



City of Toledo

One Government Center
Toledo, OH 43604

Agenda Review City Council

Tuesday, August 9, 2022

2:00 PM

Council Chambers

Agenda Review for the August 16, 2022 Meeting of Toledo City Council

[CCVIDEO8.9.20](#)

[22](#)

Attachments: [8/9/22 Agenda Review:: Closed Caption Video](#)

COUNCILWOMAN WILLIAMS PRESENTS:

[TMP-7781](#)

Recognize North End Coalition.

COUNCIL MEMBERS McPHERSON AND GADUS PRESENT:

[TMP-7774](#)

Designating the August 21 through 27, 2022 *Toledo Glass City Jazz Week* and recognizing the inaugural August 28, 2022 *Toledo Glass City Jazzfest* as the culminating event of the weeklong festivities.

APPOINTMENTS FROM THE OFFICE OF THE MAYOR

[TMP-7768](#)

Appointment - CEDAW Gender Equity Commission

Attachments: [CEDAW Gender Equity Commission](#)

[TMP-7769](#)

Appointment -Electrical Board of Control

Attachments: [Electrical Board of Control_August 2022_appointment](#)
[Electrical Board of Control_August 2022_reappointment](#)

SECOND READING ITEMS:

[O-633-21](#)

Revoking a Special Use Permit, originally granted by Ord. 505-80 and 347-87 and 33-21 for a Gas Station

located at 1201-1211 Dorr Street, in the City of Toledo, Lucas County, Ohio; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

By request filed with the City of Toledo Plan Commission, a request for a review of revocation for the Special Use Permit, for a Gas Station and Convenience Store for a site located at 1201 (1203) Dorr Street, in the City of Toledo, Lucas County, Ohio; was submitted to the Toledo City Plan Commission for its review and recommendation.

The review process entails sections of 1111.706:

1111.706 Review and Decision-Making Criteria

In reviewing and making decisions on proposed Special Uses, review and decision-making bodies must consider at least the following factors:

- A. whether the proposed use meets the stated purpose of this Zoning Code (See Sec. XX1101.0400XX);
- B. whether the proposed use complies with all applicable provisions of this Zoning Code;
- C. whether the proposed use is compatible with adjacent uses in terms of scale, site design, and operating characteristics (hours of operation, traffic generation, lighting, noise, odor, dust, and other impacts associated with the use's operation);
- D. how the proposed use will affect the value of other property in the neighborhood in which it is to be located;
- E. whether the City and other service providers will be able to provide sufficient public safety, transportation, and utility facilities and services to the subject property while maintaining sufficient levels of service for existing development; and
- F. whether the proposed use will have any adverse land or environmental impacts and, if so, whether those impacts can and will be mitigated.

On November 4, 2021, the Toledo City Plan Commission recommended approval of the revocation of the Special Use Permit,

for a Gas Station and Convenience Store for a site located at 1201 (1203) Dorr Street, in the City of Toledo, Lucas County, Ohio

On December 8, 2021, Toledo City Council, Planning and Zoning Committee reviewed, and sent as approved a recommendation for revocation of the Special Use Permit for a Gas Station and Convenience Store for a site located at 1201 (1203) Dorr Street, in the City of Toledo, Lucas County, Ohio and all other things required by law to be done, have been done.

Attachments: [Plan Commission Report](#)
[Audio: Agenda Review 1/25/2022](#)

Legislative History

12/21/21	City Council	First Reading
1/3/22	City Council	held
2/1/22	City Council	held

[O-347-22](#)

Amending the Toledo Municipal Code by enacting a new Chapter 556, Closed Captioning.

Body: SUMMARY & BACKGROUND:
City Council has determined that hearing loss is a significant problem affecting many residents and visitors to the City of Toledo and that requiring activation of closed captioning on compatible television receivers while in use in places of public accommodation improves the health, safety, and welfare of the city by increasing available channels of communication to persons with hearing loss.

Legislative History

7/19/22	City Council	First Reading
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[O-348-22](#)

Amending the Toledo Municipal Code by enacting a new Section 1777.18, Pesticide Prohibition and Transparency; and declaring an emergency.

