



City of Toledo

One Government Center
Toledo, OH 43604

Agenda Review City Council

Tuesday, March 12, 2019

2:00 PM

Council Chambers

Agenda Review for March 19, 2019 Meeting of City Council

COUNCILMAN JOHNSON PRESENTS:

COUNCILMAN JOHNSON PRESENTS:

[TMP-3788](#)

Recognize DeAndre Ware, Firefighter and Pro Boxer.

Label: Councilman Johnson

APPOINTMENT FROM THE OFFICE OF THE MAYOR:

[TMP-3787](#)

Appointment - HVAC Board of Control

Attachments: [HVAC Board of Control](#)

SECOND READING ITEM:

[O-097-19](#)

Authorizing the appropriation of \$1,250,000 from the unappropriated balance of the Capital Improvement Fund for the 2019 Sidewalk Program; authorizing the expenditure of \$1,250,000 from the Capital Improvement Fund for the 2019 Sidewalk Program; authorizing the Mayor to prepare plans and specifications, acquire required rights-of-way as appropriate, and enter into contracts for this project within the Division of Engineering Services; and declaring an emergency.

Body: SUMMARY & BACKGROUND:
The 2019 CIP Plan (Ord. 42-19) appropriates \$800,000 for the 2019 Sidewalk Program. The Administration also projects an Assessed Improvement Fund amount of \$448,000 for the 2019 Sidewalk

Program. These amounts are not nearly sufficient to address the long listing of sidewalks needing replacement as maintained by the Division of Engineering Services.

The additional funds of \$1,250,000 included in this ordinance are for work to be scheduled for 2019. These additional funds will increase the total 2019 Sidewalk Program to \$2,498,000. Authorization for appropriation and expenditure of these additional funds now will allow for timely bidding and construction to ensure all projects are completed this year in a balanced, efficient fashion.

Attachments: [Audio: Agenda Review 2/26/2019](#)

[Audio: City Council 3/5/2019](#)

Legislative History

3/5/19

City Council

First Reading

COUNCILWOMAN HARPER PRESENTS:

[TMP-3778](#)

Declaring a Moratorium until December 31, 2019, on the authority of the Toledo-Lucas County Plan Commission to accept applications for Special Use Permits for Residential Drug & Alcohol Treatment Facilities within Council District 4; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

Toledo City Council by Ordinance 147-18 declared a moratorium on the authority of the Toledo-Lucas County Plan Commission to accept applications for Special Use Permits for Residential Drug and Alcohol Treatment Facilities within Council District 4. The moratorium was extended to April 15, 2019, pursuant to Ordinance 402-18. The purpose of this moratorium is to allow Council to study what adverse impact, if any, the concentration of Residential Drug & Alcohol Treatment Facilities has on neighborhoods in Toledo, particularly with regard to traffic congestion, criminal activity and the maintenance of housing in the vicinity of such facilities. The Plan Commission staff has completed the study and it was presented at the Toledo City Planning Commission meeting on February 14, 2019. It will be presented to the Toledo City Council Zoning and Planning Committee on March 20, 2019, before being presented to the full Council. An extension of the

moratorium will be needed to provide Council with adequate time to review the study and recommendations of the Plan Commission.

Label: Councilwoman Harper

TOLEDO MUNICIPAL COURT:

[TMP-3785](#)

Authorizing an agreement with Pathway, Inc. for provision of employment services to Toledo Municipal Court; authorizing the expenditure of \$50,000; waiving the requirements of the Toledo Municipal Code 187 and making certain findings with respect thereto; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

This Ordinance authorizes an agreement between Toledo Municipal Court and the Pathway, Inc. for the provision of employment program services to criminal defendants in the Toledo Municipal Court. The Agreement is for a one-year term with an option to extend the agreement for an additional two years subject to the availability of funds.

Label: Pathway Employment Program Services
Toledo Municipal Court
C. Lisa Falgiano (x1949)

DEPT. OF FIRE & RESCUE OPERATIONS:

1. [TMP-3776](#)

Authorizing the Mayor to execute an amendment to the 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 (“Agreement”) to combine firefighting services under the control of the City of Toledo. Pursuant to the 20 year agreement, 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 agreement required TFRD to occupy and man the fire station in VOH and for the VOH to pay the City an annual service fee.

