



# City of Toledo

One Government Center  
Toledo, OH 43604

## Agenda Review City Council

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Tuesday, January 11, 2022

2:00 PM

Council Chambers

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### Agenda Review for January 18, 2022 Meeting of Council.

#### COUNCIL PRESIDENT CHERRY PRESENTS:

[TMP-6948](#) Recognize Fire Fighter Cancer Awareness Month.

#### COUNCILWOMAN McPHERSON PRESENTS:

[TMP-6949](#) Recognize 100th anniversary of birth of Jon Hendricks.

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

[TMP-6950](#) Appointment - Human Relations Commission

**Attachments:** [HRC](#)

[TMP-6951](#) Appointment - Toledo-Lucas County Commission on Disabilities

**Attachments:** [T-LC Comm on Disabilities](#)

#### DEPARTMENT OF PUBLIC UTILITIES:

1. [TMP-6934](#) Authorizing the appropriation and expenditure in an amount not to exceed \$727,500 from the Water Replacement Fund for the Ozone Corrections project at the Water Treatment Plant; authorizing the mayor to accept bids and enter into contracts; and declaring an emergency.

**Body:** SUMMARY & BACKGROUND:

Late in 2020, it was discovered that the Ozone Treatment Facility, which was brought online at that time, is not able to operate with the

full range of flows as designed, due to hydraulic restrictions in the facility. Corrections must be completed by the 2022 harmful algal bloom (HAB) season, to restore the facility to its intended use. It is the intent of this ordinance to expend up to \$727,500 from the Water Replacement Fund for the modifications needed. This facility is necessary to maintain a safe, reliable water treatment system for the Water Treatment Plant.

2. [TMP-6947](#)

**Authorizing the mayor to enter into a Lease Extension Agreement with George F. Eyde, LLC for 25,711 square feet of office and storage space in One Lake Erie Center for the Division of Engineering Services; authorizing the expenditure for said lease in an amount not to exceed \$312,500; authorizing the expenditure for employee and visitor parking at One Lake Erie Center in an amount not to exceed \$54,000; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

Ordinance numbers 571-00 and 991-00 approved a ten (10) year lease agreement for approximately 25,000 square feet of office space and 711 square feet of file storage area for the Division of Engineering Services at One Lake Erie Center from George F. Eyde, LLC. This space provides sufficient office and meeting space and secured fleet parking for the construction vehicles. This lease was extended for two five-year terms through Ordinances 239-11 and 142-16 expiring on March 31, 2021. Ordinance number 187-21 further extended the lease, expiring on December 31, 2021. New terms have been negotiated to continue the lease for an additional twelve months until newly acquired office space is available. The rate of the lease extension has been agreed upon at \$26,041.67 per month plus cost of employee, client, and visitor parking at an estimated rate of \$4,500 per month.

3. [TMP-6919](#)

**Authorizing the appropriation and expenditure of an amount not to exceed \$5,500,000 from the unappropriated balance of the Water Replacement Fund for the Water Main Program; authorizing the mayor to prepare plans and specifications, acquire required rights-of-way and easements as appropriate, accept bids**

**and enter into contracts after due advertising for the design and construction of water mains; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

This ordinance funds the continuation of the city's systematic, annual water main replacement program to replace deteriorating and undersized water mains, and to loop dead ends within the city's water distribution system. This work is necessary to maintain safe, reliable service that will meet the demands in the City of Toledo water distribution system.

4. [TMP-6918](#)

**Authorizing the appropriation and expenditure of an amount not to exceed \$2,575,000 from the unappropriated balance of the Sewer Replacement Fund for various sewer replacement and improvement projects; authorizing the mayor to prepare engineering studies, plans, and specifications, acquire required rights-of-way and easements as appropriate, accept bids and enter into contracts; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

This ordinance funds the replacement and improvement of broken and deteriorated sewers throughout the city along with identifying structural problems in critical sections of the aging sewer system. This work is necessary to maintain safe, reliable service to the citizens.

5. [TMP-6916](#)

**Authorizing the appropriation and expenditure of an amount not to exceed \$1,340,000 from the unappropriated balance of the Storm Water Utility Improvement Fund for various drainage improvement projects; authorizing the mayor to prepare engineering studies, plans, and specifications, acquire required rights-of-way and easements as appropriate, accept bids and enter into contracts 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.

