

## **City of Toledo**

One Government Center Toledo, OH 43604

### Formal Agenda

### **City Council**

Tuesday, December 10, 2019

4:00 PM

**Council Chambers** 

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

**R-562-19** Honoring District Three Councilman Peter Ujvagi.

#### **COUNCILMAN DELANEY PRESENTS:**

R-563-19 Recognizing boxing trainer and retired pro boxer Darrie

Riley for his exemplary leadership and service to the

youth of the Toledo community.

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

A-564-19 Appointments - Arts Commission of Greater Toledo

**Attachments:** ACGT

A-565-19 Appointments - Human Relations Commission

**Attachments:** Human Relations Commission

A-566-19 Appointments - Ottawa/Jermain Park Advisory Board

**Attachments:** Ottawa-Jermain Park Advisory Bd

A-567-19 Appointments - Toledo-Lucas County Commission on

**Disabilities** 

**Attachments:** Toledo-LC Commission on Disabilities

#### **SECOND READING ITEMS:**

O-536-19 Authorizing the mayor to enter into a ten-year property

lease agreement with Arms Dock, Inc. for property space located at 1900 Summit Street, Toledo, Lucas

County, Ohio for the storage of bulk salt; authorizing the annual expenditure of an amount not to exceed \$105,000 from the Special Assessment Fund subject to annual appropriation; and declaring an emergency.

**Attachments:** Bullet Points

Audio: Agenda Review 11/6/2019 Audio: Agenda Review 11/19/2019 Audio: City Council 11/12/2019

Legislative History

11/12/19 City Council First Reading

11/26/19 City Council held

O-541-19 Amending Chapter 554, "Discrimination Prohibited" of

the Toledo Municipal Code, to include a prohibition against discrimination on the basis of Natural Hair Types, Hairstyles and Head Wraps Commonly Associated with Race, Culture or Religion.

Attachments: Redline

Audio: Agenda Review 11/19/2019

Legislative History

11/26/19 City Council First Reading

O-552-19 Authorizing the expenditure of an amount up to

\$100,000 for vehicle replacement for the Division of Streets, Bridges & Harbor; authorizing the annual expenditure from various funds over the life of the

agreement; and declaring an emergency.

**Attachments:** Bullet Points

Audio: Agenda Review 11/19/2019

Legislative History

11/26/19 City Council First Reading

O-559-19 Amending Toledo Municipal Code, Part Eleven,

Subsection 1104.0600 Convenience Stores and Subsection 1116.0217 Food and Beverage Retail

Sales; and declaring an emergency.

**Attachments:** Plan Commission Report

Audio: Agenda Review 11/19/2019

Audio: Zoning & Planning Committee 11/13/2019

Audio: TCPC 10/10/2019

Legislative History

11/26/19 City Council First Reading

#### **COUNCILMAN RILEY PRESENTS:**

O-568-19 Authorizing the expenditure of \$150,000 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.

#### **COUNCILMAN SYKES PRESENTS:**

O-569-19 Enacting new Section 537.28 entitled "Restrictions on

the Sale of Vapor Products and Electronic Smoking

Devices" of the Toledo Municipal Code.

**Attachments:** Audio: Agenda Review 12/3/2019

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

O-570-19 Levying additional 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.

**Attachments:** Exhibit A

Amendment to Agreement

Audio: Agenda Review 12/3/2019

O-571-19 Amending special assessments for the Farzade Special

**Energy Improvement Projects; and declaring an** 

emergency.

**Attachments:** Exhibit A & B

O-572-19 Amending special assessments for the Gasoco Special

Energy Improvement Project #3; and declaring an

emergency.

**Attachments:** Exhibit A & B

O-573-19 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

#### **OFFICE OF THE MAYOR:**

O-574-19 Authorizing the mayor to enter into a development

agreement with the Toledo City School District Board of Education for the transfer and maintenance of Bowman and Byrne Parks and the former Newberry School site; authorizing the mayor to transfer a portion of Bowman Park to Black Diamond Nursery; authorizing the mayor to take actions necessary to implement the agreement, including making and accepting all conveyances and easements thereunder; waiving the competitive bidding provisions of TMC Ch. 187 as it relates to transfers of municipal property; waiving fees; making certain findings with respect to Bowman Park and Byrne Park;

and declaring an emergency.

