors of the City of Toledo pursuant to the Charter and the Constitution of the State of Ohio at a special election to be held on February 26, 2019. Ordinance No. 481-18 passed by Toledo City Council on November 13, 2018 submitted the proposed “Keep the Jail in Downtown Toledo” charter amendment to the Lucas County Board of Elections for purposes of a special election. Toledo City Charter, Section 44 requires Toledo City Council, when a special election is required, to appropriate money necessary to provide for the expenses of said special election, and Ohio Revised Code §3501.17 requires the Lucas County Board of Elections to charge the City for the cost of the special election.

Label: February 26, 2019 Special Election Costs
Law Department
Dale Emch, Director (x1020)

5. [TMP-3423](#) **Authorizing the Mayor to execute and deliver needed instruments for the granting of an easement and right of access to TLC Properties, Inc., on a portion of city-owned real property located underneath the I-75 bridge on the northern bank of the Maumee River, Toledo, Ohio 43609; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

This Ordinance authorizes the city’s granting of an easement and right of access to TLC Properties, Inc., a Louisiana corporation, for a potential new billboard on city-owned property located underneath the

I-75 bridge on the northern bank of the Maumee River.

This easement is part of a proposed settlement agreement negotiated with TLC Properties, Inc. for the eminent domain case filed by the city on November 18, 2016 to acquire property generally known as 116 Erie Street, Toledo, Ohio needed for the Anthony Wayne Gateway Project. By granting this easement, TLC Properties is willing to settle this matter without necessitating a jury trial on the merits.

Label: TLC Properties
Department of Law
J. McNamara (x1088)
Revised

6. [TMP-3422](#)

Authorizing the settlement of the claim of Robert S. Mish for personal injuries for the sum of \$275,000 in settlement of the claims of Plaintiff; authorizing the expenditure of \$275,000 from the Risk Management Fund; and declaring an emergency.

Body: SUMMARY & BACKGROUND:
Robert S. Mish filed a claim for his injuries as a result of a motor vehicle accident on May 14, 2017, which he alleges were caused by the City's negligence. Mr. Mish's injuries required surgeries to repair fractures to his leg and left shoulder. Mr. Mish returned to work on October 9, 2017.

A proposed agreement has been reached in the amount of \$275,000 to settle all of Mr. Mish's claims resulting from the accident without constituting an admission of liability for any violation of state or federal law.

Label: Mish
Department of Law
T. Green (x1037)
(Revised)

DEPARTMENT OF PUBLIC UTILITIES:

7. [TMP-3419](#)

Approving the use of the Water Infrastructure

Development Fund (2% Water Fund) to pay the cost of installing such items as a new water tap, water service line, curb stop, meter pit and lawn hydrant for up to ten (10) community gardens at various locations inside the City of Toledo upon the recommendation of the Director of Public Utilities; appropriating and expending \$20,000 from the unappropriated balance of the Water Infrastructure Development Fund; and declaring an emergency.

Body: Toledo Municipal Code §933.11 established the Water Infrastructure Development Fund (aka the 2% Water Fund) for the purposes stated therein which includes job creation and retention. Various not-for-profit community gardening outreach program sponsors have approached the Department of Public Utilities (“DPU”) for financial assistance from the 2% Water Fund to establish community-based gardens at up to ten (10) locations inside Toledo. In particular, these not-for-profit sponsors have asked DPU to use its 2% Water Funds to cover the costs of tapping the water mains to facilitate the construction of water lines into these community gardens and the installation of meter pits, backflow preventers and lawn hydrants in the public rights of way or adjacent approved City of Toledo easements. The cost for this work is estimated to be \$2,000 at each location. These not-for-profit sponsors will then be able to promote economic development through job training and education and to support entrepreneurs engaged in urban agriculture who will now have the opportunity to grow vegetables and fruits for education, re-sale, fundraisers, etc. These areas will also provide attractive community green spaces that can be rented for ticketed events and presentations by whichever not-for-profit entity serves as the host.

