



City of Toledo

One Government Center
Toledo, OH 43604

Agenda Review City Council

Tuesday, March 3, 2020

1:59 PM

Council Chambers

SPECIAL MEETING

SPECIAL MEETING 1:59 P.M.

[O-087-20](#)

Amending Ordinance 20-20 to update the funding sources for the 2020 Matches & Planning Program; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

Ordinance 20-20 approved the appropriation and expenditure of \$5,900,000 for 2020 major roadway Matches & Planning Program. As approved the Program was funded through the Capital Improvement Fund. This ordinance amends ordinance 20-20 to fund a portion of the Program through the Street Construction, Maintenance and Repair Fund (SCMR). Amending ordinance 20-20 to update the funding source will maintain consistency with the proposed amendments to the Capital Improvement Plan budget for 2020.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: \$1,600,000
- The expenditure budget line item: 2014-35000-8CP2017STREET
- 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)? this is included in the proposed amendments to the operating and CIP budgets
- 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:

- Excellence in Basic Services (yes/no) no
- Quality Community Investment (Livable City, Development) (yes/no) yes
- Workplace Culture & Customer Service (yes/no) no
- Environment (yes/no) no

[O-088-20](#)

(O-613-19) 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, 2020; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

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.

Attachments: [Attachment A & B](#)

[Audio: Agenda Review 12/3/2019
2020 Proposed Budget Presentation](#)

[2020 Proposed Budget Book](#)

[Audio: COW 12/9/2019](#)

[Audio: City Council 12/10/2019](#)

[Attachement C, Budget Policies](#)

[Amendments](#)

[February 24 Memo](#)

Legislative History

12/10/19 City Council refer to the Committee
of the Whole

[O-089-20](#)

(O-614-19) Approving the Capital Improvement Budget for the years 2020 - 2024; authorizing the appropriation of \$20,802,463 for capital projects; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The Capital Improvement Program (CIP) Budget for the years 2020-2024 is being presented to City Council. This Ordinance approves the 2020-2024 CIP Budget and appropriates funding for the 2020 projects listed on Exhibit C. Further Council action will be required for expenditure authority.

Attachments: [Attachment A](#)
[Attachments B & C](#)
[CIP Presentation, February 6](#)

Legislative History

12/10/19 City Council refer to the Committee
of the Whole

AGENDA REVIEW FOR MARCH 10, 2020**COUNCILMAN RILEY PRESENTS:**

[R-063-20](#) Recognizing Dr. Celia Williamson; because of her research and service to the community, she has saved and changed countless lives of women, children, and youth in Toledo and across the U.S. for the better.

Attachments: [Audio: Agenda Review 2/18/2020](#)

COUNCILMAN SYKES PRESENTS:

[R-064-20](#) Recognizing Carmen Williamson.

[TMP-4951](#) Recognize Noor Alexandria Abukaram.

APPOINTMENTS FROM THE OFFICE OF THE MAYOR:

[TMP-4956](#) Appointment - Board of Zoning Appeals (BZA)

Attachments: [BZA](#)

[TMP-4957](#) Appointments - Home Improvement & Remodeler's Board of Control

Attachments: [Home Improvement & Remodeler's BOC](#)

[TMP-4958](#)

Appointment - HVAC Board of Control

Attachments: [HVAC BOC](#)**SECOND READING ITEMS:**[O-077-20](#)

Authorizing the Mayor to award a contract for a period not to exceed five years for the implementation of and licensing for an online vendor portal software solution; authorizing the appropriation and expenditure of an amount not to exceed \$80,000 from the Capital Improvement Fund for the implementation; authorizing the expenditure of an amount not to exceed \$40,000 annually for up to five years for licensing; waiving the formal competitive procurement requirements of TMC Chapter 187; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The city is in need of a software solution to create a secure environment for the collection and integration of sensitive vendor information within the financial system. Currently, banking information and other personal identifying information (PII) is gathered through email and paper forms, which have to be manually entered by city staff into the financial system. In order to achieve the desired level of security and streamline the vendor registration process, the Finance Department requests to procure a software solution that will directly interface with the city's SAP-ERP system.

