July 3, 2025

Catherine Schrein
745 Washington Street
#705
Toledo Ohio 43604

TO: Vanice Williams, District 4 Councilwoman
Clerk of Council, Julie Gibbons
Christine Michael, CEO ConnecToledo

RE: Notice to Property Owners of Special Assessments

Attached are my objections to the above referenced notice, sending via email and postal mail.

Sincerely

Catherine Schrein

Attachment (1)

ATTACHMENT 1

STATEMENT OF OBJECTIONS to the special assessments proposed by ConnecToledo/DTID

An initial presentation by ConnecToledo/DTID of the Downtown Toledo Improvement District Renewal proposal was shared at a public meeting July 18 2024 at the Blarney Events Center. The presentation was not met with support from the single parcel/residential/small business property owners that were incorporated into the then proposed area; developer/large business owners (who have the financial means) indicated support. Initially, the Bartley Lofts was not included in the designated area...it is in the current map. Why did that change?

The original petition for approval of the ConnecToledo/DTID downtown services plan for "enhanced public services" was circulated June 2024. Attendees of the July 18 meeting had been told that a 63% positive response from those petitioned was required for the proposal to move forward. The results of that petition have not been made public. Was the required percentage approval met? Who signed the petition? This should be public information. In general discussion with residential/small business property owners, I know of no one who signed it.

I understand that the state of Ohio has a prescribed formula for calculating the amount an assessment can be charged a property, the Bartley Lofts must be considered an exemption to the proposal or totally removed from the map as was originally planned to avoid this extraordinary amount of assessment.

The calculations for just this building are based upon the average assessment of $600 per unit x 52 units = $31,200 per year. This average assessment is based upon the square footage of the units as determined by the Lucas County Auditors Office (Exhibit A, DTID Inc. Amended Articles of Incorporation). If taken out over five years, that is $156,000. And that's just one building! And...how were these

There is no advantage as provided in this proposal that specifically benefits the residents of this designated area of the Warehouse District. The Bartley Lofts Home Owners Association charges owners by unit size a relatively large fee for services that include exterior maintenance and improvements. DTID cost for the same would be a duplicate charge for us.

The plan as initially presented referenced a marketing objective and we were told that it would be about 9% of the budget. This would equate to $144,00. Is this not a duplication of the mission of Destination Toledo, the "...official Destination Marketing Organization"?

If approved, it would benefit those who live outside the District who attend events/enjoy the restaurants, etc. and have not been assessed. It is something that should not be shoved down our

throats who are being assessed or our **pocketbooks! If nothing else, the timing of this proposal is very poor given the huge increase in property taxes.**

Is this an incentive to bring new property owners into the District? Individuals, whether young professionals or empty nesters/retirees, are going to think twice about the cost of living here.

As a long time supporter of the Warehouse District, I do want to see that it maintains its appeal and promotes its growth, but as individual property owners' assessment this is too expensive. Perhaps if the property taxes hadn't soared, it wouldn't be such a hard hit!

My faith in how the funds will be spent is also very weak. There is a record in how monies in this city are designated to one project and then get moved to another or maybe just disappear into the ether. Example: monies from parking meters in the District were to be put back into the District for improvements. Do we even know where those monies are? On what, if anything, have they been spent? Perhaps this proposed assessment would not be necessary or at least not as high if those funds over the past 10 years or so had been used as originally proposed.

Was there a public hearing held to present the final Comprehensive Plan prior to June 17, 2025? I was not made aware of one.

Respectfully submitted,

Catherine Schrein

745 Washington Street
Bartley Lofts
#705

FYI: The "Notice to Property Owners of Special Assessments" letter is dated June 18; the posted date on the envelope is June 26; the notification left in my mailbox that I had to pickup a Certified mail piece at the post office was dated June 30. I picked it up on July 3. This response should be within the designated time frame of the "two weeks for the date of completion of the service of this notice."