TFRD determined the VOH territory could be covered from stations located within the City of Toledo without any negative effect on the quality of service to the 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. As authorized by Ord. 364-18, VOH and the City of Toledo entered into a Memorandum of Understanding (“MOU”) temporarily modifying the original Agreement by creating a six month trial period to determine what if any impact the new coverage will have on the VOH. During the first six-month trial period, payment under the Fire Services Agreement was suspended. The trial period under the MOU is set to expire March 31, 2019.

After reviewing TFRD responses into Ottawa Hills, it is recommended that the trial period under the MOU be extended for another six months. The reason for the extension is that due to the low volume of incidents in Ottawa Hills, an adequate amount of response data has not been obtained to allow for an educated decision on the impact of the change. Should the results of trial period prove acceptable, an amendment would be drafted to the Agreement that would make the arrangement permanent for the remainder of the Agreement term and determine a revised fair and reasonable annual service fee to be paid by the VOH.

This ordinance authorizes the Mayor and TFRD to execute an amendment to the MOU to extend the trial period for an additional six months and sets a fee of \$130,000 for TFRD services for the extension period.

Label: VOH Fire MOU Extension
TFRD
Chief Byrd (x-1126)

DEPARTMENT OF POLICE OPERATIONS:

2. [TMP-3747](#) **Establish an OVI Trust Fund for court imposed fines for operating a vehicle under the influence of alcohol or drugs (OVI); authorizing the acceptance, deposit and appropriation and expenditure of the OVI Trust Fund proceeds in compliance with Ohio Revised Code 4511.19 for costs incurred enforcing OVI law and informing the public of the dangers of operating a vehicle under the influence of alcohol and or drugs; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

This ordinance authorizes the Mayor to establish an OVI Trust Fund for court fines imposed under ORC 4511.19. This ORC section dictates that these fines shall be paid to an enforcement and education fund established by the legislative authority of the law enforcement agency in this state that primarily was responsible for the arrest of the offender, as determined by the court that imposes the fine. The agency shall use this share to pay only those costs it incurs in enforcing this section or a municipal OVI ordinance and in informing the public of the laws governing the operation of a vehicle while under the influence of alcohol, the dangers of the operation of a vehicle under the influence of alcohol, and other information relating to the operation of a vehicle under the influence of alcohol and the consumption of alcoholic beverages.

Label: OVI Trust Fund
Toledo Police Department
Lt. James Brown (x3203)
Revised

3. [TMP-3767](#) **Authorizing the Mayor to enter into an agreement and accept and deposit \$42,517.60 from the Office of Criminal Justice Services for an Ohio Drug Law Enforcement Fund (2017-DL-LEF-5853A) Program; authorizing the appropriation and expenditure of said proceeds from the Operation Grants Fund; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

The Toledo Police Department has requested and received an additional \$42,517.60 in Ohio Drug Law Enforcement Fund grant funds from the Ohio Office of Criminal Justice Services to conduct drug investigations. The original grant was for \$44,126.22 (ORD. 313-18).

There is a match of \$14,173.70 required for this addition to the grant, which will be met by personnel salaries. The grant funds will increase the department's ability to conduct drug enforcement investigations.

Label: OCJS Drug fund grant 2018 additional funding \$42,517.60
Toledo Police Department
Lt. James Brown (x3203)
Revised

4. [TMP-3768](#)

Authorizing the Mayor to enter into an agreement with SST Inc. (Shot Spotter); waiving the competitive bidding requirements of TMC Chapter 187; and declaring an emergency.

Body: SUMMARY & BACKGROUND:
Ordinance 442-18 authorized the receipt and expenditure of a United States Bureau of Justice Assistance Technology Innovation for Public Safety (TIPS) grant in the amount of \$492,553 for gun and violent crime reduction programs.

This ordinance authorizes a \$310,000 contract with SST, Inc. for Shot Spotter. SST, Inc. is the global leader in gunfire detection and location technology providing the most trusted, scalable and reliable gunfire alert and analysis available today. Shot Spotter uses an array of acoustic sensors that reliably detect and accurately locate gunshots. No vendor, other than SST, Inc., possesses the comprehensive, field-proven, and patent-protected product offering, as well as the professional services and support, domain knowledge, expertise, longevity, and customer references. Only SST, Inc. can provide a true wide-area gunshot detection, location, alert and analysis solution, as well as future expansions and ongoing maintenance and support.

