



# City of Toledo

One Government Center  
Toledo, OH 43604

## Agenda Review City Council

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Tuesday, January 15, 2019

2:00 PM

Council Chambers

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### Agenda Review for January 22, 2019 Meeting of Toledo City Council

#### APPOINTMENTS FROM THE OFFICE OF THE MAYOR:

[TMP-3600](#) Appointment - Board of Building Appeals

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

[TMP-3601](#) Appointment - Board of Zoning Appeals

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

[TMP-3602](#) Appointment - Civilian Police Review Board

**Attachments:** [Civilian Police Review Bd](#)

[TMP-3603](#) Appointment - TARTA Board

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

#### SECOND READING ITEM:

[O-003-19](#) Authorizing the Mayor to enter into a golf course management agreement for the operation of the Ottawa Park, Detwiler, and Collins Park municipal golf courses; authorizing the deposit of net golf course revenue into the golf course improvement fund; authorizing the Mayor to execute a settlement and release agreement with Master Golf Management Group with respect to the termination of the current golf course lease agreement; and declaring an emergency.

**Body:** SUMMARY & BACKGROUND:  
In the summer of 2008, the City of Toledo's Department of Public

Service notified Master Golf Management Group, the city's current golf course tenant, of the city's intent to terminate the current golf course lease effective March 31, 2019. The golf course lease agreement authorized by Council Ordinance 116-10 was in its ninth year of a 10 year term. The city recently published a request for proposals (RFP) for those interested in entering into a management agreement for the operation of the city's three municipal golf courses. The RFP was successful in soliciting three entities expressing an interest in managing the city's municipal golf courses. Each entity was interviewed by a panel of five city staff and two local residents active in the local golf community. The proposed management agreement requires the management company to submit a proposed annual course management budget to the Director of Public Service for approval with the annual net operating revenue deposited in the Golf Course Improvement Fund established by Toledo Municipal Code Section 953.03. This Ordinance further authorizes the Director of Public Service and the Director of Law to negotiate a settlement and release agreement with Master Golf Management Group with respect to the termination of the existing golf course lease and the associated accrued delinquent rent.

**Attachments:** [Audio: O-531-18 Council Meeting 12/18/2018](#)  
[Audio: Agenda Review 1/2/2019](#)  
[Audio: Council Meeting 1/8/19](#)

**Legislative History**

12/18/18	City Council	First Reading
1/8/19	City Council	held

**COUNCILMAN SYKES PRESENTS:**

[TMP-3604](#)

**Urging banks, credit unions and other financial agencies to create programs and work with federal employees, non-profit organizations and contractors affected by the government shutdown.**

**Label:** Councilman Sykes

**COUNCILMAN JOHNSON PRESENTS:**

[TMP-3611](#)

Urging TARTA to continue to diligently look for ways to reinstate Sunday and holiday transportation services to those who rely solely on TARTA for transportation services.

**Label:** Councilman Johnson

**NEW ITEMS FROM CITY COUNCIL:**

[TMP-3549](#)

Accepting the petition of the City School District of the City of Toledo, Lucas County, The Young Men's Christian Association of Greater Toledo, and Northwest Ohio Advanced Energy Improvement District 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:** [Exhibit A, B & C](#)  
[Petition](#)  
[Agreement](#)

[TMP-3550](#)

Determining to proceed with certain the City School District of the City of Toledo, Lucas County, and The Young Men's Christian Association of Greater Toledo 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:** [Exhibit A, B & C](#)

[TMP-3551](#)

Levying special assessments for the City School District of the City of Toledo, Lucas County, and The Young

**Men's Christian Association of Greater Toledo; and  
declaring an emergency.**

**Label:** All Council Members

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

**OFFICE OF THE MAYOR:**

1. [TMP-3598](#) **Amending the Toledo Municipal Code by repealing Section 2101.01 and enacting a new Section 2101.01 to change the Salary Group classification of the Executive Director of the Office of Diversity and Inclusion from E-2 to E-4; to change the title of the top administrative position within the Office of Diversity and Inclusion from Executive Director to Director; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

The Salary Group classification for the Executive Director of Diversity and Inclusion is E-2. The Administration seeks to change the salary classification for this position to E-4 by repealing and replacing Toledo Municipal Code Section 2101.01.