Label: DPU120418CommunityGardens2%Funds
Utilities Administration
Janet Schroeder (x1985), Don Moline (x7866)
Revised

8. [TMP-3420](#)

Authorizing the mayor to apply for, enter into a cooperative agreements, and to accept, deposit, and appropriate loan proceeds of up to \$28,000,000 from the Ohio Water Development Authority (OWDA) into the

Water Replacement Fund; authorizing the expenditure of said loan proceeds on the Basins 5 and 6 Improvements project; appropriating \$100,000 from the Water Replacement Fund for the payment of loan administrative fees and miscellaneous project costs; authorizing various adjustments and transfers of expenses to comply with the loan agreements; authorizing a dedicated source for repayment of said loans; authorizing the mayor to execute all necessary documentation for said loans and all contracts related to construction, professional services, contingencies, capitalized interest, testing, permit and miscellaneous costs; and declaring an emergency .

Body: SUMMARY & BACKGROUND:

Upgrade of the flocculation and treatment basins of the Collins Water Treatment Plant will be completed in two phases with the first phase being the upgrade of Basins 5 and 6 (East Plant) followed by the second phase with the upgrade of Basins 1 through 4 (West Plant). The initial upgrade of Basins 5 and 6 has an Ohio EPA Director approved completion date of April 30, 2021. The work includes replacement of flocculation, sludge collection, carbon dioxide feed equipment; basin repairs; and new piping, flow metering, valves, outlet weirs, structures, and conduits. To finance construction of the project, the Division of Water Treatment desires to secure funding from the OWDA Fresh Water Loan Program. Prior to loan approval, the OWDA requires an ordinance be passed authorizing the loan application, acceptance, and the execution of agreement as well as designating a dedicated repayment source for the loan funds.

Label: DPU120418BASINS5AND6

Water Treatment

W. Henry (x1840)

Revised

9. [TMP-3421](#)

Authorizing the mayor to enter into and execute necessary agreements with the Ohio Environmental Protection Agency (OEPA) as granted through the Implementing Ohio's Domestic Action Workplan (DAP) Grant; authorizing the mayor to accept and deposit grant

proceeds in the amount of \$179,400 into the Operation Grant Fund; authorizing the appropriation and expenditure of grant funds for the Delaware Creek Restoration Project; authorizing appropriation of \$119,600 in match funds from the Stormwater Utility Improvement Fund; authorizing the mayor to execute necessary agreements in connection with the grant; authorizing the mayor to accept bids and award contracts for the purchase of services and other necessary items to carry out the terms of this grant; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The City of Toledo is entering into a grant agreement with Ohio EPA for an Implementing Ohio's Domestic Action Workplan subgrant in the amount of \$179,400 to be used for the Delaware Creek Restoration Project. In addition to the subgrant, match funds in the amount of \$119,600 will be utilized from the Stormwater Utility Improvement Fund.

Label: DPU120418OHIODAPGRANT
Environmental Services
Jeanette Ball (x3951)
Revised

DEPARTMENT OF NEIGHBORHOOD & BUSINESS DEVELOPMENT:

10. [TMP-3454](#) Declaring the improvement to certain real property to be a public purpose; declaring such improvement to be exempt from real property taxation; authorizing necessary agreements; requiring the owners thereof to make service payments in lieu of taxes; designating the public infrastructure improvements to be made that will directly benefit the real property; and establishing a municipal public improvement tax increment equivalent fund for the deposit of service payments; and declaring an emergency.

Body: SUMMARY & BACKGROUND:
Sections 5709.40 through 5709.43 of the Ohio Revised Code

(“ORC”) authorize municipalities to identify parcels to be improved and to declare to be a public purpose any infrastructure improvements made that are necessary for the development of such parcels, exempting any improvements to such parcels from real property taxation for established time periods and percentages, with such mechanism commonly referred to as tax increment financing (“TIF”).