Label: Shot Spotter Sole Source \$310,000
Toledo Police Department
Lt. James Brown (x3203)
Revised

Attachments: [Sole Source SST](#)

5. [TMP-3743](#) **Authorizing the Mayor to enter into a three-year agreement with Savant Learning Systems, Inc.; authorizing the General Fund expenditure of an amount not to exceed \$20,000 for the first year, \$25,000 for the second year, and \$30,000 for the third year subject to future appropriations; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:
This ordinance authorizes the Mayor to enter into an agreement with Savant Learning Systems, Inc. for a subscription to the Virtual Academy Training Management System. The Virtual Academy Training Management System (TMS) is a fully integrated, cloud-based training management solution. This system provides officers with the ability to attend training in a web-based environment rather than requiring officers to be scheduled out of service for training. This system enables a more efficient use of each officer's time for training by reducing the amount of time they are out-of-service. A bid was posted on Planet Bids for the purchase of a learning management system and Savant Learning Systems, Inc. Virtual Academy was the winning bidder.

Label: Virtual Academy Training Management System
Toledo Police Department
Lt. James Brown (x3203)
Revised

6. [TMP-3745](#) **Authorizing the Mayor to provide a contribution of \$40,000 to the Toledo-Lucas County Victim-Witness Assistance Program; authorizing the expenditure of \$40,000 from the Law Enforcement Trust Fund as a contribution for the year 2019; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

The Toledo-Lucas County Victim-Witness Assistance Program has requested funding to continue its services to residents of Toledo and Lucas County. The Toledo-Lucas County Victim-Witness Assistance Program assists victims of violent crime as they go through the criminal justice process. This ordinance authorizes the expenditure of \$40,000 for the contribution from the Police Law Enforcement Trust Fund. There are no impacts on general fund expenses or revenues.

Label: Victim-Witness Assistance Program
Toledo Police Department
Lt. James Brown (x3203)
Revised

DEPT. OF PUBLIC UTILITIES:

7. [TMP-3769](#) **Authorizing the appropriation of \$450,000 from the unappropriated balance of the Stormwater Utility Improvement Fund and operating transfer of same to the Stormwater Utility Operating Fund; authorizing the appropriation and expenditure in an amount not to exceed \$450,000 from the unappropriated balance of the Stormwater Utility Operating Fund; authorizing the mayor to enter into a contract with Woolpert, Inc. for the completion of the Stormwater Billing update and Impervious Surface Mapping Phase 1; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:
The Stormwater Utility charges a stormwater fee for properties with impervious surfaces within the City of Toledo. Residential Customers (single family homes and duplexes) are billed at a flat rate of 1 Equivalent Residential Unit (ERU), while non-residential customers are billed based on a measurement of the impervious surfaces on their property. The impervious surface of each non-residential property was digitally traced (digitized) into GIS using an aerial photo background to obtain the square footage. These measurements have been updated manually as the city has become aware of site improvements or measurement errors on individual parcels, however, there has not been an overall review or update of the billing measurements for the entire city.

This ordinance appropriates funds for phase one of a two phased project to ensure consistent and fair stormwater billing to all City of Toledo residents. This phase will review the current policies for stormwater billing, perform impervious surface mapping using remote sensing technology, and update the City's Equivalent Residential Unit (ERU) database. Phase 2 of this project will merge the ERU database and the City of Toledo Billing database (SAP), along with including a process and procedure to keep the two databases in sync, and performing a cost of service analysis of the Stormwater Utility.

Label: DPU031919STORMWATERBILLING/IMPERVIOUS
SURFACEMAPPINGPHASE1
Division of Engineering Services
Christy Soncrant (x2851)
Revised

8. [TMP-3771](#)

Authorizing the mayor to renew contracts with Taylor Excavating in the amount of \$1,250,000 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 from the Water Operating Fund, the Sewer Operating Fund, and the Expendable Trust 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 95-18, 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 Expendable Trust Fund. In order to maintain 2018 pricing, Taylor Excavating and Sewer and Drainage Services desire the renewal of the existing contract for Sewer and

Water Kills. There is no additional financial impact to the City of Toledo as these funds were budgeted for the 2019 budget.

Label: DPU031919KILLSCONTRACTRENEWAL
Sewer and Drainage Services
David Pratt (x2172)

9. [TMP-3763](#)

Authorizing the mayor to enter into agreements, accept and deposit proceeds in an amount not to exceed \$195,000 from Lucas County Port Authority BetterBuildings Program into the Sanitary Sewer Replacement Fund for the purchase of a HVAC system for the facility at Sewer and Drainage Services; authorizing the appropriation and expenditure of said amount from the Sanitary Sewer Replacement Fund; authorizing appropriation and expenditure of \$10,000 from the Sanitary Sewer Replacement Fund for the remaining balance for the purchase of the HVAC system; authorizing the mayor to accept bids and enter into contracts; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

This ordinance authorizes the mayor to enter into an agreement, accept and deposit up to \$195,000 from the Lucas County Port Authority for the purchase of a HVAC system for the Sewer and Drainage Services facility. The existing heating system is original to the building and has exceeded its useful life. Parts are no longer available for maintaining this system that is essential for keeping our sewer cleaning trucks and pumps from freezing in the winter.