This ordinance also requests the waiver of formal competitive bidding requirements of TMC Chapter 187. The Finance Department has begun the process of soliciting informal bids for this project. The waiver would allow the city to expedite the implementation of the vendor portal as soon as possible.

- The total amount of funds requested: \$80,000 for implementation and \$40,000 for licensing
- The expenditure budget line item: 5040-14700-8CP2040VENPOR
- 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)? 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) no
 - o Workplace Culture & Customer Service (yes/no) yes
 - o Environment (yes/no) no

Attachments: [Audio: Agenda Review 2/18/2020](#)

[O-085-20](#)

Amending Toledo Municipal Code (TMC), Part Eleven, Subsection 1109.0500, Building Facade Material and Color; and declaring an emergency.

Attachments: [Plan Commission Report](#)

[Audio: Agenda Review 2/18/2020](#)

[Audio: ZPC 2/12/2020](#)

[Audio: TCPC 1/9/2020](#)

Legislative History

2/18/20	Zoning & Planning Committee	refer as approved
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COUNCIL PRESIDENT CHERRY PRESENTS:

[TMP-4952](#)

Authorizing the expenditure not to exceed \$19,000 from the Capital Improvement Fund District Improvement Program for the Schneider Park Improvement Project; authorizing the Mayor to execute the necessary contract(s); and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The Toledo Celtics Soccer Club submitted a District Improvement Program application for the Schneider Park Improvement Project in District 2. The proposal includes the purchase of new soccer goals with safeguards to help prevent major, avoidable accidents and

improve the aesthetic of the park, as well as a storage container to place the goals and complex equipment during winter months. The District Improvement Review Committee convened on February 26, 2020, and recommended approval of this application in an amount not to exceed \$19,000.

Attachments: [Toledo Celtics Soccer Club](#)

CCOUNCILMEMBER MELDEN PRESENTS:

[TMP-4961](#)

Extending a Special Use Permit granted by Ordinance No. 218-19 for a period of 6 months for a Community Center located at 4100 Harvest Lane, in the City of Toledo, Lucas County, Ohio; subject to certain conditions; and declaring an emergency.

Body:

SUMMARY & BACKGROUND:

On April 30, 2019, the Council of the City of Toledo passed Ordinance No. 218-19 granting a Special Use Permit (SUP-1007-19) for a Community Center located at 4100 Harvest Lane, Toledo, Ohio.

Due to delays experienced by the applicant, Christ the King Church, in designing the subject property, the Special Use Permit granted by Ordinance No. 218-19 will expire April 30, 2020 pursuant to T.M.C. §1111.0707 because the use has not been established or maintained. Applicant has requested from City Council a 6-month extension of the Special Use Permit to October 30, 2020 in order to allow additional time so that the project may be completed. Such extension is permitted with Council's approval.

COUNCILMAN RILEY PRESENTS:

[TMP-4955](#)

Authorizing the expenditure of \$205,000 from the Capital Improvement Fund for the for the installation of decorative streetlights along Sylvania Avenue from Douglas Road to Jackman Road; authorizing the Mayor to enter into contracts; and declaring an emergency.

Body:

SUMMARY & BACKGROUND:

Toledo City Council authorized District Improvement Program application for the installation of eleven (11) decorative light posts on

the north side of Sylvania Avenue between Douglas and Secor. It has been determined that extending this project to Jackman Road will benefit the neighborhood and help to bolster the vitality of the business district. Additional funding is available in the Capital Improvement Fund for Lighting Projects.

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

[TMP-4959](#)

Approving a Petition For Special Assessments for Special Energy Improvement Projects and a Project Plan for the Northwest Ohio Advanced Energy Improvement District under Chapter 1710 of the Ohio Revised Code; to authorize and levy special assessments for the purpose of acquiring, constructing, and improving certain public improvements in the City of Toledo in cooperation with the Northwest Ohio Advanced Energy Improvement District; and to approve an Energy Project Agreement in connection with such improvements and special assessments; and declaring an emergency.