The City of Toledo, Ohio (the “City”) desires to use the authority granted pursuant to such sections of the ORC to establish a TIF exemption in an area located within the territorial boundaries of the City and within an area known as the “Overland Industrial Park,” consisting of one or more separate parcels of real property (as depicted and described in Exhibit A attached hereto and incorporated herein by this reference, the “Site”).

City Council has previously approved by Ord. 499-17 a TIF exemption for another portion of the Overland Industrial Park. This ordinance authorizes the exemption of additional parcels within the Overland Industrial Park (“Overland TIF2”).

The development of commercial properties in the City will benefit the City and its residents by creating economic opportunities, enlarging the property tax base, stimulating collateral development in the City, and providing revenue for the City to undertake public infrastructure improvements. Further, by providing public infrastructure improvements, as that term is defined in ORC §5709.40(A)(7) (as more fully described in Exhibit B attached hereto and incorporated herein by this reference, the “Public Infrastructure Improvements”), the City may facilitate the development of commercial properties for the benefit of the Site, including, without limitation, by facilitating the financing, acquisition, and construction of the Public Infrastructure Improvements.

The ORC provides for the use of TIF to pay the costs of Public Infrastructure Improvements, which costs may include, without limitation: (i) the payment for or reimbursement of costs of the Public Infrastructure Improvements incurred by the Port Authority, as defined

below, or the City, or any other public or private party in cooperation with the City, and (ii) payment of debt service on, and administrative and any other expenses relating to the issuance of, any bonds, notes, or other obligations issued to finance the Public Infrastructure Improvements (the “Debt Service”).

The aforementioned ORC sections provide that this City Council (“Council”) may, among other things, (a) declare the improvement to real property located in the City to be a public purpose, thereby exempting such improvement from real property taxation for a period of time (the “TIF Exemption”), (b) specify public infrastructure improvements to be made to directly benefit those parcels, (c) require the owner or owners of those parcels to make service payments in lieu of taxes, and (d) establish a municipal public improvement tax increment equivalent fund into which such service payments shall be deposited.

The Toledo-Lucas County Port Authority (the “Port Authority”) desires to cause the construction on the Site of a commercial and industrial development (the “Project”); and, the City desires to grant the TIF Exemption in the amount of one hundred percent (100%) of the value of each improvement to the Site (as defined herein, the “Improvement”) for a period of thirty (30) years (the “TIF Exemption”), subject to an exemption under the Community Reinvestment Area (“CRA”) in effect with respect to the Site as authorized under Ord. 826-85 as amended by Ord. 738-81 and Ord. 841-98. The CRA provides for an 100%, 15-year exemption (the “CRA Exemption”) for building improvements constructed on the Site.

Moreover, the City has determined that it is necessary and appropriate and in the best interests of the City to require the Port Authority, as current owner, and future owners of the parcels included in the Site and their successors and assigns (collectively, with their successors and assigns, as owners of the Site, the “Owners”) to make service payments in lieu of taxes (the “Service Payments”) with respect to the Improvement pursuant to ORC §5709.42. The City and the Port Authority desire to execute a tax increment service payment agreement

(the “TIF Agreement”) whereby the Owners commit to make service payments in amounts equal to the property tax amounts that would have been payable had the TIF not been created. Additionally, The Port Authority and the tenants on the Site are willing to make payments in lieu of taxes with respect to a portion of the taxes that would have been payable, but for the CRA Exemption.

The Toledo City School District by Resolution No. 106-2018, authorized the negotiation and execution of agreements between the Port Authority and City of Toledo regarding payments to the School District relating to Overland Industrial Park (“Compensation Agreements”). The Res. 106-2018 established agreed percentages the TIF Service Payments that would be paid to the School District as payments in lieu of taxes. The intention of the Council to grant an exemption from real property taxes pursuant to the TIF Statutes, and to pass this Ordinance, has been delivered to the Board of Education of the Toledo City School District (the “School District”) in accordance with ORC §5709.40 and §5709.83 of the Ohio Revised Code.

It is necessary to enact this ordinance in order to make the TIF Exemption for the Parcels effective for tax year 2018 and in order to facilitate the development of the Project.