Body: SUMMARY & BACKGROUND:
The City of Toledo recognizes that many pesticides are toxic and that the use of these pesticides is a threat to the health, safety and welfare of the residents of Toledo. In order to promote a healthy environment and protect the public from the hazards of pesticides, and for

implementation of sustainable land management practices, it shall be the policy of the City of Toledo to eliminate toxic pesticide use in and on all property owned, controlled or maintained by the City. The City recognizes that there is an ongoing need to manage pests to protect public health and safety, our environment and City property, so therefore hereby establishes an Environmental Board of Review to review the consideration of Organic Pest Management (OPM) and Integrated Pest Management (IPM) strategies.

Legislative History

7/19/22 City Council First Reading

[O-349-22](#)

**Repealing Toledo Municipal Code section 1513.13,
“Spill notification” and enacting a new section 1513.13,
“Spill Notification and Public Right to Know.”**

Body:

SUMMARY & BACKGROUND:

Toledo Municipal Code section 1513.13 currently requires that all spills, leaks, discharges of emissions of certain hazardous substances be reported to the Toledo Fire and Rescue Department and the Division of Environmental Services. In an effort to assure that this information and the risks associated with such substances is readily available to the public, this amendment requires that information regarding verified discharge events is available to the public in a searchable online database, as well as published in the local newspaper.

Legislative History

7/19/22 City Council First Reading

[O-354-22](#)

**Providing for the issuance and sale of \$1,170,000 of
notes, in anticipation of the issuance of bonds, for the
purpose of paying costs of constructing, reconstructing
and rehabilitating sidewalks, including, where necessary,
driveway approaches and curbs, in certain locations on
designated streets; and declaring an emergency.**

Body:

SUMMARY & BACKGROUND:

This Ordinance authorizes the issuance and sale of \$1,170,000 of notes in anticipation of the issuance of bonds that the City plans to sell in September 2022. The amount received from the sale of the notes authorized by this Ordinance will be used, together with other funds, to retire the City’s outstanding \$2,085,000 Sidewalk Improvement Notes, Series 2021, maturing on October 13, 2022. With the

issuance of the notes authorized by this Ordinance and the retirement of the Series 2021 Notes, the City's outstanding debt will be decreased by \$915,000. Because the amount of debt is being reduced, there will be no negative impact on debt limits.

Pursuant to Ordinance No. 446-21, passed by this Council on August 17, 2021, the City issued its \$2,085,000 Sidewalk Improvement Notes, Series 2021, dated October 14, 2021 (the Outstanding Notes), for the purpose described in Section 1, which Outstanding Notes mature on October 13, 2022.

This Council finds and determines that the City should retire the Outstanding Notes with the proceeds of the Notes described in Section 3 and other funds available to the City.

The Director of Finance, as fiscal officer of the City, has certified to this Council that the estimated life or period of usefulness of the improvement described in Section 1 is at least five years, the estimated maximum maturity of the Bonds described in Section 1 is 20 years, less the period in excess of 20 years during which notes are outstanding in anticipation thereof, and the maximum maturity of the Notes described in Section 3, to be issued in anticipation of the Bonds, is October 18, 2037.

Legislative History

7/19/22 City Council First Reading

[O-355-22](#)

Levying special assessments for sprinkling, sweeping, cleaning and snow removal services for the municipal streets, alleys and public ways in the City during the calendar year 2021; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

This is the Ordinance to levy the assessments for the cost and expense of sprinkling, sweeping, cleaning and removing snow from municipal streets, alleys and public ways in the City of Toledo performed during the year ending December 31, 2021. The services described in Section 1 have been completed and the final cost of those services has been determined.

Attachments: [Comparison Charts 2020-2021 Actuals](#)
[2018-2021 Actuals and 2018-2022 Estimates](#)

Legislative History

7/19/22 City Council First Reading

[O-356-22](#)

Levying special assessments for the improvement of certain streets, alleys and public ways outside of the downtown area of the City by providing street lighting during the calendar year 2021; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

This is the Ordinance to levy the assessments for the cost and expense of street lighting in the City of Toledo outside the Downtown District for the year ended December 31, 2021. The services described in Section 1 have been completed and the final cost of those services has been determined.

