



# City of Toledo

One Government Center  
Toledo, OH 43604

## Agenda Review City Council

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Tuesday, November 15, 2022

2:00 PM

Council Chambers

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### COUNCIL MEMBERS MORRIS AND MOLINE PRESENT:

[TMP-8166](#) Recognize Clem Cybulski.

### COUNCILWOMAN MOLINE PRESENTS:

[TMP-8167](#) Recognize PS419.

### SECOND READING ITEM:

[O-573-22](#) **Authorizing the Mayor to enter into a lease agreement with Sylvania Tam-O-Shanter Sports Inc. (“STOSS”) for the purpose of the continued operation and maintenance of the Ottawa Park Ice Rink for public use; waiving the competitive bidding and 30-day notice requirement of Toledo Municipal Code Section 187.19; authorizing the acceptance and deposit of lease proceeds into the General Fund; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

This legislation authorizes the Mayor to enter into a new lease for an initial term of five (5) years with five (5) renewals for five (5) years each at an annual rent of \$5.00 per year. Operating expenses are to be paid by STOSS.

STOSS shall pay to the City, without invoice and by January 31st of each year, fifty percent (50%) of all Net Revenue for the previous calendar year but not to exceed the fair market leasehold value of the Ottawa Park Ice Rink.

Both the City and STOSS agree to meet annually to discuss long-term

maintenance issues and approve a schedule of capital improvements to the Premises. STOSS agrees to direct, manage and pay for improvements based upon the agreed upon schedule. Any costs associated with long-term maintenance and capital improvements born by STOSS will be deducted from any rent payments made to the City. The City in turn agrees to pursue the mutually agreed upon schedule of capital improvements to the premises subject to City Council approval.

STOSS shall have the right to use the Premises for the purpose of operating a public ice rink, which includes all activities related to or in furtherance of the operation of same including but not limited to public recreational and instructional ice and figure skating, ice hockey, roller hockey, related equipment rentals, and food and beverage concessions. No assignments or sublease rentals will be permitted without the prior written consent of City.

**Attachments:** [Audio: Agenda Review 11/1/2022](#)

**Legislative History**

11/9/22          City Council          held

**DEPARTMENT OF FIRE & RESCUE OPERATIONS:**

1. [TMP-8147](#)          **Authorizing the mayor to enter into a grant agreement and accept an Ohio Statewide Search and Rescue (Water) Capability (Am. Sub. HB 166, 133th GA) grant from Ohio Emergency Management Agency in an amount not to exceed \$8,083 for the City of Toledo, Department of Fire & Rescue Operations; authorizing the deposit, appropriation and expenditure of the same from the Operation Grants Fund; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

The Ohio Emergency Management Agency has awarded the Toledo Fire and Rescue Department a Statewide Search and Rescue (Water) Capability grant totaling \$8,083. The grant supports search & rescue efforts throughout the state by administering & maintaining the Ohio Fire Chiefs Emergency Response Plan/System, one of Ohio's key search and rescue dispatching components.

These funds will continue to improve and sustain TFRD's search and rescue capabilities and are applied to various associated costs, including but not limited to team administration, equipment, expendable material and supply purchases, vehicles, equipment maintenance, and training exercises.

#### DEPARTMENT OF POLICE OPERATIONS:

2. [TMP-8091](#) **Authorizing the Mayor to enter into an agreement with Dell Technologies, Inc.; authorizing the Law Enforcement Trust Fund expenditure of an amount not to exceed \$250,000 for computer servers; waiving the competitive bidding requirements of TMC Chapter 187; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

This expenditure is for the replacement of the Toledo Police Department's Computer Crimes servers. The current system is obsolete and is in need of this update to continue operation. Dell Technologies, Inc. is the sole source supplier for computers to the City of Toledo and is included in the City Wide Goods and Services Ordinance (Ord. 232-19). This purchase is through State of Ohio contract STS033-534109.

#### DEPARTMENT OF PUBLIC UTILITIES:

3. [TMP-8143](#) **Authorizing the appropriations in an amount not to exceed \$1,124,880 from the Sewer Replacement Fund, \$1,660,000 From the Water Replacement Fund and \$668,120 from the Storm Water Replacement Fund for the purchase or lease of vehicles and equipment; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

Ordinance 252-22 authorized the expenditure of \$1,124,880 from the Sewer Replacement Fund, \$668,120 from the Storm Water Replacement Fund, and \$1,660,000 from the Water Replacement Fund for the purchase or lease of vehicles and equipment for the Department of Public Utilities. The Department of Public Utilities

intends to trade-in existing vehicles or equipment toward purchases when possible but did not include the necessary authorization to appropriate the funds. Funding has been approved for 2022 in accordance with the current 5-year vehicle replacement program. These vehicles are necessary to maintain a safe, reliable Department of Public Utilities.