Further, to be consistent with TMC 125.02 in which the top administrative position within Diversity and Inclusion is referred to as "Director", this ordinance would change the title within the salary classification in TMC 2101.01 from "Executive Director" to "Director".

Making these changes to the Toledo Municipal Code recognizes the Administration and City Council's commitment to diversity, equity, and inclusion.

The Administration and Council recognize the importance of the role to maintaining an engaged workforce and healthy workplace culture.

This action reflects that the Administration and Council will not tolerate discrimination within the workplace.

This action demonstrates that the Administration and Council continue to be committed to diversity, equity, and inclusion in the City's procurement and contracting processes.

**Label:** DIVERSITY AND INCLUSION  
Office of the Mayor  
C. Crosby (x1007)

#### DEPARTMENT OF PUBLIC UTILITIES:

2. [TMP-3581](#) **Authorizing the expenditure of an amount not to exceed \$4,500,000 in the Water Operating Fund for the removal, hauling and beneficial reuse of spent lime produced by the Division of Water Treatment; authorizing the mayor to accept bids and execute the necessary contract or contracts; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:  
Spent lime is a byproduct of the water treatment process. The reuse and disposal of this material must be done in an environmentally responsible manner that is approved by the Ohio EPA. Funds are included in the 2019 operating budget for this expenditure.

**Label:** DPU012219SPENTLIMEREMOVAL/HAULING/DISPOSAL  
Water Treatment  
P. Bannister (x1846)  
Revised

3. [TMP-3584](#) **Authorizing the Mayor to enter into an Easement Agreement with Generations Pipeline, LLC for the grant of an easement for installation, operation, and maintenance of a 16-inch subsurface gas pipeline across a portion of city-owned real estate known as the Collins Park Water Treatment Plant, 3040 York Street, Toledo, Ohio, for purposes of providing natural gas service for the Cliffs Natural Resources, Inc. HBI Production Project; authorizing the Mayor to execute needed instruments and agreements in connection with such easement grant; authorizing the Mayor to accept and deposit funds as reimbursement for City incurred expenses associated with the pipeline installation into**

**the Water Operating Fund from Generations Pipeline, LLC in consideration of the easement grant; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

The City of Toledo is the fee owner of certain real estate known as the Collins Park Water Treatment Plant located at 3040 York Street, Toledo, Ohio. Generations Pipeline, LLC is in the process of constructing a 16-inch subsurface natural gas pipeline for the purpose of providing natural gas service to the Ironville site. The Ironville site is the location of the construction and operation of Cliffs Natural Resources, Inc. HBI Production Project. The HBI Production Project located in near proximity of the Collins Park Water Treatment Plant will provide economic development, job creation, and an enhanced tax base for the City of Toledo. Generations Pipeline, LLC has requested a subsurface utility easement from the City of Toledo in order to implement the objectives of this Project. Generations Pipeline, LLC has agreed to reimburse the City, as consideration for the easement grant, the associated City incurred costs. The easement grant will encumber a portion of the northwest perimeter of the Collins Park Water Treatment Plant property, however, it has been determined that the easement grant will not conflict with the City's current or anticipated and continuing use of the property or plant operations.

**Label:** Generations Pipeline Easement  
Collins Park Water Treatment Plant  
Andrew McClure (x3058)/Paul F. Syring - Law (x1020)  
Revised

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

**DEPARTMENT OF NEIGHBORHOOD & BUSINESS DEVELOPMENT:**

4. [TMP-3582](#) Authorizing the Mayor to (i) enter into one or more easement agreements (the "Easements") with IronUnits LLC for the grant of a surface easement and aerial easement for the installation, operation, and maintenance of a rail line and conveyor system across portions of City-owned Front Street right-of-way and (ii)

consent to the grant of an easement from the Toledo-Lucas County Port Authority over certain land adjacent to the Front Street right-of-way over which the City has existing easement rights (the “Port Easement”), all for purposes of the development, construction and operation of the Cleveland-Cliffs Inc. HBI Production Plant Project on adjacent land (the “Project”); authorizing the Mayor to execute needed instruments and agreements in connection with such easement grants; authorizing the Mayor to accept and deposit funds as reimbursement for City incurred expenses associated with such easement grants; and declaring an emergency.