Legislative History

7/19/22 City Council First Reading

[O-357-22](#)

Levying special assessments for the improvement of certain streets and public ways in the downtown area of the City by providing street lighting during the calendar year 2021; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

This is the annual Ordinance to levy the assessments for the cost and expense of street lighting in the City of Toledo for the Downtown District for the year ended December 31, 2021. A new Downtown District was established by Resolution No. 15-82 adopted January 26, 1982. The services described in Section 1 have been completed and the final cost of those services has been determined.

Legislative History

7/19/22 City Council First Reading

[O-358-22](#)

Levying special assessments for controlling the blight and disease of shade trees within public rights-of-way and planting, maintaining, trimming and removing shade trees in and along the streets of the City during the calendar year 2021; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

This is the Ordinance to levy the assessments for the cost and expense controlling the blight and disease of shade trees within public rights-of-way as well as planting, maintaining, the trimming and

removing those trees for the year ended December 31, 2021. The services described in Section 1 have been completed and the final cost of those services has been determined.

Legislative History

7/19/22

City Council

First Reading

NEW ITEMS FROM COUNCIL

[TMP-7777](#)

Authorizing the expenditure of \$24,077 from the Capital Improvement Fund District Improvement Program for replacement fence at Bennett Park; authorizing the Mayor to execute the necessary contract; and declaring an emergency.

Body:

SUMMARY & BACKGROUND:

Concerned neighbors of Bennett Park submitted a District Improvement Program application for replacement fence at Bennett Park. The District Improvement Review Committee convened on July 22, 2022, and recommended approval of this application in an amount of \$24,077.

Attachments:

[Bennett Park-a](#)

[TMP-7778](#)

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 for The Automotive Workers Building Corporation and 2300 Ashland Avenue, Toledo, Ohio 43620; 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 declaring an emergency.

Attachments:

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

[TMP-7771](#)

Recognizing and supporting the Great Lakes Authority Act of

2022[TMP-7772](#)

Amending the Toledo Municipal Code by repealing Toledo Municipal Code Subsection 184.04(d) and enacting a new Toledo Municipal Code Subsection 184.04(d); and declaring an emergency.

Body:**SUMMARY & BACKGROUND:**

On March 3 2022, Toledo City Council passed Ord. 09-22, enacting a new Toledo Municipal Code Chapter 184, Local Implementation of the United Nations Convention of the Elimination of All Forms of Discrimination Against Women (“CEDAW”).

In the process of executing the implementation of the “CEDAW” ordinance it was determined that there should be a young person’s voice in the discussion of such important matters.

[TMP-7770](#)

Officially creating a new flag for the City of Toledo

[TMP-7776](#)

Extending a Special Use Permit granted by Ordinance No. 457-21 for a period of 6 months for a Gas Station and Convenience Store located at 750 E. Central Ave., in the City of Toledo, Lucas County, Ohio; subject to certain conditions; and declaring an emergency.

Body:**SUMMARY & BACKGROUND:**

On August 17, 2021, the Council of the City of Toledo passed Ordinance No. 457-21 granting a Special Use Permit (SUP-4001-21) for a Gas Station and Convenience Store located at 750 E. Central Ave.

Due to delays experienced by the applicant, the Special Use Permit granted by Ordinance No. 457-21 will expire August 17, 2022 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 February 17, 2023 in order to allow additional time so that the project may be completed. Such extension is permitted with Council's approval.

DEPARTMENT OF PARKS & YOUTH SERVICES:

1. [TMP-7740](#) **Authorizing the Mayor to accept a grant from the Ability Center of Greater Toledo in the amount of \$197,000 to support the installation of an inclusive playground at Navarre Park; authorizing the deposit, appropriation and expenditure of \$197,000 in the Capital Improvement Fund for the playground project and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

The City of Toledo, Division of Parks and Recreation has been awarded \$100,000 granted by the Ability Center of Greater Toledo to support the installation of an inclusive playground at Navarre Park. These funds will be matched by the Toledo Refining Company with a \$97,000 donation. The new playground will provide a safe engaging play experience for all families. The remaining funding required to complete the project will come from American Recovery Plan funds and an award of Community Development Block Grant funds.. Work will be completed no later than June 30th, 2023.