Label: Overland Park TIF 2
Law
E. Granata (x1034)
Revised

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

11. [TMP-3456](#)

Declaring the improvement to certain real property to be a public purpose; declaring such improvement to be exempt from real property taxation; authorizing necessary agreements; requiring the owners thereof to make service payments in lieu of taxes; designating the public infrastructure improvements to be made that will directly benefit the real property; and establishing a

municipal public improvement tax increment equivalent fund for the deposit of service payments; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

Sections 5709.40 through 5709.43 of the Ohio Revised Code (“ORC”) authorize municipalities to identify parcels to be improved and to declare to be a public purpose any infrastructure improvements made that are necessary for the development of such parcels, exempting any improvements to such parcels from real property taxation for established time periods and percentages, with such mechanism commonly referred to as tax increment financing (“TIF”).

The City of Toledo, Ohio (the “City”) desires to use the authority granted pursuant to such sections of the ORC to establish a TIF exemption in an area located within the territorial boundaries of the City and within an area known as the “Ironville Site,” consisting of one or more separate parcels of real property (as depicted and described in Exhibit A attached hereto and incorporated herein by this reference, the “Site”).

The proposed TIF is a key support and incentive for the construction and implementation of the Cliffs Natural Resources Inc. HBI production project and will benefit residents by creating new jobs and economic opportunities, enlarging the property tax base, stimulating collateral development in the City, and providing revenue for the city and the Toledo-Lucas County Port Authority to undertake public infrastructure improvements. Further, by providing public infrastructure improvements, as that term is defined in ORC §5709.40(A)(7) (as more fully described in Exhibit B attached hereto and incorporated herein by this reference, the “Public Infrastructure Improvements”), the City may facilitate the necessary improvements for the benefit of the Site and the Cliff’s project, including, without limitation, by facilitating the financing, acquisition, and construction of the Public Infrastructure Improvements.

The ORC provides for the use of TIF to pay the costs of Public Infrastructure Improvements, which costs may include, without

limitation: (i) the payment for or reimbursement of costs of the Public Infrastructure Improvements incurred by the Port Authority, as defined below, or the City, or any other public or private party in cooperation with the City, and (ii) payment of debt service on, and administrative and any other expenses relating to the issuance of, any bonds, notes, or other obligations issued to finance the Public Infrastructure Improvements (the “Debt Service”).

The aforementioned ORC sections provide that this City Council (“Council”) may, among other things, (a) declare the improvement to real property located in the City to be a public purpose, thereby exempting such improvement from real property taxation for a period of time (the “TIF Exemption”), (b) specify public infrastructure improvements to be made to directly benefit those parcels, (c) require the owner or owners of those parcels to make service payments in lieu of taxes, and (d) establish a municipal public improvement tax increment equivalent fund into which such service payments shall be deposited.

The Toledo-Lucas County Port Authority (the “Port Authority”) desires to cause public infrastructure improvements to be made that enhance the Site and enable the Cliffs’ project to be constructed and operated on the Site project (the “Project”); and, the City desires to grant the TIF Exemption in the amount of one hundred percent (100%) of the value of each improvement to the Site (as defined herein, the “Improvement”) for a period of thirty (30) years. The Port Authority and Cliffs have agreed that the TIF exemption will be in lieu of any Community Reinvestment Area exemption and they have agreed to waive any right to the same.

The City has determined that it is necessary and appropriate and in the best interests of the City to require the Port Authority, as current owner, and future owners of the parcels included in the Site and their successors and assigns (collectively, with their successors and assigns, as owners of the Site, the “Owners”) to make service payments in lieu of taxes (the “Service Payments”) with respect to the Improvement pursuant to ORC §5709.42. The City and the Port Authority desire to

execute a tax increment service payment agreement (the “TIF Agreement”) whereby the Owners commit to make service payments in amounts equal to the property tax amounts that would have been payable had the TIF not been created.