**Body:** SUMMARY & BACKGROUND:

The City of Toledo operates, maintains, and owns a certain public dedicated right-of-way known as Front Street, including that portion of Front Street in the vicinity of the Front Street overpass and the intersection of Front Street with Millard Avenue. IronUnits LLC, a subsidiary of Cleveland-Cliffs Inc., is in the process of developing the Project on property immediately adjacent to the Front Street right-of-way. A surface easement in the vicinity of and under the Front Street overpass, an aerial easement in the vicinity of the Front Street and Millard intersection, and the City’s consent to the Port Easement are needed from the City to facilitate the construction and operation of the Project. The Project will provide economic development, job creation, and an enhanced tax base for the City of Toledo. IronUnits LLC has agreed to reimburse the City, as consideration for the easement grants, associated City incurred costs. The Easements will encumber portions of the Front Street right-of-way, however, it has been determined that the Easements and the City’s consent to the Port Easement will not conflict with the City’s nor the public’s continuing use of the right-of-way.

**Label:** IronUnits, LLC Front Street Easements  
Bill Burkett - Development (x1692)/Paul F. Syring - Law (x1020)  
Revised

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

5. [TMP-3597](#)

**Authorizing the Mayor to enter into a Maumee Riverfront Metropark Project Development Agreement with the Metropolitan Park District of the Toledo Area; making certain findings with respect thereto; waiving the competitive bidding process of Toledo Municipal Code Chapter 187 with respect to the conveyance of real property; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

The city of Toledo is working with the Metropolitan Park District of the Toledo Area (Metroparks) on the development of the Riverfront Metropark in the vicinity of Front Street, Main Street, Marina Drive and Riverside Drive. The Riverfront Metropark restoration represents an important opportunity for significant investment in Toledo. To facilitate the success of the Riverfront Metropark, the City and Metroparks will need to cooperate and collaborate with respect to land, infrastructure and economic issues. The Development Agreement will address vacation petitions, property transfers, and costs.

**Label:** Maumee Riverfront Park District  
Gretchen DeBacker (x1600)/Bill Burkett (x1692)  
Revised

**Attachments:** [Development Agreement](#)

**DEPARTMENT OF FINANCE:**6. [TMP-3596](#)

**Approving the Capital Improvement Budget for the years 2019 - 2023; authorizing the appropriation of \$11,512,546 for capital projects; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

The Capital Improvement Program (CIP) Budget for the years 2019 - 2023 is being presented to City Council. This Ordinance approves the 2019 - 2023 CIP Budget and appropriates funding for the 2019 projects listed on Exhibit D. Further Council action will be required for expenditure authority.

**Label:** Capital Improvement Budget

**Attachments:** [2019-2023 CIP Plan](#)



**COUNCIL PRESIDENT CHERRY, CHAIR, ZONING & PLANNING COMMITTEE,  
REPORTS AS APPROVED:****[TMP-3605](#)**

**Changing the zoning maps attached to Part 11, Planning and Zoning, Toledo Municipal Code, for the property located at 2105, 2139, 2141 & 2147 Lawrence Avenue, in the City of Toledo, Lucas County, Ohio; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

An application (Z-10001-18) for a proposed change in zoning for the property located at 2105, 2139, 2141 & 2147 Lawrence Avenue Toledo, Ohio, was submitted to the Toledo City Plan Commission for its review and recommendation.

On December 6, 2018, the Toledo City Plan Commission recommended approval of the request for a zone change from “RM36” Multi Dwelling Residential and “CR” Regional Commercial to “CR” Regional Commercial for the property located at 2105, 2139, 2141 & 2147 Lawrence Avenue, Toledo, Ohio.

The City Council Zoning and Planning Committee on January 9, 2019, sent as approved the request for a zone change from “RM36” Multi Dwelling Residential and “CR” Regional Commercial to “CR” Regional Commercial for the property located at 2105, 2139, 2141 & 2147 Lawrence Avenue, Toledo, Ohio.

**Label:** Zoning & Planning Committee

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

**[TMP-3606](#)**

**Changing the zoning maps attached to Part 11, Planning and Zoning, Toledo Municipal Code, for the property located at 4216 Secor Rd. in the City of Toledo, Lucas County, Ohio; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

An application (Z-10003-18) for a proposed change in zoning for the property located at 4216 Secor Rd. Toledo, Ohio, was submitted to the Toledo City Plan Commission for its review and recommendation.

On December 6, 2018, the Toledo City Plan Commission recommended approval of the request for a zone change from “CR” Regional Commercial and RS6 Single Family Residential to “CR” Regional Commercial for the property located at 4216 Secor Rd. Toledo, Ohio.