2. [TMP-7741](#) **Authorizing the expenditure of an amount not to exceed \$200,000 from the Capital Improvement Fund for the purchase and installation of a flush restroom facility at Cullen Park; authorizing the Mayor to accept bids and award contracts for said purpose; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

This ordinance authorizes expending up to \$200,000 for the purchase and installation of a flush restroom facility at Cullen Park. The park is used heavily by boaters, fishermen, kayakers, and bird watchers. Funds for this project are included in the approved Capital Improvement budget.

DEPARTMENT OF FIRE & RESCUE OPERATIONS:

3. [TMP-7739](#) **Authorizing the Mayor to accept bids and award contracts for Toledo Fire & Rescue Department's Facility Condition Feasibility Study; Authorizing the**

General Fund expenditure in an amount not to exceed \$111,576.00 for the same; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The City of Toledo owns 22 buildings currently occupied by Fire and Rescue personnel as either 24/7 fire stations or administrative offices requiring a detailed property condition assessment identifying current facility condition deficiencies and subsequent remediation recommendations and correction prioritizations for immediate and future capital improvement planning.

DEPARTMENT OF POLICE OPERATIONS:

4. [TMP-7733](#) **Repealing Toledo Municipal Code Sections 765.11, "Fees for police ordered tows", enacting new Toledo Municipal Code Sections 765.11, "Fees for police ordered tows"; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

Chapter 765 was originally adopted in Ord 77-98 and amended in 2005, 2007, 2008 and 2018. Fees associated with police ordered tows are set by TMC Section 765.11. The fees were last adjusted in 2018.

5. [TMP-7735](#) **Authorizing the Mayor to enter into an 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 \$139,946.00 for a three year subscription to Leads Online; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

This Ordinance authorizes the Mayor to enter into an agreement with Leads Online for subscription 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. This contract has an

option to renew for two additional years after the initial term. With all renewal options exercised, this is a three-year contract covering 2023, 2024, and 2025.

DEPARTMENT OF FIRE & RESCUE OPERATIONS:

6. [TMP-7753](#) **Authorizing the Mayor to enter into agreements for the purchase of an aerial platform ladder truck and related equipment for the Fire and Rescue Department; Authorizing the expenditure of \$1,800,000.00 from the Capital Improvement Fund for said purchases; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

The Toledo Fire and Rescue Department requests authorization to purchase an aerial platform ladder truck as required to maintain TFRD's 15-year-cycle apparatus replacement schedule.

The apparatus replacement schedule maintains a complement of service-ready emergency response apparatuses, which by design, saves the community from undue peril and similar due to apparatus response delays and brownouts consequent to rig failure. This new apparatus replaces a 13-year-old model, which in turn replaces a 39-year-old backup model.

DEPARTMENT OF PUBLIC UTILITIES:

7. [TMP-7749](#) **Authorizing the mayor to execute a two (2) year professional services agreement with PFM Financial Advisors LLC (PFM) for debt consulting services; waiving the competitive bidding requirements of TMC 187; authorizing the expenditure of an annual amount not to exceed \$35,750 from the Water Operating Fund and an annual amount not to exceed \$35,750 from the Sewer Operating Fund subject to appropriation; authorizing expenditure of funds in an amount not to exceed the sum of \$1.00 for each \$1,000 in debt issued, based upon bond proceeds, with a minimum fee of \$25,000 plus customary**

**and reasonable expenses in payment of said obligations;
and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

The Department of Public Utilities requires professional consulting services regarding the issuance of debt and the review, creation and development of rate structures and projection models. Ordinance 336-12 and Ord 253-17 previously authorized Public Financial Advisors LLC (PFM) to be the professional consultant. PFM has also assisted in the issuance of debt for the plant improvements to the Water Treatment Plant and would like to continue their services. Funding these services will be available and appropriated either from future debt proceeds or annual appropriation measures as approved by City Council. This ordinance authorizes a professional services agreement with PFM for consulting services and waives the competitive procurement provisions of the TMC Chapter 187 in order to maintain consistency and the level of excellence and professionalism currently rendered by PFM to the City of Toledo. NOW, THEREFORE,

8. [TMP-7746](#)