The Toledo City School District by Resolution No. 107-2018, authorized the negotiation and execution of agreements between the Port Authority and City of Toledo regarding payments to the School District relating to Ironville Site (“Compensation Agreements”). Res. 107-2018 established agreed percentages the TIF Service Payments that would be paid to the School District as payments in lieu of taxes. The intention of the Council to grant an exemption from real property taxes pursuant to the TIF Statutes, and to pass this Ordinance, has been delivered to the Board of Education of the Toledo City School District (the “School District”) in accordance with ORC §5709.40 and §5709.83 of the Ohio Revised Code.

It is necessary to enact this ordinance in order to make the TIF Exemption for the Parcels effective for tax year 2018 and in order to facilitate the development of the Project.

Label: IRONVILLE TIF
Law
E. Granata (x1034)
Revised

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

12. [TMP-3478](#)

Amending ORD. 210-18 to expand the scope of professional services provided by SAFEbuilt for the Division of Building Inspection; and declaring an emergency.

Body: SUMMARY & BACKGROUND:
ORD. 210-18 of June 5, 2018, authorized an expenditure not to exceed \$135,000 for professional services related to plan review activities provided by SAFEbuilt in the Division of Building Inspection. Currently the Division has an open position for a plans examiner and an electrical inspector. While the positions have been advertised, they

have not been filled. Building Inspection has a need to expand the scope of professional services provided by SAFEbuilt.

Label: Building Inspection Professional Services
Neighborhood & Business Development/Building Inspection
Amy Sackman Odum (x3647) / Ken Fischer (x1229)

DEPARTMENT OF PUBLIC SERVICE:

13. [TMP-3453](#) **Authorizing the Mayor to enter into the necessary contracts for capital equipment; authorizing the expenditure of \$175,000 from the Expendable Demolition Trust Fund for the purchase of one (1) used 2008 McCloskey 621RE Trommel Screen for the Department of Public Service, Division of Streets, Bridges and Harbor; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:
The Division of Streets, Bridges & Harbor demolished 467 structures in 2017 and 377 year-to-date for 2018. To complete the demolition lots, SB&H has been utilizing compost made from leaves collected city-wide each year. After the leaves are composted, foreign material, garbage, and/or debris are left in the material and it needs to be removed. Currently, the compost piles are cleaned by hand or an operator utilizes a bulldozer to pick out garbage and debris after spreading. With the purchase of this machine, SB&H will have the capability of screening all foreign material out of the compost, and thus, leave a clean dirt-like material available for use on all city projects. This screen could also be utilized to blend compost with other materials in order to create a topsoil product, ultimately saving money and making more usable soil that would benefit the entire city. This screen is a more feasible option to accomplish this compost cleaning goal, versus purchasing a new machine, which would cost \$350,000.

The purchase request will be from Maverick Environmental Equipment LLC, located in Alma, Michigan. Similar machines have been included as comparables and are listed below:

Equipment Comparables
Asking Price

2017 McCloskey 628 from Sherwood, Oregon
\$320,000

2008 McCloskey 733RE from Cuyahoga Heights, Ohio
\$250,000

2014 McCloskey 516RE from Perrysburg, Ohio
\$180,000

The necessary expenditure is budgeted and was anticipated.

The total amount to be expended in the above schedule is not to exceed \$175,000.

Label: DPS SB&H COMPOST EQUIPMENT \$175,000
Streets, Bridges & Harbor
Jeremy Mikolajczyk (x1537)
Paul M. Rasmusson (x7868)

Attachments: [Bullet Points](#)

DEPARTMENT OF HUMAN RESOURCES:

14. [TMP-3413](#) **Authorizing the Mayor to enter into contracts for the purchase of safety shoes for up to one (1) year with the option to renew for up to one (1) additional year; authorizing the expenditure of funds; and declaring an emergency.**

Body: This ordinance is regarding contracts for the purchase of safety shoes city-wide. This contract was competitively bid, and it was determined that Michigan Industrial Shoe had the lowest and best shoe pricing for non-public safety employees, while Superior Uniform Sales had the lowest and best shoe pricing for public safety employees. This ordinance authorizes the mayor to enter into a contract with both Michigan Industrial and Superior Uniform for the purchase of safety shoes.