6. [TMP-6914](#)

**Authorizing the appropriation and expenditure of an amount not to exceed \$21,000,000 from the Road Improvement Fund for the General Resurfacing Program; authorizing the mayor to prepare plans and specifications, acquire required rights-of-way as appropriate, accept bids and enter into contracts for various roadway projects within the Division of Engineering Services; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

The Division of Engineering Services is requesting authority to expend an amount not to exceed \$21,000,000 from the Road Improvement Fund for the General Resurfacing program. The 2022 General Resurfacing Program is included in the proposed 2022-2026 Capital Improvement Program and Road Improvement Fund Budget. This money is for projects that utilize tax road improvement 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.

7. [TMP-6915](#)

**Authorizing the appropriation and expenditure of an amount not to exceed \$2,800,000 from the Capital Improvement Fund for the Matches & Planning Program; authorizing the mayor to prepare plans and specifications, acquire required rights-of-way as appropriate, accept bids and enter into contracts for various roadway and transportation matches and planning projects within the Division of Engineering Services; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

The Division of Engineering Services is requesting authority to appropriate and expend an amount not to exceed \$2,800,000 from the Capital Improvement Fund for the Matches & Planning program. The Matches and Planning Program is included in the proposed

2022-2026 Capital Improvement Program and Road Improvement Fund Budget This money will be used to provide City match dollars to state and federal grants and loans.

The Matches & Planning program provides funding that is needed to supply match funds for outside grants and loans the division has anticipated and secured, as well as to plan for future larger scale projects. These CIP funds will match federal and state transportation funds already approved through multiple sources.

Authorization to appropriate and expend these critical funds now will allow for timely bidding and construction to ensure all projects are completed this year in a balanced, efficient fashion. It also allows for the processing of agreements needed to accept the outside grant and loan dollars before funding agency deadlines.

8. [TMP-6917](#)

**Authorizing the mayor to enter into agreements with and accept financial assistance from the State of Ohio, Ohio Public Works Commission (OPWC) in an amount not to exceed \$3,444,320 for five roadway projects; authorizing the appropriation and expenditure of said grant and loan proceeds on the subject projects; authorizing a dedicated source for repayment of said loans; authorizing the mayor to execute all necessary documentation for said grants and loans and to execute the necessary contracts related to construction, professional services, contingencies, capitalized interest, testing, and permit fees; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

This ordinance authorizes the mayor to accept, deposit, appropriate and expend an amount not to exceed \$3,444,320 in grant and loan funds from the Ohio Public Works Commission (OPWC). It further authorizes the mayor to enter into agreements for the referenced grants and loans and to conduct the appropriate budget adjustments and transfers of expense associated with said grants and loans. It further dedicates a source of funds for repayment of the loans.

Resolutions #324-20 and #499-21 authorized applying for this

assistance and entering into an agreement with OPWC for this purpose. Sections 1 and 3 of this ordinance details each project's grant and/or loan amount and account code.

Each of these projects requires match money which is either in place or will be in place through other City or outside funding sources.

Passage of this ordinance is required to enable the City of Toledo to accept OPWC funding and to proceed with the construction of these projects.

#### DEPARTMENT OF LAW:

9. [TMP-6952](#)

**Approving the revision of the current Collective Bargaining Agreement between the Clerk of Toledo Municipal Court and AFSCME Local 3411, for a successor agreement, consistent with the bargained understandings; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

The Clerk of Toledo Municipal Court and AFSCME Local 3411 have reached a tentative agreement that revises the current collective bargaining agreement, which expired on December 31, 2021, for a successor agreement, for the new term of January 1, 2022 through December 31, 2024. The Union ratified that tentative agreement on January 4, 2022. Pursuant to Ohio Revised Code section 4117.10(B), the economic provisions of that agreement are now being submitted to City Council for consideration and passage. If not acted upon by Council within 30 days, the agreement is deemed approved.

Pursuant to the statutory bargaining process under the Ohio Revised Code, the Clerk of Court and the Union met in December 2021 to negotiate the terms of a successor agreement, and a tentative agreement was reached.

Regarding the economic terms, the agreement provides for salary correction to the base wage effective the first full pay period in January 2022. That new wage rate remains unchanged for the contract term. This salary correction is necessary to improve employee retention and

morale, as employees have been leaving the Clerk's office for similar and better paying jobs in the suburbs and the City of Toledo because the current pay scale for Clerk employees was far below the local labor market. For similar reasons, attracting new hires has been challenging because of the current pay scale. Additionally, as Juneteenth was recognized as a federal holiday in 2021, the new agreement also adds Juneteenth as a paid holiday.