Authorizing the mayor to accept bids and award contracts for the development of written lockout/tagout procedures; authorizing the appropriation and expenditure in an amount not to exceed \$325,000 from the Water Reclamation Operating Fund and \$325,000 from the Water Treatment Operating Fund for the Department of Public Utilities LockOut/TagOut Procedures Project at the Water Reclamation Plant and the Water Treatment Plant; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The Water Reclamation Plant and Water Treatment Plant collectively have 3,000 to 6,000 pieces of equipment that are required by OSHA Standard 29CFR 1910.147(c) to have written lockout/tagout procedures. The treatment plants do not currently have all of the required written procedures in place. These procedures are crucial to protect employees from the unexpected energization or start-up of machines or equipment, or from the release of stored

energy during the servicing and maintenance of machines and equipment. DPU advertised for proposals in late April/early May and received three proposals for the development of written lockout/tagout procedures. DPU is currently evaluating the proposals and will be selecting a contractor to develop the required procedures. This project seeks the expenditure of an amount not to exceed \$650,000 to bring both treatment plants into compliance with OSHA Standard 29CFR 1910.147(c).,

9. [TMP-7748](#)

Authorizing the expenditure of \$18,935 from the Sanitary Sewer Operating Fund to pay the National Association of Clean Water Agencies (NACWA) for Water Reclamation's 2022 membership dues; and declaring an emergency.

Body:

NACWA is a nationally-recognized leader in environmental policy and a sought-after technical resource on water quality and ecosystem protection issues. Viewed as a key stakeholder in both the legislative and regulatory arenas, NACWA has built credible, collaborative relationships with members of Congress, Presidential administrations and the Environmental Protection Agency (EPA). This Ordinance authorizes payment of Water Reclamation's 2022 membership dues. Adequate funds are available in the Water Reclamation's 2022 Sanitary Sewer Operating Budget for this purpose. NOW THEREFORE,

Attachments: [Membership Renewal Notice](#)

10. [TMP-7742](#)

Authorizing the mayor to execute all necessary grant award documents with the Environmental Protection Agency (EPA) for the Great Lakes Restoration Initiative (GLRI) Grant; authorizing the mayor to accept and deposit grant proceeds in the amount of \$600,000 into the Operation Grants Fund; authorizing the appropriation and expenditure of said grant proceeds for the Schneider Park Green Infrastructure project; authorizing the mayor to accept bids and execute necessary contracts 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 Great Lakes Restoration Initiative (GLRI) Green Infrastructure in Shoreline Communities Program grant in the amount of \$600,000 to be used for the Schneider Park Green Infrastructure (GI) Project. This ordinance authorizes the mayor to accept, deposit, appropriate and expend up to \$600,000 in grant proceeds from the EPA.

11. [TMP-7747](#)

Authorizing the mayor to enter into an agreement with Fondriest Environmental, Inc., for the purchase of three (3) Multi-parameter Water Quality Sondes; authorizing expenditures in an amount not to exceed \$52,325 from the Storm Water Utility Operating Fund; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The Department of Public Utilities is seeking to enter into a contractual agreement with Fondriest Environmental, Inc., in the amount of \$52,325 for the purchase of three (3) Multi-parameter Water Quality Sondes. This expenditure will replace equipment that is ten (10) years old and obsolete. In addition, the Multi-parameter Water Quality Sondes are essential and critical to complying with the City's Ohio EPA National Pollutant Discharge Elimination Systems (NPDES) Stormwater and Wastewater permits. Bids for said project have been received and Fondriest Environmental, Inc., has been selected as the best bidder.

NOW, THEREFORE,

12. [TMP-7766](#)

Authorizing the mayor to enter into a one-year agreement with Promise Network Inc. for Department of Public Utility accounts receivable collection services and customer affordability program management services; authorizing the expenditure of an amount not to exceed \$235,000 from the Utilities Administrative Services

Fund; waiving the competitive bidding requirements of T.M.C. 187; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

Ordinance 388-21 authorized the mayor to enter into a one-year agreement with Promise Network Inc. (“Promise”) for Department of Public Utility accounts receivable collection services and customer affordably program management services. This ordinance will continue a partnership that is vital to helping both customers and DPU.

Promise Network Inc. (“Promise”) is a financial technology company that works to implement cutting-edge technology to enhance agency efficiency and improve customer experience while enhancing the revenue of the public agency. Promise developed Promise Pay as the modern payment platform for public services. They work with utilities and other government agencies across the country.