Label: City-wide Safety Shoe Contract
Human Resources
Calvin W Brown (x1563)
(Revised)

DEPARTMENT OF FINANCE:**15. [TMP-3437](#)**

Authorizing the mayor to enter into an agreement for a period of up to two years with an option to renew for up to one additional year for the purpose of copier maintenance, service, and repair; authorizing the expenditure of funds from the Storeroom and Printshop Fund in an amount not to exceed \$163,200; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The City currently has 193 multi-function printers (MFPs). As part of the original agreement, all routine maintenance (i.e. toner replacement) and any service calls or repairs needed for a MFP were covered by per copy “click charges”. These charges are a set cost assessed for every black-and-white or color copy made from a MFP. The city is in a continued maintenance agreement for the MFPs and is looking to enter into an updated agreement. This Ordinance authorizes a new continued maintenance agreement for the MFPs and authorizes the expenditure for the click charges.

Label: Maintenance of Existing Copiers
Department of Finance/Department of ICT
Richard Jackson (x1197), Anne Bennett (x1331)
Revised

16. [TMP-3438](#)

Authorizing the mayor to enter into an agreement for a period of up to five years for the direct purchase or lease purchase of copy machines, including maintenance, service, and repair; authorizing the expenditure of funds from the Storeroom and Printshop Fund; and declaring an emergency.

Body: The City currently has 193 multi-function printers (MFPs). The city has operated the majority of the MFPs since 2012. Most are still in good working condition, however there are some MFPs that may need to be replaced. While downsizing the fleet of MFPs is under consideration, the option to acquire new MFPs should still be available. This Ordinance authorizes the entering into an agreement for the select purchase of new MFP devices and maintenance of those

MFPs. As part of the agreement, all routine maintenance (i.e. toner replacement) and any service calls or repairs needed for a new MFP will be covered in a per copy click charge. The click charge is a set cost assessed for every black-and-white or color copy made from a MFP.

Label: Purchase of New Copiers
Department of Finance/Department of ICT
Richard Jackson (x1197), Anne Bennett (x1331)
Revised

17. [TMP-3442](#)

Authorizing the Mayor to enter into a contract extension for banking services for the three month period of January 1, 2019 to March 31, 2019; further authorizing the expenditures for banking services; and declaring an emergency.

Body: Toledo Municipal Code Section 192.17 sets forth the procedures for designating a Central Depository and a Secondary Custodian for banking and custodial services. The city's current banking services contract expires December 31, 2018. Banking service proposals have been received and are being evaluated by the administration in accordance with established procedures for professional service contracts. This ordinance authorizes extending the current banking contract with Fifth Third Bank until March 31, 2019 in order to complete the evaluation and selection process.

Label: FIN BANKING SERVICES
Department of Finance - Treasury
Bryan Benner (x1194)
Revised

18. [TMP-3449](#)

Declaring the necessity of providing sprinkling, sweeping, cleaning and snow removal services for streets, alleys and public ways in the City; providing for the assessment of the cost of those services; and declaring an emergency.

Body: SUMMARY & BACKGROUND:
This is the annual ordinance declaring the necessity of providing sprinkling, sweeping, cleaning and snow removal services for streets, alleys and public ways within the City during the year 2019 and

providing for the assessment of those services. The estimated cost for 2018 was \$21,309,707. The total program cost for 2019 is estimated to be \$20,772,516.

Label: FIN PROVIDING 2019 STREET SERV

Taxation and Treasury

R. Martinez (x1653)

Revised

Attachments: [Assessment Comparison](#)
[Assessed Services History](#)

19. [TMP-3447](#)

Declaring it necessary to improve certain streets, alleys, and public ways outside the Downtown Area of the City by providing street lighting; providing for the assessment of costs of that lighting; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

Certain streets, alleys and public ways outside the Downtown Area of this City are provided with various types of street lighting, which assist in preventing crime and hazards to pedestrian and vehicular traffic. The street lighting provided outside the Downtown Area of this City is different from that provided in the lighting of the Downtown Area of the City, and this Council has determined accordingly to provide separately for that street lighting outside the Downtown Area and the assessment of costs of providing it. The total estimated cost for the year 2018 was \$4,098,757. The cost of the street lighting program for 2019 is estimated to be \$4,195,383.