#### DEPARTMENT OF HUMAN RESOURCES:

10. [TMP-6957](#)

**Approving the revision of the current Collective Bargaining Agreement between the City of Toledo and the Toledo Fire Chiefs' Association for a successor agreement, consistent with the bargained understandings; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

The City of Toledo and the Toledo Fire Chiefs' Association reached a tentative agreement over terms that revise the current collective bargaining agreement, which expired on December 31, 2020, for a successor agreement, for the new term of January 1, 2021 through March 31, 2024. The Union ratified that tentative agreement on January 5, 2022. Pursuant to Ohio Revised Code section 4117.10(B), the economic provisions of that agreement are now being submitted to City Council for consideration and passage. If not acted upon within 30 days, the agreement is deemed approved.

Pursuant to the statutory bargaining process under the Ohio Revised Code, the City and the Union met multiple times over the past three (3) months to negotiate the terms of a successor agreement.

The tentative agreement reached provides increased flexibility in recalling Battalion Chiefs for overtime and clarifies the promotional process and its requirements. The language the parties agreed upon is attached hereto as Exhibit A.

Regarding the economic terms, pursuant to the wage spread between Toledo Firefighters' Local 92 and the Toledo Fire Chiefs' Association, the members already received a 4% base pay increase retroactive to

January 2021, they will receive another 4% increase in January 2022, and a 4% increase in January 2023. The agreement also provides for a one-time \$2,500 lump sum payment to each bargaining unit member employed as of the execution of the agreement, in exchange for the Battalion Chief recall language mentioned above. In addition, the agreement provides for a one-time COVID premium payment amount of \$3,500.00. The purpose of the COVID premium payment is to recognize the Toledo Fire Chiefs for their work during the COVID-19 pandemic. Employees who are employed as of the union ratification date, January 5, 2022, as well as those Fire Chiefs who worked in 2020 during the pandemic and retired in 2021, are entitled to the COVID premium payment. Finally, beginning in January 2022, members will receive an annual stipend, totaling \$1,000, for safety equipment, physical fitness, and to recognize the unique nature of their position. The Toledo Firefighters' Local 92, Toledo Police Patrolman's Association, and Toledo Police Command Officers' Association receive similar stipends for the same reasons.

**Attachments:** [Exhibit A](#)  
[Memorandum](#)

#### DEPARTMENT OF POLICE OPERATIONS:

11. [TMP-6933](#) **Authorizing the Mayor to enter into a three year agreement with the Toledo Lucas County Board of Commissioners for services provided by Lucas County Canine Care and Control; authorizing the General Fund expenditure of an amount not to exceed \$75,000 for the first year and \$75,000 from the general fund for each of the remaining two years subject to future appropriations; waiving the competitive bidding requirements of TMC Chapter 187; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

This ordinance authorizes the Mayor to enter into a three year agreement with the Toledo Lucas County Board of Commissioners for services provided by Lucas County Canine Care and Control. This agreement provides for animal care and control services for the City of



Toledo during regular business hours as well as on an on-call basis after normal business hours. This agreement covers fiscal years 2022, 2023 and 2024.

12. [TMP-6911](#)

**Authorizing the Mayor to enter into an one year subscription agreement with Leads Online, an electronic reporting service, providing rapid electronic access to transactions from thousands of reporting businesses; waiving the competitive bidding requirements of TMC Chapter 187; authorizing the General Fund expenditure of an amount not to exceed \$19,582 for the annual subscription to Leads Online; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

This Ordinance authorizes the Mayor to enter into a one-year subscription agreement with Leads Online for information services. Leads Online operates and maintains a national online investigation system used by law enforcement to recover stolen property and solve crimes by sharing information with other law enforcement agencies. Leads Online assists law enforcement agencies by collecting, maintaining and disseminating data among participating agencies. The Toledo Police Department has been using Leads Online since 2019.

**DEPARTMENT OF FIRE & RESCUE OPERATIONS:**

13. [TMP-6908](#)

**Authorizing the Mayor to into a contract for Basic Life Support (BLS) transport billing and collection services; authorizing the acceptance and deposit of revenues into the General Fund; authorizing the expenditure of funds; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

The Toledo Fire and Rescue Department (TFRD) seeks to continue to provide Basic Life Support (BLS) transport services within the boundaries of the City of Toledo.

The City of Toledo desires to continue a fair and equitable procedure to collect fees for the BLS transport service and will be responsible for

program administration, oversight and entry of incident/run specific data necessary for billing purposes.

