

# CITY OF TOLEDO

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## What Happened in the Toledo City Council Agenda Review of 11-27-18

### COUNCIL MEMBER KOMIVES PRESENTS:

TMP-3471 Recognize Juliana Sample, KTLCB.

**My Position: Support.**

**Ms. Sample is the Executive Director of KTLCB.**

### APPOINTMENTS FROM THE OFFICE OF THE MAYOR:

TMP-3472 Appointments - Records Commission.

**My Position: Support.**

**The Mayor is recommending Dale Emch, Julie Gibbons and Ann Bennett**

TMP-3473 Appointments - Utility Appeals Board.

**My Position: Support.**

**The Mayor is recommending Deborah Wedding, Deborah Boisselle and Dennis Lange.**

### SECOND READING ITEMS:

O-476-18 Repealing Chapter 1307 (Fees), of the Toledo Municipal Code; enacting a new Chapter 1307 (Fees).

**My Position: Support.**

**Contractor renewal fees and construction trade registration fees will not be changed. However, this ordinance will raise the charge for some permit fees and associated services related to building inspection. But, Plan Examination will be reduced to a \$75.00 base fee instead of \$100.00. Plan review re-**

**submissions will increase to \$300.00 for the second and subsequent resubmissions. A chart was provided.**

O-480-18 Changing the zoning maps attached to Part 11, Planning and Zoning, Toledo Municipal Code, for the property located at 3319 Nebraska Avenue, in the City of Toledo, Lucas County, Ohio.

**My Position: Support.**

**Both the Toledo Plan Commission and the Zoning and Planning Committee of Toledo City Council recommended approval. The zoning for this property will be changed to “RS6” Single Family Residential.**

O-486-18 Authorizing the disappropriation of \$856,324 from the Capital Improvement Fund; authorizing the appropriation of \$856,324 for the District Improvement Program.

**My Position: Support – An Amended Version.**

**A previous ordinance authorized the expenditure of \$3,350,000 for various capital projects that are now completed or close to completion. Of that amount, \$856,324 is left in excess. This ordinance proposes that the balance be reappropriated to the districts where they occurred. An amendment to this ordinance is expected and was discussed; to reappropriate these funds to the Parks and Recreation Division to kick-start their Re-branding Plan instead. This will help all districts across the entire city without limitations.**

O-490-18 Authorizing the mayor to enter into a contract for citywide seasonal, intern, temporary, and youth program supplemental staffing services for two (2) years with the option to renew for up to one (1) additional year; authorizing the expenditure of funds.

**My Position: Support.**

**These Seasonal, Intern, Temporary and Youth Program (SITY) funds allow us to provide temporary employment for young people and others. The contract was competitively bid and Job1USA was the only business to submit a proposal.**

**COUNCIL PRESIDENT CHERRY AND THE MEMBERS OF CITY COUNCIL  
PRESENT:**

TMP-3474 Providing for the submission to the electors of the City of Toledo at a special election on February 26, 2019, an amendment to the Charter of the City of Toledo for the purpose of adding a new Section to the Charter entitled “Lake Erie Bill of Rights”.

**My Position: Support.**

**With approval of this action, the Lake Erie Bill of Rights Petition will be submitted to the Board of Elections so it can go on the ballot for a vote of the people.**

**COUNCIL MEMBERS KOMIVES AND HARPER PRESENT:**

TMP-3475 Repealing Toledo Municipal Code Chapter 554 “Discrimination Prohibited”; creating new Chapter 554 “Discrimination Prohibited”.

**My Position: Support.**

**Any time we can strengthen anti-discrimination efforts, we should.**

TMP-3476 Encouraging the Ohio General Assembly to drop their consideration of changes to personal protection laws known as “Stand Your Ground,” as introduced in House Bill 228.

**My Position: Support.**

**Stand Your Ground laws increase to the extreme, Castle Doctrine laws that are already in place recognizing a person’s right to defend his home and himself from attack or invasion. But, adding deadly force as reasonable, inordinately impacts people of color, as evidenced by so many current documented examples.**

**COUNCILWOMAN HARPER PRESENTS:**

TMP-3477 Repealing Chapter 378 of the Toledo Municipal Code, Golf Carts and Low Speed Vehicles, and enacting new Chapter 378, Operation of Under-Speed Vehicles, Utility Vehicles and Mini-Trucks on City Streets Permitting the use of golf carts and low speed vehicles on public streets within designated areas of the City of Toledo.