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

TOLEDO MUNICIPAL COURT:

[TMP-4953](#)

Authorizing an agreement between Justice AV Solutions, a Kentucky corporation (“JAVS”) City of Toledo, by and through, Toledo Municipal Court (“TMC”) for access to JAVS Preventative Maintenance, Support and Services in addition to audio and visual equipment for the court located at 555 N. Erie Toledo, Ohio 43604; authorizing an expenditures of \$40,553.00 for the year, waiving the requirements of TMC 187 and making certain findings with respect thereto; and declaring an emergency.

Body: SUMMARY & BACKGROUND:
This Ordinance authorizes an agreement between City, TMC and JAVS, for access to JAVS Preventative Maintenance, Support and

Services in addition to audio and visual equipment for the court located at 555 N. Erie Toledo, Ohio 43604; the Agreement is for one (1) year (7/1/2020 through 6/30/2021) at a cost of \$40,553.00.

OFFICE OF THE MAYOR:

1. [TMP-4954](#) **Resolution to protect the mandate to Affirmatively Further the goals of the Fair Housing Act; and declaring an emergency.**

DEPARTMENT OF LAW:

2. [TMP-4941](#) **Authorizing the settlement of the claim of Bernadine Tammarine-Martin for personal injuries for the sum of \$15,000.00 in settlement of the claims of Plaintiff; and authorizing the expenditure of \$15,000.00 from the Risk Management Fund; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

Bernadine Tammarine-Martin filed a claim for her injuries as a result of stepping into a small hole near a damaged and unrepaired sewer inlet on May 10, 2016. Ms. Tammarine-Martin's injuries required several months of rehabilitation, and will likely require an ankle fusion surgery.

A proposed agreement has been reached in the amount of \$15,000.00 to settle all of Ms. Tammarine-Martin's alleged negligence claims resulting from the incident.

3. [TMP-4933](#) **Authorizing the settlement of all claims of Paul Spence in case no. 3:11CV02066 captioned *Spence v. City of Toledo, et. al.*, pending in the United States District Court, Northern District of Ohio, Western Division before the Honorable Judge Zouhary for the sum of \$14,500; authorizing the expenditure of \$14,500 from the Risk Management Fund; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

Paul Spence has pending in the United States District Court a Complaint alleging violations of his Constitutional due process rights as a result of Mr. Spence being taken to the ground and detained on August 10, 2018 here in Toledo, Lucas County, Ohio.

A proposed agreement has been reached in the amount of \$14,500 to settle all claims resulting from this incident without constituting an admission of liability for any violation of state or federal law.

DEPARTMENT OF PUBLIC UTILITIES:

4. [TMP-4929](#) **Authorizing the appropriation and expenditure of an amount not to exceed \$1,300,000 from the unappropriated balance of the Storm Water Utility Improvement Fund for various drainage improvement projects; authorizing the mayor to prepare plans and specifications, acquire rights-of-way and easements as appropriate, accept bids and enter into contracts after due advertising for said drainage improvement projects; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

The purpose of this work is for the construction of drainage improvement projects at various locations. This work is an annual stormwater program that targets nuisance and chronic drainage corrections, replacement of crumbling infrastructure, and capacity improvements throughout the city.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: \$1,300,000
- The expenditure budget line item: 607B-35000-4UC0620STDSTD
- 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)? 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) no
 - o Quality Community Investment (Livable City, Development) (yes/no) yes
 - o Workplace Culture & Customer Service (yes/no)

no

- Environment (yes/no) no

5. [TMP-4930](#)

Authorizing the mayor to execute a one (1) year contract with Taylor Excavating, Inc. with the option for two one (1) year extensions for the purpose of providing sanitary sewer and water kills for the City of Toledo and private demolition projects; authorizing the expenditures of \$187,158 from the Water Operating Fund and \$223,100 from the Sewer Operating Fund; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