**Attachments:** TPS Proposed Development Agreement

Toledo City Council Notifciation
Audio: Agenda Review 12/3/2019

#### DEPARTMENT OF NEIGHBORHOOD & BUSINESS DEVELOPMENT::

O-575-19 Authorizing the Mayor to enter into a Real Estate

Purchase Agreement with Torrey Hill Apartments Two, LLC, to execute and deliver needed instruments for the sale and conveyance of the city's ground lease interest at 1602 Adams Street in the City of Toledo, Lucas County, Ohio; waiving the competitive bidding and advertising provisions of TMC 187.19; authorizing the deposit of \$81,500; authorizing the mayor to execute and deliver the needed instruments to satisfy the HOME Loan note and release the associated mortgage all in respect to the 65-unit multi-family rental low income tax credit housing known as New Cheney Flats; making certain findings with respect thereto; and declaring an emergency.

Attachments: Map

Audio: Agenda Review 12/3/2019

O-576-19 Authorizing the mayor to execute and deliver needed

instruments to amend existing HOME loan to allow for the partial release of the HOME loan mortgage as each single family housing unit is sold with respect to Garden View Acres housing development; allowing the released amount to be converted into a homebuyer grant; waiving

accrued interest on the HOME Loan; and making certain findings with respect thereto; and declaring an

emergency.

Attachments: Audio: Agenda Review 12/3/2019

O-577-19 Authorizing the expenditure of \$25,000 from the

General Fund for the City's contribution to the Toledo/Lucas County Lead Public Awareness Campaign; authorizing the mayor to enter into a

contribution agreement; and declaring an emergency.

**Attachments:** Public Awareness Campaign

Commitment
CareNet

Audio: Agenda Review 12/3/2019

O-578-19 Authorizing the mayor to enter into an emergency fire

demolition debris removal agreement at 1116 Nebraska Ave. as declared an emergency demolition by the Chief Building Official; authorizing expenditure of an amount not to exceed \$15,000 from the General Fund; and

declaring an emergency.

<u>Attachments:</u> <u>Emergency Demolition Order</u>

Audio: Agenda Review 12/3/2019

#### **DEPARTMENT OF FIRE & RESCUE OPERATIONS:**

O-579-19 Disappropriating \$70,000 from the Capital

Improvement Fund; appropriating \$70,000 from the Capital Improvement Fund for the purchase of Fire & Rescue capital equipment and replacement; authorizing

the mayor to award contracts; and declaring an

emergency.

**Attachments:** Audio: Agenda Review 12/3/2019

#### **DEPARTMENT OF LAW:**

O-580-19 Authorizing the mayor and the Director of Law to enter

into any necessary agreements with the law firm of Spengler Nathanson to provide legal representation on behalf of the City of Toledo to defend certain allegations pending before the Ohio Civil Rights Commission and any subsequent litigation that may arise; authorizing an expenditure in an amount not to exceed \$285,000 from

the Risk Management Fund; and declaring an

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emergency.

**Attachments:** Audio: Agenda Review 12/3/2019

O-581-19 Authorizing the additional expenditure of an amount not

to exceed \$25,000 from the Risk Management Fund to the law firm of Spengler Nathanson for the provision of professional assistance on behalf of the City of Toledo in ongoing litigation captioned *Drewes Farm Partnership v*.

City of Toledo; and declaring an emergency.

Attachments: Audio: Agenda Review 12/3/2019

#### **DEPARTMENT OF PUBLIC UTILITIES:**

O-582-19 Authorizing the mayor to enter into a lease agreement

with Water Street Development, LLC for approximately 22,000 square feet of office, storage and parking space at 811 Jefferson Avenue for the Division of Engineering Services for a term of twelve years, including three 5-year options to renew; authorizing the expenditure from the General Fund, the Street Construction,

Maintenance and Repair Fund, the Capital Improvement Program Fund, the Water Operating Fund, the Sewer Operating Fund, and the Storm Water Utility Operating Fund; authorizing the expenditure for

said lease; and declaring an emergency.