Label: FIN PROVIDING 2019 NDT ST LIGHTS

Taxation and Treasury

R. Martinez (x1653)

20. [TMP-3446](#)

Declaring it necessary to improve certain streets and public ways in the Downtown Area of the City by providing street lighting; providing for the assessment of costs of that lighting; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

Certain streets and public ways in the Downtown Area of this City are provided with various types of street lighting, which assists in preventing crime and hazards to pedestrian and vehicular traffic. The

street lighting provided in the Downtown Area of this City, using high pressure sodium vapor, mercury vapor, fluorescent and incandescent street lights, is different from that provided in the lighting of other areas of the City, and this Council has determined accordingly to provide separately for that street lighting in the Downtown Area and the assessment of costs of providing it. The total estimated cost for the year 2018 was \$236,780. The estimated 2019 cost is \$237,341.

Label: FIN PROVIDING 2019 DT ST LIGHTS

Taxation and Treasury
R. Martinez (x1653)
Revised

21. [TMP-3448](#)

Declaring the necessity of controlling the blight and disease of shade trees within public rights of way, and for planting, maintaining, trimming and removing shade trees in and along the streets of the City; providing for the assessment of the cost of those services; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

This is the annual ordinance declaring the necessity of controlling blight and disease of shade trees, and planting, maintaining, and removing shade trees in and along City streets. This ordinance also provides for the assessment of the costs of that program. The total estimated program cost for the year 2018 was \$5,580,864. The estimated 2019 cost is \$4,728,954.

Label: FIN PROVIDING 2019 TREE MAINT

Taxation and Treasury
R. Martinez (x1653)
Revised

22. [TMP-3440](#)

Authorizing appropriation and budget adjustments within the 2018 Approved Operating Budget; and declaring an emergency.

Body: This ordinance authorizes various appropriations and budget adjustments in the 2018 operating budget. The attached Schedule A outlines the adjustments and provides a brief explanation of each.

Label: 2018 Budget Adjustments

Finance
M. Campbell (x1252)
Revised

Attachments: [Schedule A](#)

23. [TMP-3439](#)

Appropriating money for current ordinary expenditures of the various departments for the City of Toledo for the first quarter (January, February and March) of 2019; and declaring an emergency.

Body: It is not deemed advisable to enact an annual appropriation ordinance at this time. It is necessary to pass a temporary appropriation measure for meeting the ordinary expenditures of the municipality for the first quarter (January, February and March) of 2019.

Label: First Qtr. 2019 Temporary Appropriation
Department of Finance
M. Campbell (x1252)
Revised

Attachments: [Attachment A](#)

24. [TMP-3441](#)

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, 2019; and declaring an emergency.

Body: 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: 2019 Budget Ordinance

Attachments: [Attachments A & B](#)

DEPARTMENT OF HUMAN RESOURCES:

25. [TMP-3469](#)

Waiving the annual maximum rate of pay created by Toledo Municipal Code Section 2101.74 and authorizing the Mayor to award an annual salary to the Director of

**the Department of Finance up to an amount of \$125,000;
and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

The Kapszukiewicz Administration has recruited a new Director for the Department of Finance for whom the maximum annual salary of \$119,129 currently authorized by Section 2101.74 of the Toledo Municipal Code for this position is not sufficient to attract that candidate. This ordinance is intended to waive the annual maximum rate of pay of TMC Section 2101.74 and allow the Mayor to award an annual salary of up to \$125,000 for the Director of the Department of Finance position.

Label: Waive maximum annual salary in TMC 2101.74
Human Resources
Victoria Coleman (x 1503)

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.