Label: DPU031919HVACREPLACEMENT
Facilities Operations / Sewer & Drainage Services
Rick M. Akeman (x2550) / Dave Pratt (x2172)
Revised

10. [TMP-3765](#)

Authorizing the appropriation and expenditure of an amount not to exceed \$16,261 from the unappropriated balance of the Sanitary Sewer Operating Fund for the emergency repair of a sanitary sewer lateral located at 711 Woodville; authorizing the mayor to enter into necessary agreements with Taylor Excavating; and

declaring an emergency.**Body:** SUMMARY & BACKGROUND:

An emergency repair was required for a collapsed sewer lateral in the right of way connected to City Sewer No. 427 located near 711 Woodville Road in November 2018. Since the current North & East Sewer District contract was not finalized at the time of the repair, a separate ordinance and contract are required. TMC 187 requires Council to be informed of the emergency and for authorization to pay the repair. Sufficient funds are available within the DPU operating budget to pay for this emergency combine sanitary sewer repair.

Label: DPUWOODVILLERDSEWERREPAIR

Sewer & Drainage Services

David Pratt (x2172)

Revised

DEPARTMENT OF NEIGHBORHOOD & BUSINESS DEVELOPMENT:**11. [TMP-3772](#)**

Authorizing the Mayor to enter into a Real Estate Purchase Agreement with Torrey Hill Apartments, LLC and to execute and deliver needed instruments for the sale and conveyance of certain city-owned real property at 336 14th Street in the City of Toledo, Lucas County, Ohio; waiving the competitive bidding and advertising provisions of TMC 187.19; authorizing the deposit of \$300,000; authorizing the Mayor to execute and deliver the needed instruments to release the mortgage in whole, on the Low Income Housing Tax Credit Project for the 52-unit multi-family rental housing complex called Torrey Hill Apartments, LLC; making certain findings with respect thereto; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The City of Toledo is the fee simple owner of certain real property located at 336 14th Street in the City of Toledo, Lucas County, Ohio. The property consists of one parcel (TD 15-50317) and is approximately 0.8982 acres of land. The improvement on the real property is currently owned by Adams Street Limited Partnership, LLC. It is known as Uptown Arts Apartments, LLC, which is a 52

-unit affordable multi-family complex consisting of one-two-and three-bedroom garden and townhouse style apartments.

In order to facilitate the development of the complex in the early 2000s, the City entered into a 90 year ground lease agreement with Adams Street Limited Partnership, LLC and provided a HOME Investment Partnerships Program loan to assist in the financing of the project. In exchange for the HOME loan a certain number of units are required to be affordable for a period of time.

In addition to the City's assistance, the project was awarded Low-Income Housing Tax Credits. The Low-Income Housing Tax Credit program (LIHTC) is a public policy tool used to provide funding for the development of affordable housing. The federal government allows developers of particular affordable-housing projects to sell tax credits to investors to provide the capital necessary to build the project. In exchange for the LIHTC a certain number of units are required to be affordable for a certain period of time.

Adams Street Limited Partnership, LLC, the current owner of the improved property, intends to sell its interest to Torrey Hill Apartments, LLC. The prospective buyer wishes to acquire the City's fee simple interest in order to obtain primary financing for the acquisition and redevelopment of the structure. The purchase price for the City's fee simple interest is \$300,000 (THREE HUNDRED THOUSAND DOLLARS).

The purchaser, Torrey Hill Apartments, LLC intends to modernize the complex while keeping existing residents in place and adhering to the affordability requirements stipulated by the Ohio Housing Finance Agency and City of Toledo.

As part of the agreement to release the mortgage, the City of Toledo, Department of Neighborhood and Business Development is requiring that five (5) of the units remain affordable to tenants earning less than or equal to 60% of the Area Median Income (AMI). Rent restrictions will remain on the five units until December 31, 2022. The

City's restrictions are in addition to those stipulated by OHFA, which are outlined in the attached Fourth Amendment.