Attachments: Attachment A

Audio: Agenda Review 12/3/2019

O-583-19 Authorizing the mayor to enter into a grant agreement

with the Ohio Public Works Commission (OPWC) for the Silver Creek Phase 3 Project; authorizing the mayor to accept and deposit grant proceeds in an amount not to

exceed \$290,000 into the Stormwater Utility

Improvement Fund; authorizing the appropriation and expenditure of said grant proceeds from the Stormwater

**Utility Improvement Fund; authorizing various** 

adjustments and transfers of expense to comply with the grant agreement; authorizing the appropriation and expenditure of \$960,000 from the Stormwater Utility Improvement Fund; authorizing the mayor to prepare

plans and specifications, acquire required rights-of-way

and easements as necessary, accept bids and enter into contracts; and declaring an emergency.

Attachments: Audio: Agenda Review 12/3/2019

O-584-19 Authorizing the appropriation of \$130,000 from the

unappropriated balance of the Storm Water Utility Improvement Fund and operating transfer of same to the Storm Water Utility Operating Fund; authorizing the appropriation and expenditure in an amount not to exceed \$130,000 from the unappropriated balance of the Storm Water Utility Operating Fund for the Storm Water Billing update and Impervious Surface Mapping Phase 1 Project; authorizing the mayor to supplement the existing contract related to said project; and

declaring an emergency.

**Attachments:** Audio: Agenda Review 12/3/2019

O-585-19 Authorizing the appropriation and operating transfer of

\$500,000 from the Sewer Operating Fund into the

Sewer Replacement Fund; authorizing the appropriation and expenditure in an amount not to exceed \$500,000 from the Sewer Replacement Fund for the Renovation of the Chlorination and De-Chlorination Facilities at the Water Reclamation Plant; authorizing the mayor to accept bids and to execute agreements, for professional services necessary to facilitate the design of the

Chlorination System Renovations Project; and declaring

an emergency.

**Attachments:** Audio: Agenda Review 12/3/2019

O-586-19 Authorizing the appropriation and operating transfer of

\$500,000 from the Sewer Operating Fund into the

Sewer Replacement Fund; authorizing the appropriation and expenditure in an amount not to exceed \$500,000 from the Sewer Replacement Fund for the Renovation of

the Chemical Treatment Facilities at the Water

Reclamation Plant; authorizing the mayor to accept bids and to execute agreements, for professional services necessary to facilitate the design of the Chemical System Renovations Project; and declaring an

emergency.

**Attachments:** Audio: Agenda Review 12/3/2019

O-587-19 Authorizing the expenditure in an amount not to exceed

\$485,000 to pay Mosser Construction, Inc. from the Sewer Operating Fund for emergency repairs to the Bay

**View Pump Station Barscreens at the Water** 

Reclamation Plant; waiving competitive procurement provisions of TMC Chapter 187; and declaring an

emergency.

Attachments: Audio: Agenda Review 12/3/2019

O-588-19 Authorizing the expenditure in an amount not to exceed

\$315,000 from the Sewer Operating Fund to pay Geo. Gradel Co. and other contractors for emergency repairs related to the Sinkholes and Electrical Duct Bank at the

Water Reclamation Plant; waiving competitive procurement provisions of TMC Chapter 187; and

declaring an emergency.

**Attachments:** Audio: Agenda Review 12/3/2019

O-589-19 Authorizing the mayor to enter into and execute

necessary agreements with the Ohio Environmental Protection Agency (OEPA) as granted through the Section 319 (h) Grant; authorizing the mayor to accept and deposit grant proceeds in the amount of \$362,400 into the Operation Grants Fund; authorizing the appropriation of \$241,577 from the unappropriated balance from the Storm Water Utility Improvement

Fund in payment of the matching obligations; authorizing

the mayor to execute necessary agreements in

Page 9

connection with the grant; authorizing the mayor to accept bids and award contracts for the purchase of services and other necessary items to carry out the terms of this grant; and declaring an emergency.