**My Position: Support.**

**The pilot program for this initiative expires on December 31, 2018. It was determined that these vehicles have quality of life value and they also contribute to economic vitality where they are allowed. Modification to the boundaries now, not only connects the Old West End, Downtown, and the Toledo Museum of Art; it includes expansion to Point Place area as well.**

**OFFICE OF THE MAYOR:**

1. TMP-3443 Authorizing the expenditure of \$50,000 from the General Fund for a contribution to the Toledo Chamber Foundation for a talent alignment strategy program; and declaring an emergency. This ordinance authorizes the expenditure of funds for a contribution to the Toledo Chamber Foundation for its talent alignment strategy program.

**My Position: Strongly Support.**

**This program addresses concerns about workforce. I serve on the Steering Committee and the focus for the region is to create a stable workforce for economic development. Equitable Career Pathways, Degree Attainment, Talent Retention, Partnership Management and Skilled Workforce are all important areas of concentration. We will be hearing much more about this in the near future.**

2. TMP-3444 Authorizing the expenditure of \$25,000 from the General Fund as a contribution to the ProMedica Concert Series program.

**My Position: Support.**

**This modest sum is a pittance by comparison to the mammoth contributions to our city that ProMedica has made. However, there were questions about whether the Concert Series was as much of an economic driver as thought; and where is the evidence?**

3. TMP-3455 Authorizing the expenditure of \$20,000 from the General Fund for a contribution to the Black and Brown Coalition.

**My Position: Support.**

**This figure pays for the contributions for this year (2018) and next year (2019); \$10,000 for each. It is a wonderful partnership with the representative organizations and law enforcement for better race relations.**

**DEPARTMENT OF LAW:**

4. TMP-3464 Authorizing the expenditure of an amount not to exceed \$275,000 to the Lucas County Board of Elections as payment for the expenses of a special election to be held on February 26, 2019 related to the submission to the electors of a proposed charter amendment.

**My Position: Support.**

**An adequate number of petition signatures were obtained for the “Keep the Jail Downtown” charter amendment for the special election. This action will approve paying for its cost.**

5. TMP-3423 Authorizing the Mayor to execute and deliver needed instruments for the granting of an easement and right of access to TLC Properties, Inc., on a portion of city-owned real property located underneath the I-75 bridge on the northern bank of the Maumee River, Toledo, Ohio 43609.

**My Position: Support.**

**This property is 116 Erie Street. The easement is part of a proposed settlement agreement with this business for a new billboard that could be built there. The city filed an imminent domain case to acquire the property for the Anthony Wayne Gateway Project. By granting the easement, TLC Properties, Inc. is willing to settle and so the matter will not go to trial.**

6. TMP-3422 Authorizing the settlement of the claim of Robert S. Mish for personal injuries for the sum of \$275,000 in settlement of the claims of Plaintiff; authorizing the expenditure of \$275,000 from the Risk Management Fund.

**My Position: Support.**

**The city has not admitted liability for any violation of federal or state law. However, this claims settlement is for the motor vehicle accident on May 14, 2017 which necessitated surgery repairs to Mr. Mish’s left shoulder and leg, that he believes were the result of the City’s negligence.**

#### **DEPARTMENT OF PUBLIC UTILITIES:**

7. TMP-3419 Approving the use of the Water Infrastructure Development Fund (2% Water Fund) to pay the cost of installing such items as a new water tap, water service line, curb stop, meter pit and lawn hydrant for up to ten (10) community gardens at various locations inside the City of Toledo upon the recommendation of the Director of Public Utilities; appropriating and expending \$20,000 from the unappropriated balance of the Water Infrastructure Development Fund.

