



City of Toledo

One Government Center
Toledo, OH 43604

Agenda Review City Council

Tuesday, September 17, 2019

4:00 PM

Council Chambers

Preliminary Agenda

COUNCILMAN WANIEWSKI PRESENTS:

[TMP-4374](#) Recognizing University of Toledo Rocket Women's Softball team for their claim to the Mid-American Conference Tournament title.

COUNCILMAN RILEY PRESENTS:

[TMP-4375](#) Recognize PFC Wilbur Lewis, 1950 - 1956 U.S. Army.

APPOINTMENTS FROM THE OFFICE OF THE MAYOR:

[TMP-4376](#) Appointments - Electrical Board of Control

Attachments: [Electrical Board of Control](#)

[TMP-4377](#) Appointment - Electrical Board of Control

Attachments: [Electrical Board of Control](#)

[TMP-4381](#) Appointments - Toledo City Historic District Commission

Attachments: [Toledo City Historic District Commission](#)

SECOND READING ITEMS:

[O-381-19](#) Amending Toledo Municipal Code Ch. 1760, Registration of Lead Safe Residential Rental Units, and enacting a new Ch. 1760, Lead-Safe Housing.

Body: SUMMARY & BACKGROUND:
Toledo City Council is desirous of moving forward with an ordinance

repealing the current chapter of the Toledo Municipal Code, Ch. 1760, Registration of Lead Safe Residential Rental Units, and enacting a new Ch. 1760, Lead-Safe Housing, which includes amendments needed to address the current Injunction.

Attachments:[Redline](#)[Audio: Agenda Review 8/13/2019](#)[Audio: City Council 8/20/2019](#)[Audio: Agenda Review 8/27/2019](#)[Audio: City Council Meeting 9/3/2019](#)**Legislative History**

8/20/19	City Council	First Reading
9/3/19	City Council	held

[O-382-19](#)

Authorizing the appropriation of \$75,000 from the unappropriated balance of the General Fund for the Lead Safe Home Program; authorizing the expenditure of said funds; and declaring an emergency.

Body:

SUMMARY & BACKGROUND:

All Toledoans should be able to live in a safe, healthy home that meets their needs. One important part of that is making certain that families are safe from the hazards of lead. City Council desires to appropriate \$75,000 this year for the Lead Safe Home Program. This appropriation would add a position in the City Auditor's Office to seek and monitor grants and provide funding for a lead conference, lead test kits, education and marketing. Funds are available within the General Fund from the carryover of funds as a result of 2018 operations.

Attachments:[Audio: Agenda Review 8/13/2019](#)[Audio: City Council 8/20/2019](#)[Audio: Agenda Review 8/27/2019](#)[Audio: City Council Meeting 9/3/2019](#)**Legislative History**

8/20/19	City Council	First Reading
9/3/19	City Council	held

[O-398-19](#)

Granting a Special Use Permit, for a Residential Drug

and Alcohol Treatment Center for a site located at 3132 Secor Road, in the City of Toledo, Lucas County, Ohio; subject to certain conditions; and declaring an emergency.

Body: SUMMARY & BACKGROUND:
By application (SUP-5003-19) filed with the City of Toledo Central Permit Center, a request for a Residential Drug and Alcohol Treatment Center for a site located at 3132 Secor Road, in the City of Toledo, Lucas County, Ohio; was submitted to the Toledo City Plan Commission for its review and recommendation.

On July 11, 2019, the Toledo City Plan Commission recommended approval for the request for a Special Use Permit, for a Residential Drug and Alcohol Treatment Center for a site located at 3132 Secor Road, in the City of Toledo, Lucas County, Ohio.

On August 14, 2019, Toledo City Council, Planning and Zoning Committee reviewed, and sent as approved a request for a Special Use Permit for a Residential Drug and Alcohol Treatment Center for a site located at 3132 Secor Road, City of Toledo, Lucas County, Ohio; and all other things required by law to be done, have been done.

Attachments: [Plan Commission Report](#)
[Audio: Zoning & Planning Committee 8/14/2019](#)
[Hyperlink](#)
[Audio: City Council 8/20/2019](#)
[Audio: Agenda Review 8/27/2019](#)

Legislative History

8/20/19	City Council	First Reading
9/3/19	City Council	held

[O-413-19](#)

Amending the Toledo Municipal Code by repealing Section 1111.0303, Mailed Notice; and enacting a new Toledo Municipal Code Section 1111.0303, Mailed Notice; and declaring an emergency.

Body: SUMMARY & BACKGROUND:
City Council desires to expand the area for mailed notice by the City

Plan Commission from “abutting or directly across the street” to within one-quarter mile radius.