Oral presentation of objections to ConnecToledo Plan

- **Petition** for approval of the services plan was circulated in June 2024. Results not made public. **Who signed? What was the percentage of property owners who approved? PUBLIC INFORMATION!**
- **How could City Council approve without public hearing?** Taxation without representation?
- Information regarding this meeting to hear these objections was poorly disseminated: letter from Clerk of Council is dated June 18; postal date on envelope is June 26; notification of certified letter left in my mailbox June 30; picked up at PO July 3. What does "two weeks for the date of completion of the service of this notice" mean?
- **Timing** – very poor because of the huge increase in property taxes
- Initial **proposed budget** 2026-2030 was $1.2 million; the second $1.6 million. That's almost ½ million $ increase
- **Duplication of budget monies** – Destination Toledo is the official Destination Marketing Organization. For example – 9% is allocated ($144,000) for Marketing.
- **Transparency** –i.e. where is the money from parking meters in the District? Is this how this special assessment fund will also work?
- What is the Board of Equalization? Not found when googled under City of Toledo. Is it a County Board? If so, the County has not been referenced in any prior communications and/or discussions in regards to this special assessment.
- Initially Bartley Lofts not included; why was it changed?
- Direct benefits ? We pay substantial HOA fees which cover, among other things, the exterior maintenance of the building
- ***As a long time supporter of the Warehouse District, I want to promote its growth but at this additional cost? No. I do not see this as an incentive to bring new residential property owners into the District; taxes + this assessment – not a selling point.***

Members of Toledo City Council,

I am writing on behalf of over 45 homeowners, businesses, and property owners (referred to as "+45") from District 4 to address concerns regarding the new five-year SID (Special Improvement District) project map proposed by ConnecToledo. While we support efforts to enhance downtown Toledo's growth, vitality, and sustainability, we believe the current process lacks transparency, equity, and adequate stakeholder engagement.

Key Concerns

1. **Lack of Transparency and Readiness**
    - Despite assurances at the July Bullpen meeting that relevant data was "readily available," critical information remains outstanding. For example:
        - Comparison between the 2020-2025 and proposed 2026-2030 maps, including changes in participating parcels.
        - Updates on the status, budget, and outcomes of projects outlined in previous SID plans.
        - Specific project data, such as detailed budgets, timelines, and progress against milestones.
    - The response from ConnecToledo (e.g., Paul Toth's email) indicates that these details are still being compiled, delaying our ability to assess the impact on our investments.
2. **Gerrymandering of the Proposed Map**
    - The new map appears inconsistent and inequitable, with some areas and parcels arbitrarily included or excluded.
    - For example, Bartley Lofts (32 owners) is represented as one parcel based on frontage, while other areas benefiting significantly from projects (e.g., Swan Creek) are left out or inconsistently treated.
3. **Lack of Processes and Accountability**
    - There is no clear charter, criteria, or repeatable process for parcel selection or representation.
    - Current reporting lacks comprehensive datasets to assess return on investment (ROI) or measure project success.
    - The absence of standardized procedures raises questions about accountability and decision-making fairness.
4. **Taxation Without Representation**

- The 2020 Council precedent of allowing "opt-in/opt-out" voting for parcels south of Monroe Street was established to address similar concerns. This precedent should apply to the current map to ensure fairness and inclusion.

Our Requests

1. **Provide Comprehensive Data and Transparency**
   - Detailed comparisons between the current and proposed SID project maps.
   - Updates on the 2020-2025 plan, including budgets, completed milestones, and outcomes.
   - A clear breakdown of the proposed 2026-2030 plan, including individual projects, costs, timelines, and expected impacts.
2. **Engage Stakeholders in Decision-Making**
   - Include representatives from a diverse mix of end-use parcels (e.g., small businesses, homeowners, corporations) in planning and decision-making processes.
   - Develop a repeatable, equitable process for map creation and parcel inclusion, ensuring consistency and fairness.
3. **Revisit and Revise the Proposed Map**
   - Address concerns of gerrymandering and arbitrary parcel selection.
   - Consider implementing an "opt-in/opt-out" option for newly proposed parcels to align with prior precedent.
4. **Commit to Accountability and Follow-Through**
   - Establish a standardized reporting system for all SID projects, enabling stakeholders to track progress, ROI, and accountability.