The City Council Zoning and Planning Committee on January 9, 2019, sent as approved the request for a zone change from “CR” Regional Commercial and “RS6” Single Family Residential to “CR” Regional Commercial for the property located at 4216 Secor Rd. Toledo, Ohio.

**Label:** Zoning & Planning Committee

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

[TMP-3607](#)

**Changing the zoning maps attached to Part 11, Planning and Zoning, Toledo Municipal Code, for the property located at 625 Adams Street, in the City of Toledo, Lucas County, Ohio; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:  
An application (Z-10004-18) for a proposed change in zoning for the property located at 625 Adams Street Toledo, Ohio, was submitted to the Toledo City Plan Commission for its review and recommendation.

On December 6, 2018, the Toledo City Plan Commission recommended approval of the request for a zone change from “CO” Office Commercial to “CD” Downtown Commercial to for the property located at 625 Adams Street, Toledo, Ohio.

The City Council Zoning and Planning Committee on January 9, 2019, sent as approved the request for a zone change “CO” Office Commercial to “CD” Downtown Commercial for the property located at 625 Adams Street, Toledo, Ohio.

**Label:** Zoning & Planning Committee

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

[TMP-3608](#)

**Approving and adopting the M-11-13 Junction Avenue**

**Neighborhood Plan as an amendment to the Toledo  
20/20 Comprehensive Plan for the City of Toledo, Ohio;  
and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

The applicant is requesting a review of the Junction Neighborhood Master Plan, prepared by the Toledo Design Center, and the Junction Coalition (JC). The Junction Neighborhood Master Plan is intended to be a flexible, long term guiding document that is intended to help direct development / reinvestment in a coordinated fashion while focusing on strengthening the community, increasing overall environmental awareness and guiding the proper use and allocation of resources.

The Junction Neighborhood Master Plan focuses on revitalizing the area that was previously served by the Community Development Corporation (CDC) known as Organized Neighbors Yielding Excellence (O.N.Y.X). That CDC is now defunct and the Junction Coalition has taken charge of revitalization efforts. The Junction Coalition was developed as a guiding force for systematic change and to combat the blight of vacant lots and abandoned in the neighborhood. Through planning, organizing, directing, and coordinating economic revitalization activities, the Junction Coalition will oversee the development and redevelopment within and adjacent to the boundaries of the Junction Community.

The Junction Coalition is three (3) individual groups that together form the whole. These diverse group of people consist of Private Sector Stakeholders, the Steering Committee, and Public Sector Stakeholders. Among the Private Sector Stakeholders are: residents, institutions, home and business owners, and merchants. The Steering Committee is comprised of the Toledo Design Center, Toledo-Lucas County Plan Commission, and the JC Core Planning Team. This a sub-group of members of the Junction Coalition as a whole who met on a regular basis to review and interpret data gathering, explore options, and refine recommendations. The Public Sector Stakeholders are government entities such as the Lucas County Land Bank, The Toledo Economic Development, and Public Services.

Located in Council District 4, the Junction neighborhood sits centrally in the City of Toledo and is within close proximity to downtown Toledo; and other neighborhoods like Uptown, the Middlegrounds, and the Warehouse District. The Junction neighborhood has a total population of approximately 7,721 of which is eighty-seven percent (87%) African American. Community and stakeholder engagement was achieved through a series of four (4) design workshops. These workshops focused on Open Space (Health and Wellness); Housing; Business and Churches; and Education. Moving forward there will be a continuous effort for community engagement as development opportunities present themselves.

The plan proposes to use a series of destination nodes and street corridor connectors to facilitate interconnectivity throughout the neighborhood. The street corridor connectors stitch together the larger pieces by connecting a main corridor or node to another. These are intended to be pedestrian friendly routes that highlight green spaces located along the way throughout the neighborhood. Other notable design concepts include: development of an ownership and maintenance model for vacant lots; renovate existing housing and develop new housing; stormwater infrastructure installations; urban agriculture; and Swan Creek clean up.