**Attachments:** Discussion for this item begins at 1:20:52

#### DEPARTMENT OF NEIGHBORHOOD & BUSINESS DEVELOPMENT:

O-590-19 Authorizing the mayor to enter into a five (5) year

Lease, with an option for an additional five (5) year renewal period as well as other provisions, between the

City of Toledo ("<u>City</u>") and Believe Center, Inc., ("<u>Center</u>") located at 1 Aurora L. Gonzalez Drive, Toledo, Ohio 43609; accepting and depositing rent proceeds into the General Fund; and declaring an

emergency.

Attachments: Exhibit A

Audio: Agenda Review 12/3/2019

O-591-19 Authorizing the mayor to enter into a five (5) year

Lease, with an option for an additional five (5) year renewal period as well as other provisions between the City of Toledo ("City") and East Toledo Family Center,

Inc. ("<u>Center</u>") located at 1020 Varland Avenue, Toledo, Ohio 43605; accepting and depositing rent proceeds into the General Fund; and declaring an

emergency.

**Attachments:** Exhibit A

Audio: Agenda Review 12/3/2019

O-592-19 Authorizing the mayor to enter into a five (5) year

Lease, with an option for an additional five (5) year renewal period as well as other provisions between the City of Toledo ("City") and West Toledo Senior People, Inc. (aka Eleanor Kahle Senior Center), ("Center") located at 1315 Hillcrest Avenue, Toledo, Ohio 43612; accepting and depositing rent proceeds into the General

Fund; and declaring an emergency.

Attachments: Exhibit A

Audio: Agenda Review 12/3/2019

O-593-19 Authorizing the mayor to enter into a five (5) year

Lease, with an option for an additional five (5) year renewal period as well as other provisions between the City of Toledo ("City") and East Toledo Senior Center, Inc. ("Center") located at 1003 (1001) White Street, Toledo, Ohio 43605; accepting and depositing rent proceeds into the General Fund; and declaring an emergency.

Attachments: Exhibit A

Audio: Agenda Review 12/3/2019

O-594-19 Authorizing the mayor to enter into a five (5) year

Lease, with an option for an additional five (5) year renewal period as well as other provisions between the City of Toledo ("City") and Senior Centers, Inc.,

("<u>Center</u>") located at 2308 Jefferson Avenue, Toledo, Ohio 43604; accepting and depositing rent proceeds into the General Fund; and declaring an emergency.

<u>Attachments:</u> Exhibit A

Audio: Agenda Review 12/3/2019

O-595-19 Authorizing the mayor to enter into a five (5) year

Lease, with an option for an additional five (5) year renewal period as well as other provisions between the City of Toledo ("City") and Toledo Community Service Center, Inc., dba Family House ("Center") located at 669 Indiana Avenue, Toledo, Ohio 43602-1005;

accepting and depositing rent proceeds into the General

Fund; and declaring an emergency.

**Attachments:** Exhibit A

Audio: Agenda Review 12/3/2019

O-596-19 Authorizing the mayor to enter into a five (5) year

Lease, with an option for an additional five (5) year renewal period as well as other provisions between the City of Toledo ("City") and Chester J. Zablocki Senior Center, Inc., ("Center") located at 3015 Lagrange Street, Toledo, Ohio 43608; accepting and depositing rent proceeds into the General Fund; and declaring an

emergency.

Attachments: Exhibit A

Audio: Agenda Review 12/3/2019

#### **DEPARTMENT OF PUBLIC UTILITIES:**

O-597-19 Authorizing the mayor to enter into agreements to

update the pavement condition index ratings for the improved residential roadway system and pavement management system; waiving the competitive bidding requirements of TMC Chapter 187; and declaring an

emergency.