Attachments: [Audio: Agenda Review 8/27/2019](#)
[Audio: City Council Meeting 9/3/2019](#)

Legislative History

9/3/19 City Council First Reading

[O-418-19](#)

Authorizing the expenditure of \$3,000,000 per year from the Sewer Operating Fund; authorizing the mayor to enter into a contract for a period of five years with two additional two-year extensions for costs associated with the annual Biosolids Recycling/Disposal Program; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

Biosolids are a byproduct of the waste water treatment process generated at the Bay View Wastewater Treatment Plant. The biosolids generated will be hauled off-site by the contracted company and disposed of by methods that will meet the Ohio EPA approved division’s recycling/reuse land application program. The terms of this contract are for five years with two additional two year extensions.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: \$3,000,000
- The expenditure budget line item: 6070-36000-4000531STDSTD
- New revenue generated (operational revenue, grants, if any): None
- Revenue budget line item (if any): None
- Are funds budgeted in the current fiscal year (yes/no)?:
Yes
- Is this a capital project (yes/no)? No
- If yes, is it new or existing (new/existing)? N/A
- What section of the City’s Strategic Plan does this support:
 - o Excellence in Basic Services (yes/no) Yes
 - o Quality Community Investment (Livable City, Development) (yes/no) Yes
 - o Workplace Culture & Customer Service (yes/no)
No

- Environment (yes/no) Yes

Attachments: [Audio: Agenda Review 8/27/2019](#)
[Audio: City Council Meeting 9/3/2019](#)

Legislative History

9/3/19 City Council First Reading

[O-421-19](#)

Authorizing the Mayor to enter into a three-year contract for banking services; further authorizing the expenditures; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

Toledo Municipal Code Section 192.17 sets forth the procedures for designating a Central Depository and a Secondary Custodian for banking and custodial services. This is required to be done every three (3) years. The City's current banking services contracts expires September 30, 2019. A Request for Proposal (RFP) was duly advertised. Proposals were received from four institutions and subsequently evaluated by the Department of Finance in accordance with established procedures for professional service contracts.

The four banks that submitted RFP were all responsive and were able to provide the financial services requested by the city. Concerning the cost, fees and interest earned on daily balances, Fifth Third Bank proposed the lowest total annual fees and charges at approximately \$59,000. The other proposals annual costs ranged from \$64,800 to \$80,000. The Banking Services RFP asked for a variable interest rate earned on daily balances and Fifth Third Bank offered a rate based upon the nightly Federal Funds rate minus 0.65% (65 basis points) on all bank accounts.

After review of the banking services RFP, it is recommended that the city contract with Fifth Third Bank as Central Depository and the State of Ohio Treasurer Ohio Pooled Collateral System (OPCS) as Secondary Custodian.

The fiscal impact of this ordinance is as follows:

- The total amount of funds requested: estimated fees are \$59,000 annually, though charges will vary based on the city's balances with the bank and the federal funds rate

- The expenditure budget line item: 1001-14200-1132003STDSTD, 6078-31000-4000524STDSTD, 6060-31000-4000511STDSTD, 6070-31000-4000508STDSTD, and 607A-31000-4000552STDSTD
- New revenue generated (operational revenue, grants, if any): estimated \$125,000 per year in interest earnings
- Revenue budget line item (if any): 1001-14200-1132003STDSTD, 6078-31000-4000524STDSTD, 6060-31000-4000511STDSTD, 6070-31000-4000508STDSTD, and 607A-31000-4000552STDSTD
- Are funds budgeted in the current fiscal year (yes/no)?: yes, this was included in the approved 2019 budget
- Is this a capital project (yes/no)? no
- If yes, is it new or existing (new/existing)? existing
- What section of the City's Strategic Plan does this support:
 - o Excellence in Basic Services (yes/no) yes
 - o Quality Community Investment (Livable City, Development) (yes/no) no
 - o Workplace Culture & Customer Service (yes/no) no
 - o Environment (yes/no) no

Attachments: [Audio: Agenda Review 8/27/2019](#)
[Audio: City Council Meeting 9/3/2019](#)

Legislative History

9/3/19 City Council First Reading

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

[TMP-4378](#)

**Adopting a calendar for 2020 for City Council; and
declaring an emergency.**

Body: SUMMARY & BACKGROUND:
Toledo City Council needs to adopt a calendar for 2020.