#### Junction Avenue Neighborhood Business District Revitalization Plan

Developed in 1987, the Junction Avenue Neighborhood Business District Revitalization Plan presents a revitalization plan for the Junction Avenue Neighborhood Business District. It was developed through the realization that the district plays an important role in the life of the community. This plan addresses deterioration and neglect as well as other recognized problems through a realistic appraisal of where the district stands as a business entity within the community and a determination of what should be done to improve its present state. Among the goals and objectives outlined in the plan is to improve the condition and appearance of buildings and to promote the revitalization of the Junction Avenue Neighborhood Business District as both a convenient shopping area for neighborhood residents and as a

religious/entertainment center for the larger community. The proposal is in compliance with the Junction Avenue Neighborhood Business District Revitalization Plan

#### The Junction Neighborhood Greening Plan

The Toledo Metropolitan Area Council of Governments (TMACOG) worked with the Junction community and the Toledo Design Center to develop a greening plan that would mitigate water runoff while providing additional green space within the Junction neighborhood. The outcome of this process is a vision for community beautification and stormwater management using green infrastructure that can be integrated into larger community plans for redevelopment, urban agriculture, and green spaces. The goal of this plan is to improve livability in the short term through beautification and mitigation of maintenance concerns and to lay the groundwork for reinvestment in the neighborhood. The proposal is in compliance with the Junction Neighborhood Greening Plan.

#### Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan provides a set of recommendations to guide the future growth and development of the city. Included in the plan is a set of land use and related recommendations outlined neighborhood by neighborhood for the development and redevelopment throughout the city. A future land use map and land use policy are to be used as a guide for decision making and implementation. The Junction Neighborhood Master Plan provide the supporting documents that meet the stated intent of the Toledo 20/20 Comprehensive Plan and is in compliance with said plan.

The Plan as an amendment to the Toledo 20/20 Comprehensive Plan was submitted to the Toledo City Plan Commission for its review and recommendation. This matter was considered by the Toledo City Plan Commission at its meeting on December 6, 2018 and the City Plan Commission recommended approval.

On January 9, 2018, the Zoning and Planning Committee of City Council considered the Plan and the committee voted to forward to the full Council with a recommendation of approval the request to adopt the Plan as an amendment to the Toledo 20/20 Comprehensive Plan.

**Label:** Zoning & Planning Committee

**Attachments:** [Plan Commission Report](#)  
[Junction Neighborhood Master Plan](#)

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

**[TMP-3609](#)**

**Changing the zoning maps attached to Part 11, Planning and Zoning, Toledo Municipal Code, for the property located at 1630 & 1632 W. Laskey Rd, in the City of Toledo, Lucas County, Ohio; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

An application (Z-6001-18) for a proposed change in zoning for the property located at 1630 & 1632 W. Laskey Rd Toledo, Ohio, was submitted to the Toledo City Plan Commission for its review and recommendation.

On December 6, 2018, the Toledo City Plan Commission recommended approval of the request for a zone change from “CR” Regional Commercial & “IL” Limited Industrial to “CR” Regional Commercial for the property located at 1630 & 1632 W. Laskey Rd, Toledo, Ohio.

The City Council Zoning and Planning Committee on January 9, 2019, sent without recommendation the request for a zone change “CR” Regional Commercial and “IL” Limited Industrial to “CR” Regional Commercial for the property located at 1630 & 1632 W. Laskey Rd, Toledo, Ohio.

**Label:** Zoning & Planning Committee

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

[TMP-3610](#)

**Granting a Special Use Permit for used auto sales facility for a site located at 1630 & 1632 W Laskey Rd, in the City of Toledo, Lucas County, Ohio; subject to certain conditions; declaring an emergency.**

**Body:****SUMMARY & BACKGROUND:**

By application (SUP-6002-18) filed with the City of Toledo Central Permit Center, a request for a Special Use Permit for used auto sales facility for a site located at 1630 & 1632 W Laskey Rd, in the City of Toledo, Lucas County, Ohio; was submitted to the Toledo City Plan Commission for its review and recommendation.

On December 6, 2018, the Toledo City Plan Commission recommended approval for a Special Use Permit for used auto sales facility for a site located at 1630 & 1632 W Laskey Rd, in the City of Toledo, Lucas County, Ohio.

On January 9, 2019, Toledo City Council, Planning and Zoning Committee reviewed, and sent without recommendation a Special Use Permit for used auto sales facility for a site located at 1630 & 1632 W Laskey Rd, City of Toledo, Lucas County, Ohio; and all other things required by law to be done, have been done.

**Label:** Zoning & Planning Committee

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

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