



Legislation Text

File #: O-231-20, **Version:** 1

Blair Lithophane Collection Donation
Office of the Mayor / Department of Law
Gretchen DeBacker (x1600), Paul F. Syring (x1020)
(Revised)

Authorizing the mayor to enter into a donor agreement with the Joseph J. and Marie P. Schedel Foundation and execute and deliver other needed instruments for the conveyance by gift, in trust, of the Blair Museum of Lithophanes Collection; authorizing the expenditure of \$5,000 from the General Fund as a contribution towards relocation costs; repealing Toledo Municipal Code Chapter 182 titled Blair Museum of Lithophanes Advisory Board; and declaring an emergency.

SUMMARY & BACKGROUND:

In May 1993, pursuant to Ordinance 320-93, the City entered into an agreement to accept a gift of a unique art collection of lithophanes known as the Blair Museum of Lithophanes from the Blair Museum, Inc. and Laurel G. Blair under which the City accepted certain obligations for the maintenance and display of the museum collection. The City has fulfilled to date the obligations by housing the collection at the Toledo Botanical Garden. As a result of the recent transfer of the Toledo Botanical Garden from the City to the Metropolitan Park District of the Toledo area, the City is without a suitable location for display of the collection.

Under the 1993 agreement, the City is obligated to transfer the collection to a successor recipient who will legally obligate itself to fulfill the obligations assumed by the City for the maintenance and display of the collection. Through the efforts of Friends of the Blair Museum, Inc., the Joseph J. and Marie P. Schedel Foundation in Elmore, Ohio has been identified and has agreed to assume and fulfill the extant obligations of the City under the 1993 agreement as set forth in the donor agreement attached in substantial final form as Exhibit A. A City contribution of \$5,000 to the Friends of the Blair Museum, Inc. to defray the costs of relocating the collection is also authorized by this ordinance.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: \$5,000
- The expenditure budget line item: 1001-60500-7000370STDSTD
- New revenue generated (operational revenue, grants, if any): None
- Revenue budget line item (if any): None
- Are funds budgeted in the current fiscal year (yes/no)? Yes
- Is this a capital project (yes/no)? No
- If yes, is it new or existing (new/existing)? N/A
- What section of the City's Strategic Plan does this support:
 - o Excellence in Basic Services (yes/no) Yes
 - o Quality Community Investment (Livable City, Development) (yes/no) Yes
 - o Workplace Culture & Customer Service (yes/no) No
 - o Environment (yes/no) No

NOW, THEREFORE, Be it ordained by the Council of the City of Toledo:

SECTION 1. That the mayor is authorized to enter into a donor agreement with the Joseph J. and Marie P. Schedel Foundation and execute and deliver other needed instruments for the conveyance by gift in trust of the Blair Museum of Lithophanes collection. A copy of said Donor Agreement is attached in substantial final form as Exhibit A.

SECTION 2. That the expenditure of \$5,000 is authorized from the General Fund, Account Code 1001-60500-7000370STDSTD, to the Friends of the Blair Museum, Inc. to defray the costs of relocating the collection.

SECTION 3. That Toledo Municipal Code Chapter 182 entitled Blair Museum of Lithophanes Advisory Board, which reads as follows:

CHAPTER 182

Blair Museum of Lithophanes Advisory Board

182.01 Creation; membership; appointment.

182.02 Honorary Board member.

182.03 Terms of members.

182.04 Duties of Board.

182.05 Organization and meetings.

182.06 Donations and gifts.

182.01. Creation; membership; appointment.

A Blair Museum of Lithophanes Advisory Board consisting of six members is hereby authorized. At all times, one member shall be the Director of Parks, Recreation and Forestry or his designee; one member shall be a representative of the Toledo Botanical Garden; one member shall be a representative of the Arts Commission of Greater Toledo. In addition, three members of the Advisory Board shall be at-large members. The membership of this Board shall be appointed by the Mayor pursuant to the guidelines stated above and subject to the confirmation by majority vote of Council.

182.02. Honorary Board member.

Mr. Laurel G. Blair shall serve as a lifetime Honorary Member of the Blair Museum of Lithophanes Advisory Board.

182.03. Terms of members.

In connection with the first appointment of the members of such Board, two shall be appointed for a one-year term, two for a two-year term and two for a three-year term. All subsequent appointments shall be for the unexpired vacancies which may occur, or for a three-year term.

182.04. Duties of Board.

The Blair Museum of Lithophanes Advisory Board is formed to perform the following duties:

To guide the administration, maintenance, display and/or improvement of the Blair Museum of

Lithophanes Collection that has been donated to the City and to serve in an advisory capacity to the Mayor, Council and the Department of Parks, Recreation and Forestry of the City concerning, but not limited to, development of a master plan, construction of an appropriate display, development of programs and other such matters pertaining to the development and administration of the Blair Museum of Lithophanes as may be requested by Council. The Board shall render periodic reports and recommendations to Council as it deems necessary.

182.05. Organization and meetings.

The Board shall elect its own president and such other officers as it deems necessary. The Board may create, from its members or persons who are not members, associate memberships and such committees and subcommittees as it deems necessary to carry out the function of the Board. It shall prescribe its own rules of procedure and shall keep a record of its transactions and report annually to the Mayor and Council. It shall meet not less than once each quarter and more often if needed.

182.06. Donations and gifts.

The Blair Museum of Lithophanes Advisory Board is hereby authorized to solicit on behalf of the City donations and gifts for the express purpose of defraying the costs incurred in its operation of the City-owned Blair Museum of Lithophanes. Any donations and gifts so received are to be deposited (along with any proceeds received from the sale or rental of the home that Mr. Laurel G. Blair has donated to the City, located at 2032 Robinwood Avenue) with the Commissioner of Taxation and Treasury in a Blair Museum of Lithophanes Trust Fund. All funds deposited in the Blair Museum Restricted Account and all interest accruing on those funds shall be used solely for the purpose of displaying, maintaining or improving the Blair Museum of Lithophanes. Disbursement shall be made from such Restricted Account by the Director of Finance upon presentation of proper vouchers from the Director of the Department of Parks, Recreation and Forestry, who shall report all expenditures to the Blair Museum of Lithophanes Advisory Board.

is repealed.

SECTION 4. That the Director of Finance is authorized to draw his warrant or warrants against the account code in Section 2 in an amount not to exceed \$5,000 in payment for the above authorized obligation upon presentation of proper voucher or vouchers.

SECTION 5. That given the unique nature of this collection and the fact that it has been held in trust and that the collection is no longer needed for a municipal purpose, this Council finds and determines that conveyance of this collection is in the best interest of the City.

SECTION 6. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council, that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public, in compliance with the law.

SECTION 7. That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of public peace, health, and safety of the City and for further reason that this ordinance must be immediately effective to begin the process of relocating the collection on or before September 1, 2020 so as to comply with the deadline set forth in the agreement between the City of Toledo and the Metroparks that calls for the collection to be relocated from the Toledo Botanical Garden.

Vote on emergency clause: yeas _____, nays _____.

Passed: _____, as an emergency measure: yeas _____, nays _____.

Attest: _____
Clerk of Council

President of Council

Approved: _____

Mayor

I hereby certify that the above is a true and correct copy of an Ordinance passed by Council

_____.

Attest: _____
Clerk of Council