Torrey Hills Apartments, LLC's development proposal benefits the community by improving the quality of the neighborhood through comprehensive capital investments and protecting the existing residents either at or above the standards set by relevant housing authorities.

Label: Amended \$300,000 Contract
Torrey Hill Apartments, LLC
Department of Neighborhood & Business Development
Amy Sackman Odum (3647)

Attachments: [Closing Statement Scenarios](#)

12. [TMP-3722](#) **Authorizing the expenditure of an amount not to exceed \$35,000 from the General Fund for consulting services related to the development of a universal pre-kindergarten program in the city of Toledo; waiving the competitive bidding requirements of TMC Chapter 187; authorizing the Mayor to enter into an agreement with Savage Consulting LLC for said services; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:
This ordinance authorizes the expenditure of funds for consulting services related to the development of a universal pre-kindergarten program in the city.

Label: Consulting-Toledo
Department of Neighborhood & Business Development
Amy Sackman Odum (3647)

DEPT. OF PUBLIC SERVICE:

13. [TMP-3724](#) **Authorizing the Mayor to enter into contract(s) for crack sealing; authorizing the expenditure of \$200,000 from the Street Construction Maintenance and Repair (SCM&R) Fund for the 2019 crack sealing program; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

Crack Sealing is a cost efficient pavement preventive maintenance technique that can greatly expand the service life of city streets. The City of Toledo has conducted minor Crack Sealing Programs in the past, averaging 81 lane miles a year, with the most recent program conducted in 2017. The Division of Streets, Bridges & Harbor, in cooperation with the Division of Engineering Services, is proposing to operate a spring and fall Crack Sealing Program to address deferred maintenance of city streets. This would allow for eligible streets to be crack sealed within a timely manner. The City of Toledo will contract out major arterial roads and some residential streets while Division of Streets, Bridges & Harbor crews will crack seal other residential and minor arterial streets. The Division of Streets, Bridges & Harbor has \$200,000 in its existing 2019 operating budget, appropriated by Ordinance 26-19 from the SCM&R Fund for the 2019 Crack Sealing Program.

Label: DPS 2019 Crack Sealing \$200,000
Streets, Bridges & Harbor
Jeremy Mikolajczyk (x1537)/Paul M. Rasmusson (x7868)
Revised

Attachments: [Bullet Points](#)

14. **Withdrawn**

15. [TMP-3716](#) **Authorizing the Mayor to enter into an agreement with the Ohio Department of Agriculture (ODA) for two applications of Foray 48B (Btk) for suppression treatment of gypsy moth that are present within the City of Toledo; authorizing the expenditure of \$12,675.30 for such treatments as part of a cost share with the Ohio Department of Agriculture; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:
This Ordinance authorizes the expenditure of monies from Forestry Assessed Funds to address a population of destructive gypsy moth caterpillars. The City of Toledo has a submitted and approved application with the Ohio Department of Agriculture (ODA) to participate in Ohio's Gypsy Moth Suppression Program to treat a total of 345 acres within the City of Toledo. These areas include blocks of

Alexis, Copland, Kenmore, Longfellow, as well as sections of Ottawa Park and Walbridge Park. Application is currently planned for mid-May. Application timing depends on the instar stage of the Gypsy Moth caterpillar, the amount of canopy the trees have deployed, and weather conditions.

Label: DPS Gypsy Moth Suppression Treatment - \$12,675.30
Parks, Recreation and Forestry
Karen Ranney Wolkins (x2326)/Paul M. Rasmusson (x7868)
Revised

Attachments: [Bullet Points](#)

DEPT. OF HUMAN RESOURCES:

16. [TMP-3721](#) **Authorizing the Mayor to accept a Workplace Wellness Grant from the Ohio Bureau of Workers' Compensation in the amount of \$5,000 for the Department of Human Resources; authorizing the deposit, appropriation and expenditure of grant proceeds in the Operation Grants Fund; and declaring an emergency.**

Body: SUMMARY & BACKGROUND
The purpose of the grant is to assist communities in addressing the challenges of obesity, rising incidence of chronic disease and the aging workforce. This program will assist the City of Toledo with the creation and implementation of a workplace wellness program. The goal is to limit and control the escalating cost of workers' compensation claims and to develop health promotion programs for employees, which will also reduce healthcare costs for employers and improve the health and well-being of our workforce.

The grant will allow the city to use the funds for wellness initiatives such as health risk appraisals, biometric screenings, walking programs, educational materials and disease prevention.