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

4. [TMP-8126](#) **Authorizing the disappropriation of \$4,419,219 from the 2016 Water Bond Issuance in the Water Bond Improvement Fund and providing necessary transfer of funds to facilitate the closure or reduction of projects in said fund; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

5. [TMP-8125](#) **Authorizing the Mayor to enter into an amended grant agreement with the Ohio Environmental Protection Agency and to accept and deposit additional grant proceeds into the Operation Grant Fund in the amount of \$150,000 for additional ambient air monitoring equipment; authorizing the appropriation and expenditure of said funds; authorizing the Mayor to accept bids and award contracts for the purchase of equipment, supplies and other necessary items to carry out the terms of the amended grants; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

Ordinance 476-21 previously authorized the acceptance of an Air Grant from the Ohio Environmental Protection Agency (OEPA) in the amount of \$1,347,358 and a grant amount from the United States Environmental Protection Agency (USEPA) in the amount of \$558,754 both of which were authorized to be deposited into the Operation Grant Fund. Subsequently, the OEPA increased their grant award by \$150,000 to allow the purchase of ambient air monitoring equipment. Therefore, this ordinance is to authorize the acceptance and deposit of the additional award received from the OEPA. No additional match is required for the additional funds.

6. [TMP-8140](#) **Authorizing the Mayor to enter into a Hazardous Materials Training Grant Agreement with the Public Utilities Commission of Ohio (PUCO); authorizing the Mayor to accept and deposit \$12,555 in grant proceeds into the Operation Grants Fund; authorizing the appropriation and expenditure of grant funds; authorizing the Mayor to accept bids and execute necessary contracts; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

The City of Toledo has been awarded funding and invited to enter into a Cooperative Agreement with the Public Utilities Commission of Ohio for a Hazardous Materials Training Grant to provide funding for the OSHA 8-Hour Hazardous Waste Operations and Emergency Response Refresher for governmental employees and environmental personnel. This ordinance authorizes the mayor to accept the grant and enter into an agreement with the Public Utilities Commission of Ohio.

**DEPARTMENT OF TRANSPORTATION:**

7. [TMP-8145](#) **Authorizing the expenditure of an amount not to exceed \$110,000 from the Sewer Operating Fund for the lease of vehicles for the Division of Engineering and Construction Management; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

Ordinance 254-19 authorized the Mayor to enter into a contract with Enterprise Fleet Management for vehicle and equipment replacement for the city's fleet. The Division of Engineering and Construction Management will utilize this contract to lease vehicles for the Division's construction and inspection operations. Budget for this expenditure is available in the division's operating budget.

8. [TMP-8144](#) **Authorizing the improvement to the alley bounded by Dearborn Avenue, Hefner Street, and Cyril Street, by installing four (4) street lights; authorizing the annual cost of \$733.02 for said improvement from the General Fund Utilities account; authorizing the payment of**

**\$17,600 from the General Fund Utilities account to Toledo Edison for a one-time installation cost; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

The owners of the properties abutting the various streets, listed below, have requested by majority petition that the City install LED street lighting to protect their properties and provide nighttime safety. This ordinance proposes to install four (4) streetlights to better illuminate the area.

The total annual cost for the operation and maintenance of the lighting is \$733.02 of which the City's share is \$73.30. Additionally, a one-time installation cost of \$17,600 will be paid from the General Fund Utilities account.

9. [TMP-8149](#)

**Authorizing the expenditure of an amount not to exceed \$200,000 from the Street Construction Maintenance and Repair (SCMR) fund; authorizing the mayor to execute a supplement to the contract with Hardesty Hanover for contractual services for the Martin Luther King Jr. Bridge; waiving competitive procurement provisions of TMC Chapter 187; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

Ordinance 417-22, passed on September 13, 2022, appropriated \$200,000 from the SCMR fund to the Road and Bridge Maintenance Division for MLK Bridge repairs and improvements. This legislation allows for the expenditure of those appropriated funds. The contractual services will be in form of a supplemental agreement to an existing contract with Hardesty Hanover for the design of replacement drive units for the MLK Jr Bridge. The new drive units will assist with the balance of the bridge, and prolong the life of the existing motors.

10. [TMP-8146](#)

**Authorizing the appropriation and expenditure of an amount not to exceed \$95,500 from the Street Construction Maintenance and Repair fund for additional costs to purchase one (1) Track Paving Machine, one (1) Paver Screed, and two (2) Steel Drum**

**Rollers; and declaring an emergency.****Body:** SUMMARY & BACKGROUND:

The Division of Road & Bridge Maintenance (R&BM) is responsible for repairing and maintaining streets within the city of Toledo. In recent years, weather conditions have been poor for asphalt pavement creating issues that regular pothole patching does not fix. With new equipment and training, R&BM would be capable of completing a yearly pavement restoration program in a timely manner with a better-quality product.

Ord. 447-22 passed by Council on September 13, 2022, authorized the expenditure of \$494,500 from the Street Construction Maintenance and Repair Fund for the purchase of one (1) track paving machine and two (2) steel drum rollers. At the time of order, it was found to be necessary to purchase a 16' paver screed that was not included in the original quote. Additionally, the cost of the steel rollers had increased resulting in the cost of the equipment totaling \$590,000, or \$95,500 above the originally legislated amount.

This ordinance will authorize the appropriate and expenditure of the additional amount needed to purchase the paving equipment in whole.