**My Position: Support.**

**Each garden will need \$2,000 each for installation of lawn hydrants, backflow preventers and meter pits. Additionally, benefits include economic development, job creation and retention; and the creation of attractive green spaces.**

8. TMP-3420 Authorizing the mayor to apply for, enter into a cooperative agreements, and to accept, deposit, and appropriate loan proceeds of up to \$28,000,000 from the Ohio Water Development Authority (OWDA) into the Water Replacement Fund;

authorizing the expenditure of said loan proceeds on the Basins 5 and 6 Improvements project; appropriating \$100,000 from the Water Replacement Fund for the payment of loan administrative fees and miscellaneous project costs; authorizing various adjustments and transfers of expenses to comply with the loan agreements; authorizing a dedicated source for repayment of said loans; authorizing the mayor to execute all necessary documentation for said loans and all contracts related to construction, professional services, contingencies, capitalized interest, testing, permit and miscellaneous costs.

**My Position: Support.**

**This will pay for very specific upgrades to the Collins Park at Basins 5 & 6, for the Water Treatment Plant, which will be completed by April 30, 2021.**

9. TMP-3421 Authorizing the mayor to enter into and execute necessary agreements with the Ohio Environmental Protection Agency (OEPA) as granted through the Implementing Ohio's Domestic Action Workplan (DAP) Grant; authorizing the mayor to accept and deposit grant proceeds in the amount of \$179,400 into the Operation Grant Fund; authorizing the appropriation and expenditure of grant funds for the Delaware Creek Restoration Project; authorizing appropriation of \$119,600 in match funds from the Stormwater Utility Improvement Fund; authorizing the mayor to execute necessary agreements in connection with the grant; authorizing the mayor to accept bids and award contracts for the purchase of services and other necessary items to carry out the terms of this grant.

**My Position: Support.**

**This action will approve entering into an agreement to make improvements to Delaware Creek and accept the DAP grant. The entire grant amount is \$299,000. It will restore the creek between S. Detroit and the Maumee River.**

#### **DEPARTMENT OF NEIGHBORHOOD & BUSINESS DEVELOPMENT:**

10. TMP-3454 Declaring the improvement to certain real property to be a public purpose; declaring such improvement to be exempt from real property taxation; authorizing necessary agreements; requiring the owners thereof to make service payments in lieu of taxes; designating the public infrastructure improvements to be made that will directly benefit the real property; and establishing a municipal public improvement tax increment equivalent fund for the deposit of service payments.

**My Position: Support.**

**This ordinance establishes the funds necessary to make the TIF Exemptions for these parcels, effective for the 2018 tax year for Overland Park 2.**

11. TMP-3456 Declaring the improvement to certain real property to be a public purpose; declaring such improvement to be exempt from real property taxation; authorizing

necessary agreements; requiring the owners thereof to make service payments in lieu of taxes; designating the public infrastructure improvements to be made that will directly benefit the real property; and establishing a municipal public improvement tax increment equivalent fund for the deposit of service payments.

**My Position: Support.**

**This property within the city, known as “Ironville”, will have a TIF as a result of this action. It will support the Cleveland Cliffs production project.**

12. TMP-3478 Amending ORD. 210-18 to expand the scope of professional services provided by SAFEbuilt for the Division of Building Inspection.

**My Position: Support.**

**This amendment will approve the aforementioned expansion to include an electrical inspector and a plans examiner.**

#### **DEPARTMENT OF PUBLIC SERVICE:**

13. TMP-3453 Authorizing the Mayor to enter into the necessary contracts for capital equipment; authorizing the expenditure of \$175,000 from the Expendable Demolition Trust Fund for the purchase of one (1) used 2008 McCloskey 621RE Trommel Screen for the Department of Public Service, Division of Streets, Bridges and Harbor.

**My Position: Support.**

**Streets, Bridges & Harbor will now be able to screen all foreign material out of compost using this machine, instead of picking out the garbage and debris by hand or bulldozer. This machine will leave clean dirt-like material, useable for city projects.**

#### **DEPARTMENT OF HUMAN RESOURCES:**

14. TMP-3413 Authorizing the Mayor to enter into contracts for the purchase of safety shoes for up to one (1) year with the option to renew for up to one (1) additional year; authorizing the expenditure of funds.

