



City of Toledo

One Government Center
Toledo, OH 43604

Agenda Review City Council

Tuesday, October 5, 2021

2:00 PM

Council Chambers

APPOINTMENT FROM THE OFFICE OF THE MAYOR:

[TMP-6682](#)

Appointment - Toledo City Historic District Commission

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

SECOND READING ITEM:

[O-498-21](#)

Authorizing appropriations and budget adjustments within the 2021 Approved Operating and Capital Improvement Budgets; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

This ordinance authorizes various appropriations and budget adjustments to the 2021 approved budget. The attached Schedule A outlines the adjustments, including the impacted funds and departments. Subsequent legislation will be presented to authorize the expenditure of funds authorized in this ordinance.

The fiscal impact of this ordinance is as follows:

- The total amount of funds requested: \$ across all funds
- The expenditure budget line item: Multiple line items - please see attached schedule
- New revenue generated (operational revenue, grants, if any): none
- Revenue budget line item (if any): Please see attached schedule
- Are funds budgeted in the current fiscal year (yes/no)?: no
 - these are new appropriations or changes within the existing budget
- Is this a capital project (yes/no)? there are both operating and capital items proposed in this legislation

- 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) yes
 - o Environment (yes/no) yes

Attachments: [Schedule A](#)

[Audio: Agenda Review 9/21/2021](#)

Legislative History

9/28/21

City Council

First Reading

DEPARTMENT OF POLICE OPERATIONS

1. [TMP-6669](#)

Authorizing the Mayor to accept a conditional transfer of a vehicle from the U.S. Defense Logistics Agency through The Law Enforcement Support Office (LESO); and declaring an emergency.

Body: SUMMARY & BACKGROUND:

This vehicle is a modified Mine Resistant Ambush Protected (MRAP) modified for civilian law enforcement use. The MRAP will act as an armored personnel carrier to assist in the safe transport of personnel, injured persons, and supplies in extreme environments. The vehicle is not being purchased by the City of Toledo. This vehicle is a conditional transfer or "loan" and the title remains with U.S. Defense Logistics Agency.

1997's National Defense Authorization Act authorized the transfer of excess property to federal, state and local law enforcement agencies. The program has been commonly referred to as the 1033 Program, which refers to the numbered section of the U.S. code authorizing it.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: \$0.
- The expenditure budget line item: NA
- New revenue generated (operational revenue, grants, if

any): 0.

- Revenue budget line item (if any): NA
- Are funds budgeted in the current fiscal year (yes/no)?:

NA.

- Is this a capital project (yes/no)? NA.
- If yes, is it new or existing (new/existing)? NA.
- 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) Yes.
 - o Environment (yes/no) No.

2. [TMP-6644](#)

Authorizing the Mayor to accept equipment valued at \$29,628.94 from a Region 1 grant through Lucas County EMA; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The Toledo Police Department / Northwest Ohio Bomb Squad is an FBI accredited Bomb Squad. The Bomb Squad currently has self-contained breathing apparatus (SCBA) systems that were acquired in March 2003. The equipment is end of life and needs to be replaced. The new SCBA provided by Lucas County EMA will assist in the sustainment of the Northwest Ohio Bomb Squad's current capabilities and enhance the safety of Bomb Squad personnel.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: \$0.
- The expenditure budget line item: NA
- New revenue generated (operational revenue, grants, if

any): 0.

- Revenue budget line item (if any): NA
- Are funds budgeted in the current fiscal year (yes/no)?:

NA.

- Is this a capital project (yes/no)? NA.
- If yes, is it new or existing (new/existing)? NA.
- What section of the City's Strategic Plan does this support:

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

3. [TMP-6676](#)

Authorizing the Mayor to enter into Independent Contractor agreements with retired Toledo Police Officers for the purpose of conducting Toledo Fire and Rescue employment background investigations for a period of three years; authorizing the General Fund expenditure of an amount not to exceed \$1,500,000 over the term of the agreements subject to future appropriations; waiving the competitive procurement requirements of TMC Chapter 187; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The reason for waiving competitive bidding lies in the fact that Toledo Police officers have the required knowledge, skill and certifications to perform these investigations. Private companies do not have the same resources and skills that are common to retired officers. Toledo Fire and Rescue did put out a request for bids on Planet Bids. There were two bidders, one bid \$1,700 and the other bid \$1,425 per background. The retired Toledo Police Officers are completing each background at \$800. Additionally, neither bidder is able to perform investigations to the extent that experienced retired officers are able. This ordinance is for the term of three (3) years, commencing on the 15th day of October 2021 and terminating on the 15th day of October, 2024.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: \$1,500,000
- The expenditure budget line item: 1001-52000-3381002STDSTD. - New revenue generated (operational revenue, grants, if any):
- Revenue budget line item (if any):
- 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)? No.
- 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.
 - o Workplace Culture & Customer Service (yes/no) Yes.
 - o Environment (yes/no) No.