The new paver will be equipped with updated technology that will allow the crews to pave asphalt much smoother than the previous paver. This technology takes most of the adjustments out of the hands of the operator and is mostly controlled using a GPS system and computer. The new machine will be a tracked machine that will also assist in cleaner work performed by crews with the capability of paving up to 16 feet wide with the screed attachment.

The two (2) steel drum rollers will be heavier rollers than what crews currently use. This will allow the paving crew to compact the asphalt to the recommended compaction rate. These new rollers will be approximately 5-ton versus the lighter rollers and the one (1) much heavier roller currently in our inventory.

This equipment will be purchased through Sourcewell or other

cooperative procurement contracts. Southeastern Equipment is the local equipment vendor for these machines. Training will be provided by Southeastern when needed. Ord. 447-22 has already authorized entering into a contract for this purchase.

It is the intent of Road & Bridge Maintenance to trade-in existing equipment toward purchases when possible and it makes economic sense.

All pricing is considered estimated and could change due to today’s economic conditions.

Equipment Quantity	Price Per Unit Total	
Bomag CR820 T Paver	\$375,461.00	1
	\$375,461.00	
16’ Paver Screed	\$89,789.27	1
	\$89,789.27	
Bomag Bw138 AD-5 Rollers	\$62,016.76	2
	\$124,033.52	

**DEPARTMENT OF ECONOMIC DEVELOPMENT:**

**11. [TMP-8151](#)**

**Authorizing the appropriation and expenditure of an amount not to exceed \$3,722,078 from the Local Fiscal Recovery Fund to the Lucas County Land Bank for clean-up, demolition and redevelopment of brownfield sites; authorizing the Mayor to enter into an agreement with the Lucas County Land Bank for said purpose; and declaring an emergency.**

**Body: SUMMARY & BACKGROUND:**

The city is the recipient of \$180.9 million through the American Rescue Plan Act (ARPA) to be used to address the public health and negative economic impacts of the COVID-19 pandemic. The Toledo Recovery Plan framework, authorized by Ordinance 530-21, includes \$6 million for clean-up, demolition and redevelopment of brownfield sites.



The City and Lucas County Land Bank recognize the importance partnering to address legacy environmental issues to promote health and safety of residents and create new development opportunities. This partnership is formally memorialized in the recently executed First Amendment to the Memorandum of Understanding with the Lucas County Land Bank, which specifically identifies collaboration on brownfield remediation projects as a primary way the parties agree to work together. The City and Lucas County Land Bank have partnered to apply for several state grant programs for the transformation of some of the most blighted buildings and most under-utilized sites. The Lucas County Land Bank has been awarded \$2,770,250 in state grant funding for five transformative brownfield redevelopment projects. A local match is required to leverage the secured state grant funding.

This ordinance authorizes the appropriation and expenditure of an amount not to exceed \$3,722,078 million of ARPA funding to the Lucas County Land Bank for clean-up, demolition and redevelopment of five transformative brownfield redevelopment projects. Attached are several documents outlining the proposed investment and timeline for the five proposed projects.

**Attachments:** [Budget - Brownfield Toledo ARPA Request](#)  
[Overview - Brownfield Toledo ARPA Request](#)  
[Presentation - Brownfield Toledo ARPA Request](#)  
[SMART Analysis for Land Bank ARPA](#)

12. [TMP-8152](#)

**Authorizing the acceptance, deposit and appropriation of unspent grant proceeds from the Lucas County Land Bank associated with the Intergovernmental Grant Agreement for critical assessments necessary for the redevelopment of the Spitzer and Nicholas buildings; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

Ordinance 442-20 authorized the expenditure of an amount not to exceed \$100,000 from the General Fund to the Lucas County Land Bank for critical assessments necessary for the redevelopment of the Spitzer and Nicholas buildings.

The Lucas County Land Bank acquired the Spitzer and Nicholas buildings in 2020 and has been working with the City, ConneCToledo and Toledo-Lucas County Port Authority to stabilize the structures and return them back to productive use. Redevelopment of these buildings requires critical assessments to identify their structural integrity, overall condition, marketability and feasibility for converting into new uses.

A final report for the Lucas County Land Bank's use of this funding is included in attached Exhibit A. This ordinance authorizes the acceptance, deposit and appropriation of an amount not to exceed \$33,000 of unspent grant proceeds.

**Attachments:** [Final Report - Grant Agreement July 2022](#)

13. [TMP-8153](#)

**Authorizing the expenditure of an amount not to exceed \$70,000 from the General Fund for design services to prepare a Huron Street Streetscape Plan; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

The Lucas County Land Bank acquired the Spitzer and Nicholas buildings in 2020 and has been working with the City, ConneCToledo and Toledo-Lucas County Port Authority to stabilize the structures and return them back to productive use.

In 2022, the Lucas County Land Bank issued a two-phase request for proposals process soliciting developer interest in redeveloping both buildings. The Lucas County Land Bank will select a developer by the end of the year.

As part of the redevelopment of the long vacant Spitzer and Nicholas Buildings, the City and its partners desire to create a plan for improvements to the streetscape that will support and enhance efforts to redevelop the Four Corners.

**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.**