Attachments: Audio: Agenda Review 12/3/2019

O-598-19 Authorizing the disappropriation of \$40,000 from the

Capital Improvement Fund; authorizing the

appropriation in an amount not to exceed \$40,000 from

the unappropriated balance from the Capital Improvement Fund for the purpose of leasing six vehicles to be utilized by Engineering Services for CIP roadway projects; authorizing the expenditure of same;

and declaring an emergency.

**Attachments:** Audio: Agenda Review 12/3/2019

R-599-19 Declaring it necessary to improve Elmer Drive at the

southeast corner of the intersection at N. Holland Sylvania by installing street lighting; and declaring an

emergency.

Attachments: Audio: Agenda Review 12/3/2019

#### **DEPARTMENT OF PUBLIC SERVICE:**

R-600-19 Requesting the Director of the Ohio Department of

Transportation to establish speed limits on Suder

Avenue and Summit Street within the City of Toledo, and

declaring an emergency.

**Attachments:** Bullet Points

Summit (101st to 131st)
Summit (131st to MI)

Summit (Manhattan to 101st)

Summit Speed Study

Summit Speed Study

Audio: Agenda Review 12/3/2019

O-601-19 Authorizing the Mayor to enter into the necessary

contracts for capital equipment; authorizing the

expenditure of \$92,000 from the Expendable Demolition Trust Fund for the purchase of one (1) New Case 650M Dozer for the Department of Public Service, Division of Streets, Bridges & Harbor; waiving competitive bid and

declaring an emergency.

**Attachments:** Bullet Points

Audio: Agenda Review 12/3/2019

O-602-19 Authorizing the waiving of the bid guaranty requirements

of Toledo Municipal Code Section 187.09; setting a fixed bid guaranty of \$250 for all bids submitted for 2020 mowing operations; making findings with respect

thereto; and declaring an emergency.

**Attachments:** Bullet Points

Audio: Agenda Review 12/3/2019

#### **DEPARTMENT OF HUMAN RESOURCES:**

O-603-19 Authorizing the mayor to enter into an Agreement with

Mercy Health - St. Vincent Medical Center LLC for the provision of employment-related medical services and evaluations for the City; authorizing the expenditure of

funds; and declaring an emergency.

**Attachments:** Audio: Agenda Review 12/3/2019

O-604-19 Authorizing the mayor to enter into a pharmacy benefit

management services contract extension with OptumRx

for the provision of services to covered City of Toledo employees for a term of one (1) additional year; authorizing the expenditure of funds; waiving the competitive bidding requirements of Toledo Municipal Code Chapter 187; and declaring an emergency.

Attachments: Memo

Audio: Agenda Review 12/3/2019

#### **DEPARTMENT OF FINANCE:**

O-605-19 Repealing various sections of Chapter 1905 of the

Toledo Municipal Code, "Income Tax"; enacting new sections of Chapter 1905 of the Toledo Municipal Code,

"Income Tax"; and declaring an emergency.

Attachments: Redline

Audio: Agenda Review 12/3/2019

O-606-19 Authorizing the expenditure not to exceed \$60,000 from

the General Fund for office space reconfiguration and

improvements for the Department of Finance; authorizing the Mayor to award contracts for said

purchases; and declaring an emergency.

**Attachments:** Audio: Agenda Review 12/3/2019

O-607-19 Authorizing the expenditure of an amount not to exceed

\$25,500 from the General Fund for accounting services related to preparation of the 2019 Comprehensive Annual Financial Report (CAFR); authorizing the Mayor to award contracts for said services; and

declaring an emergency.

Attachments: Audio: Agenda Review 12/3/2019

O-608-19 Declaring the necessity of providing sprinkling,

sweeping, cleaning and snow removal services for streets, alleys and public ways in the City; providing for

the assessment of the cost of those services; and

declaring an emergency.