14. [TMP-6932](#)

**Authorizing the Mayor to accept a Grant from Ohio Overdose Prevention Network (Ohio OPN) for the City of Toledo, Department of Fire & Rescue Operations; authorizing the deposit, appropriation and expenditure of \$7,000 to be used as part of a pilot program to investigate the viability of a Telehealth Program; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

TFRD will use the funds as part of a pilot program to investigate the viability of a telehealth program. TFRD is part of a very robust Opiate coalition that works very closely in efforts to mitigate the Opiate epidemic in our community.

TFRD has received Project Dawn kits from Lucas County Health Dept. to hand out to patients as part of our Leave It Behind program. We provide overdose data to all county agencies who ask. Being the county seat, TFRD responds to the most overdoses in the area and can provide data to all agencies for strategic and logistical planning. We provide hotspot data to allow Overdose Education Naloxone Distribution (OEND) programs to be more targeted and we provide Lucas County Sheriff Dept's., DART team with Against Medical Advice (AMA) patient data. Patients who sign AMA refusal for transport to Emergency Departments, agree to have their contact information shared with DART so a case manager can respond at a later time and date and attempt making a connection with recovery services.

TFRD is in the process of drafting a Memorandum of Understanding with the Zepf center to allow their mental health and recovery service personnel access to the scene to allow direct transfer of care with patients in the field, before transport. Use of technology will allow for a virtual connection with mental health and addiction professionals to ensure the patient is transported to the most appropriate facility, in the most appropriate means. Approximately 40% of patients that have had an overdose reversed, sign AMA against transport. This tech. will give

those 40% an additional means to have a connection made and access to definitive care.

**COUNCIL PRESIDENT CHERRY, CHAIR, ZONING & PLANNING COMMITTEE,  
REPORTS AS APPROVED:**

[TMP-6953](#)

**Declaring the vacation of the 33-foot alley bounded by Lagrange, Locust, Summit and Superior Streets, City of Toledo, Lucas County Ohio; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

The Council of the City of Toledo, by Resolution No. 397-21 adopted on July 20, 2021, declaring its intent to vacate the 33-foot alley bounded by Lagrange, Locust, Summit and Superior Streets, the 20-foot strip of land along Front Street, City of Toledo, Lucas County Ohio.

On September 9, 2021, the Toledo City Plan Commission recommended approval of the request for the vacation of the 33-foot alley bounded by Lagrange, Locust, Summit and Superior Streets, City of Toledo, Lucas County Ohio.

The City Council Zoning & Planning Committee on October 13, 2021, sent as approved the request for the vacation of the 33-foot alley bounded by Lagrange, Locust, Summit and Superior Streets, City of Toledo, Lucas County Ohio.

The Board of Revision met on December 21, 2021 and approved the request for the vacation of the 33-foot alley bounded by Lagrange, Locust, Summit and Superior Streets, City of Toledo, Lucas County Ohio.

All of the preliminary steps have been taken as required by law, the Charter of the City of Toledo, and the Toledo Plan Commission has made reports regarding the proposed vacations; and all things required by law to be done, have been done. During the vacation process it was determined the City of Toledo has waived all land fees for this vacation.

[TMP-6954](#)

**Declaring the vacation of the 20-foot strip of land along Front Street, City of Toledo, Lucas County Ohio; waiving all fees and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

The Council of the City of Toledo, by Resolution No. 447-21 adopted on August 17, 2021, declaring its intent to vacate the 20-foot strip of land along Front Street, City of Toledo, Lucas County Ohio.

On October 14, 2021, the Toledo City Plan Commission recommended approval of the request for the vacation of the 20-foot strip of land along Front Street, City of Toledo, Lucas County Ohio.

The City Council Zoning & Planning Committee on November 17, 2021, sent as approved the request for the vacation of the 20-foot strip of land along Front Street, City of Toledo, Lucas County Ohio.

The Board of Revision met on December 21, 2021 and approved the request for the vacation of the 20-foot strip of land along Front Street, City of Toledo, Lucas County Ohio.

All of the preliminary steps have been taken as required by law, the Charter of the City of Toledo, and the Toledo Plan Commission has made reports regarding the proposed vacations; and all things required by law to be done, have been done. During the vacation process it was determined the City of Toledo has waived all land fees for this vacation.

[TMP-6955](#)

**Amend TMC Sec. 1115.0101, 1115.0506, 1115.0507 and 1726.99, Code Enforcement violations.**

**Body:** SUMMARY & BACKGROUND:

**Attachments:** [Plan Commission Report](#)

[TMP-6956](#)

**Amend TMC Sec. 1111.1505.G, add expiration date to Warehouse District ARC approvals.**

**Body:** SUMMARY & BACKGROUND:

**Attachments:** [Plan Commission Report](#)

**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.**