DEPARTMENT OF PUBLIC UTILITIES:

4. [TMP-6673](#) **Authorizing the mayor to enter into and execute necessary agreements with the Environmental Protection Agency (EPA) as granted through the Section 319 (h) Grant; authorizing the mayor to accept and deposit grant proceeds in the amount of \$299,610 into the Operation Grants Fund; authorizing the appropriation and expenditure of said grant proceeds for the Bandore Park Stream Restoration Project; authorizing the mayor to execute necessary agreements in connection with the grants; authorizing the mayor to accept bids and execute necessary contracts for the purchase of professional services and goods and services to administer the grants; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

The City of Toledo has been awarded funding and is invited to enter into a grant agreement with the Environmental Protection Agency (EPA) for a Section 319(h) Grant in the amount of \$299,610 to be used for the Bandore Park Stream Restoration Project. This ordinance authorizes the mayor to accept, deposit, appropriate and expend up to \$299,610 in grant proceeds from the EPA.

The fiscal impact of this ordinance is as follows:

- The total amount of funds requested: \$299,610
- The expenditure budget line item: 2016-38000-6G00308STDSTD

- New revenue generated (operational revenue, grants, if any): \$299,610
- 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)? new
- What section of the City's Strategic Plan does this support?
 - o Excellence in Basic Services (yes/no): yes
 - o Quality Community Investment (Liveable City, Development) (yes/no): yes
 - o Workplace Culture & Customer Service (yes/no): no
 - o Environment (yes/no): yes

Attachments: [Bullet Points](#)

5. [TMP-6674](#) **Amending Ordinance 393-21 by repealing Sections 2 and 4 and enacting a new Sections 2 and 4; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:
 Ordinance 393-21 authorized entering into a grant agreement with Ohio EPA with half of funds received to be used for tire collection/amnesty events. However, it was not included the requirement for the City of Toledo to collect at minimum \$0.50/tire that should then be used to help fund future tire amnesty and collection events. After discussion with OEPA they agreed to waive the required collection fee for 2021 but requested we accept any donations and use those to fund future events. To be eligible to use any remaining grant funds related to the Tire Amnesty portion of the grant in 2022 the City of Toledo will be required to collect at minimum \$0.50/tire at those events.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: n/a
- The expenditure budget line item: 607B-38000-4UC1021STDSTD
- New revenue generated (operational revenue, grants, if any): TBD

- Revenue budget line item (if any): 607B-38000-4UC1021STDSTD
- Are funds budgeted in the current fiscal year (yes/no)? no
- 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) yes

Attachments: [Bullet Points](#)

DEPARTMENT OF DEVELOPMENT:

6. [TMP-6677](#)

Authorizing the Mayor to enter into a Dockmaster Services Agreement for the operation of the Toledo Skyway Marina with the Metropolitan Park District of the Toledo Area; authorizing the deposit of annual fees per said agreement; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

Ordinance 92-13 authorized the City to enter into a Dockmaster Services Agreement for the operation of the Toledo Skyway Marina with Toledo Skyway Marina, LLC. That Agreement expires on May 17, 2022 and the operator is not interested in renewing.

The City desires to enter into a Dockmaster Services Agreement for the operation of the Toledo Skyway Marina with the Metropolitan Park District of the Toledo Area.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: \$0
- The expenditure budget line item: n/a
- New revenue generated (operational revenue, grants, if any): \$1.00 per year
- Revenue budget line item (if any): Marina Development

Fund Account Code 2007-60300-772X002STDSTD

- 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 - No
 - o Quality Community Investment (Livable City, Development) - Yes
 - o Workplace Culture & Customer Service - No
 - o Environment - No

Attachments: [Metroparks Sept. 8 Update](#)
[2021 Rates](#)
[2022 Rates](#)

7. [TMP-6678](#)

Authorizing the Mayor to enter, execute and deliver a real estate purchase option agreement and other needed instruments for the sale and conveyance of a 4.8-acre portion of city owned real property located at 1701 Front Street to the Metropolitan Park District of the Toledo Area; authorizing the deposit of net sale proceeds; making certain findings with respect thereto; waiving the notice and competitive bidding provisions of T.M.C. 187.19; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The City and the Metropolitan Park District of the Toledo Area ("Metroparks") are partners on the development of the 70-acre Glass City Metropark and 5-mile Glass City Riverwalk projects. The \$200+ million-dollar projects will revitalize the City's riverfront into a thriving, vibrant public greenspace for the region. The projects span both sides of the Maumee River from the Veteran's Glass City Skyway to the Anthony Wayne Bridge.