In compliance with Toledo Municipal Code (TMC) Chapter 927, Section 927.13 and Part Nine, Title Three, Appendix C Section 100.07, whenever a building is demolished, sewer and water is taken out of service, the connection to the public sewer and water services is plugged (killed) at the tapping or opening into the public sewer/water main. To provide this process, the Division of Sewer and Drainage Services executes unit base contracts to perform sewer and water service kills for the City of Toledo and private demolition projects through utilization of the Sewer Fund and the Water Operating Fund.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: \$410,258
- The expenditure budget line item: 6060-37000-4000512WTRKIL, 6070-37000-4000558STDSTD, 6070-37000-4651006SWRKIL
- 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 proposed 2020 budget
- Is this a capital project (yes/no)? no
- If yes, is it new or existing (new/existing)?
- What section of the City's Strategic Plan does this support:
 - Excellence in Basic Services (yes/no) no
 - Quality Community Investment (Livable City, Development) (yes/no) no

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

6. [TMP-4926](#)

Authorizing the mayor to enter into a one (1) year contract with Taylor Excavating, Inc. with the option for two one (1) year extensions for the purpose of providing sanitary sewer and water kills for the Lucas County Land Bank demolition projects; authorizing the expenditure of \$377,000 from the Expendable Trust Fund; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

In compliance with Toledo Municipal Code (TMC) Chapter 927, Section 927.13 and Part Nine, Title Three, Appendix C Section 100.07; whenever a building is demolished, sewer and water is taken out of service, the connection to the public sewer and water services is plugged (killed) at the tapping or opening into the public sewer/water main. To provide this process, the Division of Sewer and Drainage Services executes unit base contracts to perform sewer and water service kills for the City of Toledo and private demolition projects through utilization of the Expendable Trust Fund. Bids have been received and Taylor Excavating has been determined as having the lowest and best submission.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: \$377,000
- The expenditure budget line item: 2090-23100-537410-5T12211STDDEM
- 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, these funds are in the proposed 2020 budget
- Is this a capital project (yes/no)? no
- If yes, is it new or existing (new/existing)?
- What section of the City's Strategic Plan does this support:
 - Excellence in Basic Services (yes/no) no
 - Quality Community Investment (Livable City,

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

7. [TMP-4924](#)

Authorizing the appropriation and expenditure of an amount not to exceed \$4,000,000 from the Capital Improvement Program Fund for the General Resurfacing Program; authorizing the mayor to prepare plans and specifications, acquire required rights-of-way as appropriate, and enter into contracts for roadway projects within the Division of Engineering Services; and declaring an emergency.

Body:

SUMMARY & BACKGROUND:

Engineering Services requests \$4,000,000 from the Capital Improvement Program Fund for the General Resurfacing program. This item is for projects that utilize 100% City of Toledo capital funds to rebuild or resurface primarily local residential streets.

Appropriation of these funds now will allow for timely bidding and construction to ensure all projects are completed this year.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: \$4,000,000
- The expenditure budget line item: 5040-35000-8CB2028RESPAV
- 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)? yes
- If yes, is it new or existing (new/existing)? new
- What section of the City's Strategic Plan does this support:
 - Excellence in Basic Services (yes/no) no
 - Quality Community Investment (Livable City, Development) (yes/no) yes
 - Workplace Culture & Customer Service (yes/no)
no

- Environment (yes/no) no

8. [TMP-4925](#)

Authorizing the mayor to enter into and execute cooperative agreements between the City of Toledo and the Metropolitan Park District of the Toledo Area and to give consent to the Metropolitan Park District of the Toledo Area for construction of a bike path on Byrne Road from the bridge over Swan Creek to Arlington Avenue within the city limits; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The Metropolitan Park District of the Toledo Area (Toledo Metroparks) will be constructing a bike path within Swan Creek Park that ends at the city right of way at Byrne Road. This is part of the Swan Creek Trail that is in the City's adopted 2015 Bike Plan. The trail is supposed to continue and connect to the already constructed portion along Arlington Avenue. The connection piece between the two sections would be an approximately 500' bike path along Byrne Road. The city has worked with the Metroparks to have them include in their plans the design and construction of the Byrne Road section that is within the City of Toledo Limits. This project is scheduled to construct in 2020.

The Metropolitan Park District of the Toledo Area will administer the design and construction of the project with Metroparks' funding and is paying for 100% of the construction outside of the city limits. The City of Toledo will participate in the costs by paying for 100% of the portion that is within the city limits, to be paid for with Matches and Planning funds.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: none
- The expenditure budget line item: none
- 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)? n/a

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

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