Next Steps

We appreciate the efforts of ConnecToledo and Council to improve downtown Toledo, but the +45 group cannot support the proposed map or participate in the new SID plan without the requested information and process improvements. We remain willing to collaborate and offer constructive feedback to resolve these concerns and ensure a fair, transparent, and inclusive planning process moving forward.

Thank you for your attention, and we hope to work together to achieve a stronger, more equitable future for downtown Toledo.

Happy Holidays and best wishes for a prosperous New Year!

Regards,
+45 District 4 Stakeholders

City of Toledo
One Government Center
Toledo Ohio 43604
Clerk of Council

We intend to speak at the hearing July 9 at 1:00pm on the illegal Resolution adopted by city council.

Paul and Jackie Sullivan
23 S. St Clair
Toledo Ohio 43604

Note the letter on the special assessments took over two weeks to arrive

July 03, 2025

Henry and Deborah Gerst
745 Washington Street, #605
Toledo, OH 43604-5910

Toledo City Council,
Clerk of Council,
Board of Equalization
One Government Center
Suite 220
Toledo, OH 43604

cc: Christine Michaels, CEO
ConnectToledo
Vanice S. Williams,
Toledo City Council
Joe Marck,
Toledo Warehouse District Association

re: Downtown Toledo Improvement District

Members of the Board of Equalization,

We are writing to object to our inclusion in the assigned Special Assessment on our residential property located at 745 Washington Street, #605, Toledo, OH 43604 as indicated in a letter dated June 18, 2025 from the Toledo City Council, and sent via USPS Certified Mail by ConnectToledo on June 26, 2025. We received notice of the mail on Saturday, June 28, and were able to pick up the letter on Monday, June 30, 2025. ***As of this date, we have received no written communication directly from the City of Toledo.***

For the last year or so, residents of the the proposed expanded District have been requesting information regarding the criteria that was used to determine whether a property should be included in the expanded District, or excluded. We have received no information as to this process. We have never indicated our personal interest in being a part of this district, and to the best of our knowledge, neither has the Bartley Lofts Home Owners Association.

We also object to the five-year special assessment, in any amount. We do not know the amount we are being assessed, as we were told on July 1, 2025 that 'that information was not yet available, that everyone in the City was getting one', and "leave your phone number, we'll call you".

We are ***not*** requesting to be heard in person, as I suspect that we may not have met the time requirements to do so. The letter the City of Toledo/ConnectToledo was written/dated June 18, 20025; mailed on June 26, 2025, received on July 1, 2025; and a hearing is scheduled for July 9, 2025. It appears that, factoring in weekends and a holiday, audience participation was intended to be discouraged.

Thank you,

Henry Gerst

Deborah Gerst

Benjamin R. Syroka

820 Washington Street
Toledo, OH 43604
(419) 704-7691

July 1, 2025

Clerk of Council
City of Toledo
One Government Center, Suite 2120
Toledo, OH 43604

Re: Formal Objection to Special Assessment – Resolution No. 277-25 / Downtown Improvement District

Dear Clerk of Council:

I write on behalf of the Easy Street Condo Association in response to the Notice of Special Assessment dated June 18, 20205, and delivered on June 29, 2025. For clarity, the Easy Street Condo Association includes the owners of the properties at 814 Washington Street (Parcel #s 1200030 & 1217542); 816 Washington Street (Parcel #s 1200031 & 1217543); 818 Washington Street (Parcel #s 1200032 & 1217544); 820 Washington Street (Parcel #s 1200033 & 1217545); and 822 Washington Street (Parcel #s 1200034 & 1217546).

On behalf of the Association and its property owners, I write to formally object to the proposed special assessments outlined in the City of Toledo's June 18, 2025 Notice regarding the expansion of the Downtown Improvement District ("District") pursuant to Resolution No. 277-25. Our objections are as follows:

Lack of Adequate Notice Violates Due Process.