**Attachments:** Comparison Charts

**Actuals and Estimates** 

Audio: Agenda Review 12/3/2019

O-609-19 Declaring it necessary to improve certain streets, alleys,

and public ways outside the Downtown Area of the City

by providing street lighting; providing for the

assessment of costs of that lighting; and declaring an

emergency.

Attachments: Audio: Agenda Review 12/3/2019

O-610-19 Declaring it necessary to improve certain streets and

public ways in the Downtown Area of the City by providing street lighting; providing for the assessment of

costs of that lighting; and declaring an emergency.

Attachments: Audio: Agenda Review 12/3/2019

O-611-19 Declaring the necessity of controlling the blight and

disease of shade trees within public rights of way, and for planting, maintaining, trimming and removing shade trees in and along the streets of the City; providing for

the assessment of the cost of those services; and

declaring an emergency.

**Attachments:** Audio: Agenda Review 12/3/2019

O-612-19 Appropriating money for current ordinary expenditures

of the various departments for the City of Toledo for the first quarter (January, February and March) of 2020;

and declaring an emergency.

**Attachments:** Attachment A

Audio: Agenda Review 12/3/2019

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.

**Attachments:** Attachment A & B

Audio: Agenda Review 12/3/2019

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.

Attachments: Attachment A, B & C

Audio: Agenda Review 12/3/2019

#### **DEPARTMENT OF FIRE & RESCUE OPERATIONS:**

O-615-19 Authorizing the disappropriation of \$250,000 from

personnel service accounts in the General Fund Fire &

Rescue Department budget; authorizing the

appropriation and expenditure of \$250,000 from the

General Fund for the purchase of supplies and

contractual services for the Fire & Rescue Department;

and declaring an emergency.

Attachments: Audio: Agenda Review 12/3/2019

#### **DEPARTMENT OF LAW:**

O-616-19 Approving the revision of the current Collective

Bargaining Agreement between the Clerk of Toledo Municipal Court and UAW Local 12, for a successor

agreement, consistent with the bargained understandings; and declaring an emergency.

**Attachments:** Exhibit A

Memo

#### THE CLERK REPORTS:

R-617-19 Declaring the intent to vacate the 10-foot wide alley

running north of Colburn Street adjacent to lot 335 of Knowers Second Addition, in the City of Toledo, Lucas

County, Ohio; and declaring an emergency.

#### ITEM LIKELY TO BE RELIEVED OF COMMITTEE OF THE WHOLE:

R-543-19 Providing for an election on the question of the approval

of the passage of an ordinance to amend Chapter 1905

of the Toledo Municipal Code to provide for the

following: the repeal of the City's temporary additional

three-quarters percent (3/4%) municipal income tax

effective July 1, 2020; and the enactment of a new temporary one and one-quarter percent  $(1\frac{1}{4}\%)$ 

municipal income tax for the period commencing July 1,

2020 and ending December 31, 2030 and providing for

forty percent (40%) of the proceeds of the tax levy to be

allocated to the Capital Improvements Fund and

prohibiting any transfer of levy revenues allocated to the

Capital Improvement Fund to the General Fund,

providing for sixty percent (60%) of the proceeds of the

tax levy to be allocated to the General Fund, and

providing that such levy revenues may be used for the

purpose of assisting pre-kindergarten education for

residents of the City; and declaring an emergency.

**Attachments:** Invest in Toledo

Audio: Agenda Review 11/19/2019

Legislative History

11/26/19 City Council Referred To:

#### ITEM LIKELY TO BE RELIEVED OF FINANCE & DEBT OVERSIGHT

O-553-19 Authorizing the mayor to execute an amendment to the

existing website development agreement with Madhouse

Creative LLC for the purpose of expanding the agreement's scope to include a branding initiative

component, authorizing an additional expenditure in an

amount not to exceed \$38,000 from the Capital

Improvement Fund and the Utility Administration Fund;

waiving the competitive bidding requirements of Toledo

Municipal Code Chapter 187; making findings with

respect thereto; and declaring an emergency.

Attachments: Audio: Agenda Review 11/19/2019

Legislative History

11/26/19 City Council Referred To:

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.