Promise facilitates payments and grant disbursements on behalf of utilities and government agencies. Promise Pay payment plans provide customers an automated solution for adding flexibility and convenience to past due balances. Their portal allows rapid distribution of financial assistance grants from local, state and Federal sources, such as The Coronavirus Aid, Relief, and Economic Security (CARES) Act and Low-Income Water Assistance Program (LIWAP). Their third-party Pledge Portal gives Community Action Organizations and other partners access to relevant account information necessary to provide relief funds.

DEPARTMENT OF TRANSPORTATION:

13. [TMP-7731](#)

Declaring the necessity and intention of appropriating, in fee, a portion of the property owned by Andrew C. Vigneux, located at 2240 Ottawa River Road, for the Ottawa River Roadway and (mini) Roundabout Improvement Project; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The City, in cooperation with the Ohio Department of Transportation (ODOT) is proceeding with the Ottawa River Roadway and (mini)

Roundabout Improvement Project, which will include the construction of a mini-roundabout at the intersection of Ottawa River Road and 108th Street, together with additional roadway, utility, pedestrian walkway and other incidental public improvements, which will better meet the current needs of the public in and around that area. The project will require the purchase, in fee, of 530.0323 square feet, or 0.0122 acres, more or less, across a portion of the property located 2240 Ottawa River Road from Andrew C. Vigneux. Negotiations with Andrew C. Vigneux have been unsuccessful to date and it is now necessary to begin appropriation proceedings to protect the City's interest in the property to be acquired and keep the project on schedule.

Attachments: [Exhibit A](#)

14. [TMP-7745](#)

Authorizing the mayor to enter into cooperative grant agreements with and accept financial assistance from the State of Ohio Department of Transportation (ODOT) for several construction projects; authorizing the acceptance, deposit, appropriation and expenditure of grant proceeds into the Capital Improvement Fund in an amount not to exceed \$395,438; authorizing the mayor to execute all necessary documentation for the grants; authorizing the mayor to accept bids and award contracts related to the construction; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The Division of Traffic Management has been working closely with ODOT to secure grant funding for multiple projects that is 100% federal funding with no match. All amounts are grant dollars and are assigned to specific projects as follows:

A maximum of \$395,438 has been allocated by ODOT through Safety Funding for a traffic signal project and for materials for a school zones and crosswalks improvement project. Construction for these projects is scheduled for 2023.

Passage of this ordinance is required to enable the City of Toledo to accept outside funding for these projects and have it in place to help

pay for these expenditures.

15. [TMP-7730](#)

Declaring it necessary to improve intersections at Copley Drive and Marriat Road, Hill Avenue and Dunderry Lane, Thayer Street and Alley Intersection, and Worley Place and E. Manhattan Boulevard; by installing a street light; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The Street Lighting Section of the Division of Engineering and Construction Management has received numerous complaints regarding the absence of lighting at the intersections of Copley Drive and Marriat Road, Hill Avenue and Dunderry Lane, Thayer Street and Alley Intersection, and Worley Place and E. Manhattan Boulevard. The Street Lighting Section surveyed the areas and determined that current street lighting is not adequate. This resolution proposes to install a streetlight at each of these locations to illuminate the intersections.

The annual cost of these improvements is estimated to be \$111.48 for each intersection with a one-time installation cost of \$825 each. These costs will be paid from the General Fund.

16. [TMP-7734](#)

Authorizing the mayor to enter into software license agreements with Innovyze Inc. for InfoWater ProSuite and InfoAsset Planner Software; waiving competitive procurement provisions of the TMC Chapter 187; authorizing the expenditure of an amount not to exceed \$27,853 from the Water Operating Fund for the purchase of InfoWater ProSuite and InfoAsset Planner license agreements; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

This ordinance waives the competitive bidding requirements of the TMC 187 and further authorizes the expenditure of \$27,853 in order to purchase software license agreements with Innovyze Inc. for the InfoWater Pro Suite and InfoAsset Planner software for the

maintenance and support of the programs. InfoWater Pro Suite is the City's Water Distribution System modelling software; InfoAsset Planner software integrates with InfoWater Pro Suite to prioritize water distribution main replacement projects based on condition, risk, and budget. Funds for this expenditure are available in the Division of Engineering and Construction Management's 2022 operating budget.