The city of Toledo ("City") is the owner of certain real property commonly referred to as the Toledo Skyway Marina, which is located at 1701 Front Street, Toledo, OH 43608 (Parcel ID 18-64072) and further identified in Exhibit A ("Property"). The Property is located adjacent to the Glass City Metropark and Glass City Riverwalk

projects as further identified in Exhibit B.

As part of Metoparks' strategic investment in these transformational projects and efforts to create and enhance recreational assets along the Maumee River, the City and Metoparks desire to enter into an Option to Purchase Agreement for the proposed sale and conveyance of the Toledo Skyway Marina. Metoparks is interested in acquiring the Property to continue to operate a public marina for the benefit of the community. The City will grant Metoparks a two-year Option to Purchase. The sale price for the property shall be one-dollar (\$1.00).

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: \$0
- The expenditure budget line item: n/a
- New revenue generated (operational revenue, grants, if any): \$1.00
- Revenue budget line item (if any): 2007-60300-772X002STDSTD.
- 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 - No
 - o Quality Community Investment (Livable City, Development) - Yes
 - o Workplace Culture & Customer Service - No
 - o Environment - No

Attachments: [Exhibit A](#)
[Exhibit B](#)
[Metoparks Sept. 8 Update](#)

DEPARTMENT OF PUBLIC SERVICE:

8. [TMP-6662](#) **Authorizing the Mayor to enter into an Agreement with and accept a grant from the State of Ohio, Department of Transportation (ODOT) in the amount not to exceed \$161,675 for the purchase of guardrail; authorizing the**

deposit, appropriation and expenditure of expenditure of \$161,675 in the Capital Improvement Fund for the purchase of guardrail; authorizing the mayor to accept bids and award contracts for said purchase; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The City of Toledo, Division of Streets, Bridges & Harbor has successfully applied and received funding assistance for the purchase of guardrail and guardrail attenuators for the protection of vehicles from striking the piers of existing railroad overpasses. Railroad bridges include those over Central Avenue, Detroit Avenue, Fearing Boulevard, and East Broadway. This funding assistance is in the form of a safety grant from the Ohio Department of Transportation (ODOT), Municipal Bridge Funds. It is a 100% grant for the purchase of guardrail. There is no match requirement. The guardrail will be publicly bid, awarded, and purchased in ODOT Fiscal Year 2022. Guardrail will be installed by City of Toledo Bridge Crews.

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): \$161,675
- Revenue budget line item (if any): 540G-23100-8GA6957STDSTD
- Are funds budgeted in the current fiscal year (yes/no)? no additional funds needed
- 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) no

Attachments: [Bullet Points](#)

9. [TMP-6661](#) **Authorizing the disappropriation and reappropriation of \$89,264.83 in the Capital Improvement Fund; authorizing the expenditure of \$175,358.17 from the Capital Improvement Fund for Matches and Planning projects; authorizing the Mayor to accept bids and award contracts; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

The Downtown Seawall Project, in Promenade Park, was successfully completed prior to the Solheim Cup, in the amount of \$1,566,695.17. The remaining project balance of \$89,264.83 will be reappropriated into the 2019 Matches and Planning CIP project account. This amount, along with the remaining amount in the 2019 Matches and Planning project account, will be used for the Levee Closure Device Project, the MLK Drainage Project, MLK multi-use path over or under the MLK Bridge, Secor over Ottawa, Kuhlman over NSRR.