Label: Ohio Bureau of Workers' Compensation
Workplace Wellness Grant Program
C. Brown/C. Arnold (x1507)
Revised

DEPT. OF LAW:

17. [TMP-3784](#) **Authorizing the Mayor and the Director of Law to enter into any necessary agreements with the law firm of Spengler Nathanson for the provision of professional assistance on behalf of the City of Toledo in litigation captioned *Drewes Farm Partnership v. City of Toledo*; authorizing the expenditure of \$50,000 from the Risk Management Fund; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

Voters participating in a special election held on February 26, 2019, passed an amendment to the City of Toledo Charter titled Lake Erie Bill of Rights (“LEBOR”). Drewes Farm Partnership filed on February 27, 2019, a lawsuit in the U.S. District Court, Northern District of Ohio, against the City of Toledo. The lawsuit generally alleges that the amendment is unconstitutional and violates Ohio and federal law.

As the result of the potential for a conflict of interest, it is necessary to retain outside counsel to assist the City in this litigation. This ordinance seeks authorization for monies to pay outside counsel.

Label: Authorizing expenditure for outside counsel 3 7 19
Department of Law
D. Emch (x2384)

18. [TMP-3775](#) **Authorizing the Mayor to execute and deliver needed instruments waiving the city’s reservation of a right of first refusal for the proposed sale of 3201 Stickney Ave. by the James C. Caldwell Community Center; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

In 1985, pursuant to Ordinance 300-85, the City of Toledo conveyed 3201 Stickney Ave., the former Fire Station 19 property, now known as the Caldwell Community Center, (“Property”) to the North Toledo Community House, subsequently the James C. Caldwell Community Center, a non-profit organization serving community needs of north Toledo residents. The 1985 deed conveying the Property includes a reservation by the city of a right of first refusal should the Community Center wish to subsequently convey the Property to a third party. The

Community Center has now agreed to sell the property to the Toledo/Northwestern Ohio Foodbank, Inc. (“Foodbank”). The Foodbank plans to use the Property in furtherance of its charitable purpose. The purchase is being made at the Property’s appraised value as determined pursuant to an appraisal dated 12/23/15 obtained by the Toledo/Northwest Ohio Foodbank.

The city administration supports the purchase and use of the building by the Toledo/Northwest Ohio Foodbank and does not wish to exercise the city’s right of first refusal provided under the 1985 deed. This ordinance authorizes the Mayor to waive and elect not to exercise its right of first refusal and waive the 45-day notice period as specified in the deed reservation.

Label: Waive Right of First Refusal - 3201 Stickney
Neighborhoods & Bus. Development
A. Odum (x-1400) / B. Burkett (x-1692)

ITEM LIKELY TO BE RELIEVED OF EDUCATION, RECREATION & EMPLOYMENT COMMITTEE:

[O-079-19](#)

Amending the Toledo Municipal Code by enacting a new Section 127.15, Youth Sports, requiring sports organizations serving Youth and utilizing City Parks or facilities or receiving City funding to meet minimum safety requirements; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

In the Fall of 2018, the Mayor’s Recreation Task Force concluded its report on policy recommendations regarding the City’s parks and recreation services. Included in this report was the recommendation that any person or organization working with youth as a coach or volunteer to meet minimum safety requirements, should that person or party be using City of Toledo parks or facilities or receive City of Toledo funding. Toledo City Council recognizes the need to inspire changes in youth sports to make the experience safe, positive and fun for everyone involved. In order to realize the true value of youth sports participation and to provide a safe, positive and fun environment for youth and their families to participate, we must raise the standards among the users of our City’s youth sports facilities.

Attachments: [Audio: City Council 2/19/2019](#)

[IMA Letter](#)

Legislative History

2/19/19

City Council

refer to the Education,
Recreation &
Employment
Committee

THE CLERK REPORTS:

[TMP-3789](#)

Declaring the intent to vacate that portion of North Michigan lying between Lot 28, within Block 148 and Lot 34 within Block 30 of the North Toledo Plat, including the 13-foot alley lying adjacent to Lots 28 and 29 within Block 148, in the City of Toledo, Lucas County, Ohio; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

Petitioner has filed a request to vacate that portion of North Michigan Street lying between Lot 28, within Block 148 and Lot 34 within Block 30 of the North Toledo Plat, including the 13 foot alley lying adjacent to Lots 28 and 29 within Block 148, in the City of Toledo, Lucas County, Ohio.

Label: The Clerk Reports

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.