DEPARTMENT OF PUBLIC SERVICE:

17. [TMP-7732](#) **Authorizing the appropriation and expenditure of an amount up to \$1,090,000 from the Capital Improvement Fund for the purchase of wheel loader trucks for the Divisions of Urban Beautification and Road and Bridge Maintenance; authorizing the Mayor to enter into a purchase agreement with Southeastern Equipment for the purchase of wheel loader trucks; authorizing the mayor to execute a contract with Southeastern Equipment not to exceed \$1,090,000, waiving competitive procurement provisions of TMC Chapter 187; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:
Historically, the city has consistently rented small and large loaders for our leaf collection and snow and ice operations. Typically, we rent up to eight small loaders and three large loaders for the programs. While trying to secure the equipment for the upcoming seasons, we were told by the vendor there are no rentals available. We sought other rental options and there were none available.

In order to complete successful leaf collection and snow and ice operations, and to ensure we have the necessary equipment in the future, the city would like to purchase six small loaders and three large loaders for our operations.

18. [TMP-7738](#) **Authorizing the expenditure of an amount not to exceed \$10,760 from the General Fund for the purpose of cleaning and rehabilitating storm water control features at the Hoffman Road Landfill; authorizing the Mayor to execute the necessary supplement to an existing**

contract addressing additional, unanticipated work; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

Contract No. 46-5822 was executed on November 22, 2021 to remove sediment and vegetation from three landfill storm water ponds, as well as rehabilitate the outlet structure of one pond. Bidding and bid evaluation were completed in accordance with the process described in TMC 187. This work was necessary, not only to comply with the requirements of the landfill's new operating permit, but to also ensure continued compliance with operating provisions contained in Ohio Administrative Code (OAC) 3745-27-19. Funding for said infrastructure project was included in the Division's approved operating budget for 2021 and authorized by Ordinance 479-21, which authorized an expenditure up to \$200,000. Work was initiated in December 2021 and was completed in June 2022 in accordance with an agreed upon schedule. It was necessary to remove an additional volume of sediment, beyond the original estimated amount, to meet the project objectives and ensure regulatory compliance, resulting in a total project balance due of \$210,760.

DEPARTMENT OF ECONOMIC DEVELOPMENT:

19. [TMP-7767](#)

Authorizing the mayor to enter into a three (3) year lease agreement ("Lease"), with an option for an additional five (5) year renewal period as well as other provisions between the City of Toledo ("City") and Frederick Douglass Community Association, ("Center") located at 1001 Indiana Avenue, Toledo, Ohio 43607; accepting and depositing rent proceeds into the General Fund; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

This legislation authorizes the mayor to enter into a Lease with the Center upon certain covenants and conditions, including but not limited to: an initial term of three (3) years with a renewal option of five (5) years at an annual rent of \$500; Center shall pay operating expenses, including taxes as applicable and liability, building and worker's compensation insurance; City shall pay any maintenance expense greater than \$500 per occurrence for year 1 of Lease and \$1,000 per

occurrence for year 2 and year 3 of Lease. City shall pay all utilities, except telecommunications (i.e. broadband internet, phones, cable). No assignments or subleases of premises are permitted without the prior written consent of the City. Finally, Center must follow the preventative maintenance rules adopted in conjunction with Lease in order to preserve the longevity of the facility.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: N/A
- The expenditure budget line item: N/A
- New revenue generated (operational revenue, grants, if any): N/A
- Revenue budget line item (if any): 1001-16400-5000436STDSTD
- 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:
 - 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: [Exhibit A](#)

DEPARTMENT OF FINANCE:

20. [TMP-7755](#)

Authorizing appropriations and budget adjustments within the 2022 Approved Operating and Capital Improvement Budgets; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

This ordinance authorizes various appropriations and budget adjustments to the 2022 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.

Attachments: [Mid-Year Adjustments](#)

THE CLERK REPORTS:

[TMP-7773](#)

Declaring the intent to vacate the 16-foot alley, within the block bounded by Washington Street, Erie Street, Lafayette Street and South Ontario Street, in the City of Toledo, Lucas County Ohio; and declaring an emergency.

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.