**My Position: Support.**

**Michigan Industrial Shoe won the bid for non-public safety employees. Superior Uniform Sales won the lowest bid for public safety employees. This ordinance approves contracts for both companies.**

#### **DEPARTMENT OF FINANCE:**

15. TMP-3437 Authorizing the mayor to enter into an agreement for a period of up to two years with an option to renew for up to one additional year for the purpose of copier maintenance, service, and repair; authorizing the expenditure of funds from the Storeroom and Printshop Fund in an amount not to exceed \$163,200.

**My Position: Support.**

**This ordinance approves continuation of a maintenance contract with NT Business Technologies.**

16. TMP-3438 Authorizing the mayor to enter into an agreement for a period of up to five years for the direct purchase or lease purchase of copy machines, including maintenance, service, and repair; authorizing the expenditure of funds from the Storeroom and Printshop Fund.

**My Position: Support.**

**This locks in prices for up to 5 years for new copiers as we continue to consider downsizing the fleet.**

17. TMP-3442 Authorizing the Mayor to enter into a contract extension for banking services for the three-month period of January 1, 2019 to March 31, 2019; further authorizing the expenditures for banking services.

**My Position: Support.**

**Although this ordinance approves our current banking contract with Fifth Third Bank, professional service contracts are being received and reviewed by the administration for other possible responsible banking options.**

18. TMP-3449 Declaring the necessity of providing sprinkling, sweeping, cleaning and snow removal services for streets, alleys and public ways in the City; providing for the assessment of the cost of those services.

**My Position: Support.**

**This ordinance declares the necessity of providing these services for our citizens within the city for 2019 at a cost of \$20,772,516.**

19. TMP-3447 Declaring it necessary to improve certain streets, alleys, and public ways outside the Downtown Area of the City by providing street lighting; providing for the assessment of costs of that lighting.

**My Position: Support.**



**The ordinance declares the necessity of providing these services outside the Downtown area of Toledo for 2019 at a cost of \$4,195,383.**

20. TMP-3446 Declaring it necessary to improve certain streets and public ways in the Downtown Area of the City by providing street lighting; providing for the assessment of costs of that lighting.

**My Position: Support.**

**This ordinance declares the necessity of providing these services in the Downtown are for 2019 at a cost of \$237,341.**

21. TMP-3448 Declaring the necessity of controlling the blight and disease of shade trees within public rights of way, and for planting, maintaining, trimming and removing shade trees in and along the streets of the City; providing for the assessment of the cost of those services.

**My Position: Support.**

**This ordinance declares the necessity of providing these services for 2019 at a cost of \$4,728,954.**

22. TMP-3440 Authorizing appropriation and budget adjustments within the 2018 Approved Operating Budget.

**My Position: Support.**

**This approves budget adjustments and various appropriations amending the 2018 Operating Budget (General Fund), net \$382,500. We had a smooth budget process this year. A schedule (Schedule A) was provided outlining each adjustment.**

23. TMP-3439 Appropriating money for current ordinary expenditures of the various departments for the City of Toledo for the first quarter (January, February and March) of 2019; and declaring an emergency. It is not deemed advisable to enact an annual appropriation ordinance at this time. It is necessary to pass a temporary appropriation measure for meeting the ordinary expenditures of the municipality for the first quarter (January, February and March) of 2019.

**My Position: Support.**

**This is a temporary appropriation for all funds, \$186,961,130 because it is not advisable to enact an annual appropriation ordinance at this time.**

24. TMP-3441 Appropriating from various funds to individual accounts for the current expenses and other expenses of the City of Toledo for the fiscal year ending December 31, 2019.

**My Position: Support.**

**Law provides that this ordinance shall be passed by Council. Not more than half of any appropriation shall be expended before the first day of July. This is for the 2019 Operating Budget, All Funds, \$678,275,012.**

**DEPARTMENT OF HUMAN RESOURCES:**

25. TMP-3469 Waiving the annual maximum rate of pay created by Toledo Municipal Code Section 2101.74 and authorizing the Mayor to award an annual salary to the Director of the Department of Finance up to an amount of \$125,000.

**My Position: Support.**

**The Administration has recruited a new Finance Director, Mr. Thomas Skrobola. The \$119,129.00 Toledo Municipal Code salary for this position is currently insufficient to attract him or any other highly qualified candidate for this job. He will be Acting Director until this action is approved. This figure falls within the range for like positions in other cities of our size.**