Attachments: [2020 Calendar](#)

OFFICE OF THE MAYOR:

1. [TMP-4383](#)

Officially changing the name of Toledo Express Airport to the Eugene F. Kranz Toledo Express Airport; authorizing the Mayor to execute needed instruments to effectuate the name change; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The City of Toledo owns Toledo Express Airport, which has been operated, maintained, and managed by the Toledo-Lucas County Port Authority pursuant to a lease agreement entered into in 1973.

Toledo Express Airport is a significant City asset that plays an important role for our region in terms of passenger travel and commercial freight transportation. Given the consequential function Toledo Express Airport plays in regional aviation transportation, it is fitting that it should carry the name of a Toledo native who is a towering figure in aviation history having been vitally involved in America's early exploration of space.

Eugene Francis Kranz, who was born in Toledo on August 17, 1933, and graduated from Central Catholic High School, served in a variety of roles during his 34-year career at NASA. He joined NASA in 1960 following service in the U.S. Air Force during which he flew high-performance fighter jets and a stint as a flight-test engineer for McDonnell Aircraft Corp.

He served as an assistant flight director for the final Mercury missions and the first Gemini missions. He was subsequently named flight director for the remaining Gemini flights.

Most notably, he played a historic role as the flight director for the Apollo 11 mission when it landed the first man on the Moon 50 years ago on July 20, 1969.

Mr. Kranz also served as the flight director for the harrowing Apollo 13 mission during which an onboard explosion jeopardized the lives of the astronauts and their safe return to Earth. Mr. Kranz directed the NASA team whose ingenuity led to the safe return of the Apollo 13

crew to Earth, a feat that has been memorialized in documentaries and feature films. Following this mission, President Nixon awarded him the Presidential Medal of Freedom - the highest national honor that can be bestowed on a civilian.

Later in his career, Mr. Kranz became the Director of NASA Mission Operations in 1983, and retired from the agency in 1994.

DEPARTMENT OF NEIGHBORHOOD & BUSINESS DEVELOPMENT:

2. [TMP-4370](#)

Authorizing the Mayor to accept an Environmental Health & Radiation Protection Program grant from the Ohio Department of Health in the amount of \$300,000 as a pass-through to the Historic South Initiative for the purposes of residential lead hazard control work, health and safety work and rehabilitation/remodeling work; authorizing the deposit, appropriation and expenditure of funds in the Operation Grants Fund; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The City of Toledo received an award from the Ohio Department of Health (ODH) for the lead hazard control work, health and safety work and rehabilitation/remodeling work of owner-occupied or rental properties in the old south end.

The fiscal impact of this ordinance is as follows:

- The total amount of funds requested: none
- The expenditure budget line item: 2016 16200 552100
5GL7009STDODH
- New revenue generated (operational revenue, grants, if any): none
- Revenue budget line item (if any): 2016 16200 407400
5GL7009STDODH
- Are funds budgeted in the current fiscal year (yes/no)?: yes
- Is this a capital project (yes/no)? No
- If yes, is it new or existing (new/existing)? N/A
- What section of the City's Strategic Plan does this support:
 - o Excellence in Basic Services (yes/no) no
 - o Quality Community Investment (Livable City,

- Development) (yes/no) yes
- Workplace Culture & Customer Service (yes/no)
no
- Environment (yes/no) no

DEPARTMENT OF FIRE & RESCUE OPERATIONS:

3. [TMP-4382](#) **Authorizing the Mayor to enter into a new agreement with the Village of Ottawa Hills for the continued provision of fire and emergency services; authorizing the acceptance of service payments; 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, providing service through city stations provides more effective deployment and resources and related cost savings. As authorized by Ordinances 364-18 and 118-19, VOH and the City of Toledo entered into a Memorandum of Understanding (“MOU”) temporarily modifying the original Agreement by creating an eleven month trial period to determine what if any impact the new coverage will have on the VOH. The trial period under the MOU as amended will expire on September 31, 2019.

After reviewing TFRD responses into Ottawa Hills, the Village of Ottawa Hills and the City administration and TFRD agreed that the to execute a new Fire Services Agreement adopting the service

arrangement under the MOU, terminating the City's lease of the fire station portion of the building at 2125 Richards Road, and adopting a fair and equitable revised service fee reflecting the difference in costs of service.

This ordinance authorizes the Mayor and TFRD to execute a new service agreement to supersede the existing agreement that includes the termination of the lease under agreement, sets an annual fee of \$300,000 with provision for adjustment based on changes in the Consumer Price Index and increasing the term of the current agreement by 5 years.