The fiscal impact of this Ordinance is as follows:

- The amount of funds requested: \$89,264.83 re-appropriated. No new funds.
- The expenditure budget line item: 5040-23100-8CP1906MATCHP
- 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)?:
they were originally budgeted in 2019 under Ord 42-19
- Is this a capital project (yes/no)? yes
- If yes, is it new or existing (new/existing)? replace/rehab 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

Attachments: [Bullet Points](#)

10. [TMP-6671](#) **Authorizing the expenditure of an amount not to exceed \$80,000 from the City of Toledo Forestry Commission Trust Fund for the purchase of a mulching unit; authorizing the Mayor to accept bids and award contracts for the mulching unit; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

The mulching unit will replace worn out equipment and enable the forestry crews to continue maintaining safe and better streets, walking paths and right-of-ways, and improve overall aesthetics of public spaces. This piece of equipment also doubles as a leaf vacuum, making it more versatile for the operation.

The fiscal impact of this Ordinance is as follows:

- The amount of funds requested: up to \$80,000
- The expenditure budget line item: 2090-60500-7T71508STDSTD
- 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:
 - 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](#)
[Mulching Unit specs](#)

11. [TMP-6672](#) **Authorizing the expenditure of an amount not to exceed \$65,000 from the City of Toledo Forestry Commission Trust Fund for the purchase of a new stump grinder; authorizing the Mayor to accept bids and award contracts for the stump grinder; and declaring an**

emergency.

Body: SUMMARY & BACKGROUND:

The stump grinder will replace worn out equipment, and enable the Forestry crews to continue removing stumps efficiently, and improve overall aesthetics of right-of-ways and public spaces.

The fiscal impact of this Ordinance is as follows:

- The amount of funds requested: up to \$65,000
- The expenditure budget line item: 2090-60500-7T71508STDSTD
- 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:
 - 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](#)
[Stump grinder specs](#)

12. [TMP-6670](#)

Authorizing the Mayor to enter into a two-year Agreement with Ohio State University Extension Service and/or Lucas County for its share of the Consumer and Urban Horticulture Program; waiving competitive procurement requirements of TMC Chapter 187; authorizing the annual expenditure of an amount not to exceed \$27,000, subject to annual General Fund appropriation; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

As part of the 2013-2014 Consumer and Urban Horticulture Program, the City of Toledo, along with State of Ohio and Lucas County officials, entered into an Agreement with The Ohio State University

Extension Service, authorized by Ordinance 79-13, to identify, map out, and spray areas affected by the Gypsy Moth. The City of Toledo would like to continue this Agreement for 2021-2022 program years with Ohio State University Extension. The Extension will continue to provide telephone and email consultation to City of Toledo residents, provide research-based information on a variety of topics, conduct free educational programs, confirm gypsy moth and other invasive species infestations, and recommend suppression spraying if necessary. This program also provides valuable informational services to the inquiring public regarding the health, disposition, and risk assessment of trees living on private property, growing and harvesting food, and pesticide information and their organic alternatives. The City of Toledo will pay annual installments up to \$27,000 for the program. Funds for this expenditure are included in the FY2021 General Fund Budget for the Department of Public Service, Parks, Recreation and Forestry Division.

The fiscal impact of this Ordinance is as follows:

- The amount of the funds requested: \$27,000 for each of two years
- The expenditure budget line item: 1001-60500-2000312STDSTD
- New revenue generated (operational revenue, grant, 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)?: NA
- 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](#)
[Toledo Fall 2021](#)

**COUNCIL PRESIDENT CHERRY, CHAIR, ZONING & PLANNING COMMITTEE,
REPORTS WITHOUT RECOMMENDATION:****[TMP-6683](#)**

Approving the site plan for a new multi-family development located at 2011 Franklin, 18. W. Woodruff and 23, 27 & 29 Irving Street, Toledo, Ohio; subject to certain conditions; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

Terry Lodge, attorney for WOVE (Women of the Old West End) has appealed the approval by the Plan Commission of a site plan (SPR-33-21) for a new multi-family development located at 2011 Franklin, 18. W. Woodruff and 23, 27 & 29 Irving Street, Toledo, and subject to forty-seven (47) conditions.

On August 12, 2021, said matter was considered by the Toledo City Plan Commission and the request for the approval of the site plan for a new multi-family development located at 2011 Franklin, 18. W. Woodruff and 23, 27 & 29 Irving Street, Toledo, Ohio, was approved and all things required by law to be done, have been done. WOVE have appealed and requested disapproval of the site plan by City Council.

On September 29, 2021 said appeal was heard by the Zoning and Planning Committee, the request for the review of the site plan for a new multi-family development located at 2011 Franklin, 18. W. Woodruff and 23, 27 & 29 Irving Street, Toledo, Ohio, was forwarded to the full City Council without a recommendation and all things required by law to be done, have been done.

The Clerk of Council's Office 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 for arrangements.