The City's letter notice is dated June 18, 2025, but the notices were not *received* by property owners until **June 28, 2025**—giving us only ten calendar days' notice before the scheduled July 9, 2025 Board of Equalization Objection Hearing.[1] This violates our right to meaningful notice and opportunity to be heard under both Ohio law and the Fourteenth Amendment to the U.S. Constitution. *See Mullane v. Central Hanover Bank & Tr. Co.*, 339 U.S. 306 (1950).

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[1] Proof of "Certified Mail" receipts can be provided. Such receipts will show the City did not send (or postmark) the letter itself until June 25, 2025; and then "delivery" was not made until June 28, 2025. There are also legitimate "delivery" issues that can be proven, including property owners not being asked to sign for the "Certified Mail."

The City's actions not only violate the Due Process Clause, they also violate blackletter Ohio law. Ohio Revised Code ("R.C.") § 727.15 requires that objections must be filed within two weeks after the date of service. However, if service is by mail, the date of *receipt*—not the date of mailing—controls the timeline. The notice period here is *facially inadequate*, and the City cannot lawfully proceed until proper notice has been reissued with sufficient time to prepare and respond. If the City chooses to proceed with the hearing, we will preemptively seek injunctive relief.

The Proposed Assessment Does Not Benefit the Subject Property.

Above and beyond the due process issues, the proposed Special Assessment cannot lawfully be imposed against the Association and its property owners. The reason is simple: "A special assessment is lawful or constitutional only where founded upon special benefits accruing from the improvement for which the assessment is levied." *Martino v. Sidney*, 747 N.E.2d 328, 331, 140 Ohio App.3d 340, 343-44 (Ohio App. 3 Dist., 2000) (quoting *Laskey v. Hilty*, 91 Ohio App. 136, (1951).

The is a self-managed, privately-funded residential building. We receive no unique benefit from the so-called "Enhanced Public Services" described in the plan. The building is located on the outskirts of the existing District boundary, and the services—primarily focused on commercial corridor activity, sanitation, and beautification—do not enhance the value, marketability, or utility of our private residential units. *See Schiff v. City of Columbus*, 223 N.E.2d 54, 59, 9 Ohio St.2d 31, 38 (Ohio 1967) (noting that a lot must be "enhanced in value as a result of the improvement in an amount equal to the amount of the assessment.").

The Assessment is Unlawful as Applied to Private Residential Property.

Including residential condominium buildings—particularly those that operate as non-commercial associations and do not engage in commercial enterprise—within a commercial improvement district for business-focused services exceeds the scope of the City's authority under R.C. § 727. And, as R.C. § 5709.45(B) clearly indicates, downtown redevelopment districts are not to be used for "residential purposes and shall not be utilized for development or redevelopment of residential areas." This action also violates equal protection and uniform taxation principles under the Ohio Constitution, Article I, Section 2 and Article XII, Section 2.

The Association was not consulted in the drafting of this expansion plan. Unlike the original business owners who voted for the original creation of the Downtown Improvement District, we were not given a fair opportunity to participate, vote, or provide input. This raises additional due process and procedural fairness concerns.

Relief Requested

For the above reasons, the Association respectfully requests that the City withdraw or exclude the Association building, and all of its property owners, from the expanded assessment district. Alternatively, the Board of Equalization must find that the assessment, as applied to this property, is unlawful and void.

Further, the unlawfully scheduled July 9, 2025 Objection Hearing should be vacated and reset to allow us, if necessary, the opportunity to present this objection in-person at a future, lawfully-scheduled hearing.

If not resolved, the Association will pursue all available legal remedies, including judicial review under R.C. § 2506.01.

Thank you for your prompt attention to this matter. We look forward to a favorable response.

Sincerely,

/s/ Benjamin R. Syroka
Benjamin R. Syroka, Esq.

On behalf of all property owners of the Easy Street Condo Association