Attachments: [Exhibit A](#)

DEPARTMENT OF LAW:

4. [TMP-4379](#) **Authorizing the Mayor to enter into a 36-month legal research subscription; authorizing the expenditure not to exceed \$1,000 per month subject to annual appropriations; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:
Since 2016, the Law Department has subscribed to LexisNexis for electronic legal research capabilities. The current subscription, which costs \$790.58 per month, expires on February 29, 2020. The Law Department has received competitive bids from Westlaw and LexisNexis. The Law Department has compared the proposals from the leading legal research service providers and has determined that LexisNexis offers the best research tool at the lowest price with a monthly subscription rate of \$814.30. Additionally, by renewing early, the monthly price will not increase for the duration of the contract. In exchange for a 36-month commitment, LexisNexis, an Ohio Company, will provide electronic legal research systems to the Law Department.

DEPARTMENT OF PUBLIC UTILITIES:

5. [TMP-4366](#) **Authorizing the mayor to enter into and execute cooperative agreements between the City of Toledo and the State of Ohio, Department of Transportation (ODOT) and giving consent to ODOT to place a new**

concrete overlay wearing surface on the Veterans Glass City Skyway and replace the existing rail - PID 106163; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The Ohio Department of Transportation (ODOT) has identified the need to provide a new concrete overlay wearing surface for the Veterans Glass City Skyway (VGCS) and replace the railing within the City of Toledo. ODOT is responsible for major maintenance of the VGCS bridge in I-280 within City limits. This ordinance and cooperative agreements are needed to allow ODOT to conduct this work within the limits of the City of Toledo.

The City of Toledo desires the State of Ohio, Director of Transportation, to proceed with the aforesaid highway improvements.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: none
- The expenditure budget line item: not applicable
- New revenue generated (operational revenue, grants, if any): none
- Revenue budget line item (if any): none
- Are funds budgeted in the current fiscal year (yes/no)? no
- Is this a capital project (yes/no)? yes
- If yes, is it new or existing (new/existing)? existing
- What section of the City's Strategic Plan does this support:
 - o Excellence in Basic Services (yes/no) yes
 - o Quality Community Investment (Livable City, Development) (yes/no) yes
 - o Workplace Culture & Customer Service (yes/no) no
 - o Environment (yes/no) yes

DEPARTMENT OF PUBLIC SERVICE:

6. [4372](#) **Authorizing the expenditure of \$156,000 from the Capital Improvement Fund for the design, construction and construction oversight of Gas Collection and Control System repairs, replacement and/or rehabilitation at the Hoffman Road Landfill; authorizing the Mayor to enter**

into contracts for said purposes; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

This Ordinance authorizes the expenditure of funds from the Capital Improvement (CIP) Fund for necessary upgrades to the Gas Collection & Control System (GCCS) at the Hoffman Road Landfill. This Ordinance provides supplemental funding to the \$425,000 authorized by Ordinance 111-19 for GCCS related improvements. The project was bid pursuant to TMC 187 in June 2019 and the resulting bid amount exceeded the authorizing funding limit. This Ordinance increases the total expenditure authorization limit to \$581,000.

The work is required to maintain compliance with applicable provisions of the landfill's Title V air permit and the New Source Performance Standards (NSPS) for Municipal Solid Waste Landfills, for proper operation of the GCCS, and to comply with specific best management practices that have been requested by the United States Environmental Protection Agency. The landfill is a dynamic environment, requiring regular GCCS related work to ensure the system operates effectively and the Division remains in compliance with state and federal rules/permits related to air pollution and operational requirements.

The GCCS improvements are necessary to more effectively collect landfill gas, mitigate risk associated with potential landfill gas-related odors, maintain compliance and increase the potential renewable energy value of the collected landfill gas.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: \$156,000
- The expenditure budget line item: 5040-24500-8CP1909LANGAS
- New revenue generated (operational revenue, grants, if any): none
- Revenue budget line item (if any): none
- Are funds budgeted in the current fiscal year (yes/no)?:
yes, this was included in the approved 2019 CIP budget in

mid-year adjustments (Ordinance 392-19)

- Is this a capital project (yes/no)? yes
- If yes, is it new or existing (new/existing)? new
- What section of the City's Strategic Plan does this support:
 - o Excellence in Basic Services (yes/no) Yes
 - o Quality Community Investment (Livable City, Development) (yes/no) Yes
 - o Workplace Culture & Customer Service (yes/no) no
 - o Environment (yes/no) Yes

Attachments: [Bullet Points](#)

7. [TMP-4368](#)

Authorizing the expenditure of \$75,000 from the Capital Improvement Fund for landfill equipment repairs; authorizing the Mayor to enter into a contract to complete equipment repairs; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The Division of Solid Waste is requesting expenditure of \$75,000 from the Capital Improvement for equipment repairs. This money will be used to repair landfill equipment (i.e., 2012 826 CAT compactor). Approving the expenditure of these funds will allow the timely repairs of equipment and also prevent unnecessary down time and additional costs by completing repairs prior to equipment breakdown.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: \$75,000
- The expenditure budget line item: 5040-24500-8CP1929HRLCPT
- New revenue generated (operational revenue, grants, if any): none
- Revenue budget line item (if any): none
- Are funds budgeted in the current fiscal year (yes/no)?:
yes, this was included in the approved 2019 CIP budget in mid-year adjustments (Ordinance 392-19)
- Is this a capital project (yes/no)? yes
- If yes, is it new or existing (new/existing)?: new

- What section of the City's Strategic Plan does this support:
 - o Excellence in Basic Services (yes/no) yes
 - o Quality Community Investment (Livable City, Development) (yes/no) yes
 - o Workplace Culture & Customer Service (yes/no) yes
 - o Environment (yes/no) yes

Attachments: [Bullet Points](#)

8. [TMP-4353](#)

Authorizing the expenditure of \$225,000 from the Capital Improvement Fund for the replacement of the Family House HVAC system; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The Family House HVAC system has failed and there is currently no operable HVAC system within the Family House. Facilities would like to complete the work before the winter months. This Ordinance authorizes the expenditure of \$225,000 from the Capital Improvement Fund for the replacement of the Family House HVAC system.

The fiscal impact of this ordinance is as follows:

- The total amount of funds requested: \$225,000
- The expenditure budget line item: 5040-26100-8CP1924FHHVAC
- New revenue generated (operational revenue, grants, if any): No new revenue
- Revenue budget line item (if any): N/A
- Are funds budgeted in the current fiscal year (yes/no)?: yes
- Is this a capital project (yes/no)? yes
- If yes, is it new or existing (new/existing)? This is a new project with existing budget
- What section of the City's Strategic Plan does this support:
 - o Excellence in Basic Services (yes/no) yes
 - o Quality Community Investment (Livable City, Development) (yes/no) yes
 - o Workplace Culture & Customer Service (yes/no) yes
 - o Environment (yes/no) yes

Attachments: [Bullet Points](#)

9. [TMP-4364](#) **Officially renaming Superior Park located at 1221 North Superior Street, Toledo, OH 43604, to “Paul William Alexander Park”; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

The YMCA of Greater Toledo approached the city with a request to identify a landmark that could be named after Toledoan Paul William Alexander, the founder of the Y’s Men International (YMI). The YMI is recognized globally as a service organization promoting cultural awareness leading to brotherhood and world peace. Superior Park was chosen for the renaming because it is in close proximity to the home where Mr. Alexander was raised.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: \$0.00
- The expenditure budget line item: N/A
- New revenue generated (operational revenue, grants, if any): none
- Revenue budget line item (if any): none
- Are funds budgeted in the current fiscal year (yes/no)?:
N/A
- Is this a capital project (yes/no)? no
- If yes, is it new or existing (new/existing)? N/A
- What section of the City’s Strategic Plan does this support:
 - o Excellence in Basic Services (yes/no) yes
 - o Quality Community Investment (Livable City, Development) (yes/no) yes
 - o Workplace Culture & Customer Service (yes/no)
no
 - o Environment (yes/no) no

Attachments: [Bullet Points](#)
[Judge Paul William Alexander](#)

OFFICE OF THE MAYOR:

10. [TMP-4367](#) **Authorizing the Mayor to accept a FAFSA Initiative Grant in the amount of \$30,000 for the purpose of dispersing the funds to Toledo Public Schools (TPS) for their FAFSA Program; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

This ordinance authorizes the acceptance of the FAFSA Initiative Grant. The \$30,000 grant will be used to fund the TPS FAFSA Program that will increase the TPS FAFSA completion rate to 68% for the Class of Spring 2021, and 75% for the Class of Spring 2024. The action plan is to increase FAFSA awareness with family and students, increase and maximize the FAFSA forms completed and data collection and reporting.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: none
- The expenditure budget line item: 1001 10200 537400
1181001STDSTD
- New revenue generated (operational revenue, grants, if any): none
- Revenue budget line item (if any): 1001 10200 408990
1181001STDSTD
- Are funds budgeted in the current fiscal year (yes/no)?: yes
- Is this a capital project (yes/no)? no
- If yes, is it new or existing (new/existing)? N/A
- What section of the City's Strategic Plan does this support:
 - o Excellence in Basic Services (yes/no) yes
 - o Quality Community Investment (Livable City, Development) (yes/no) yes
 - o Workplace Culture & Customer Service (yes/no) no
 - o Environment (yes/no) no

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.