

# CITY OF TOLEDO

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## What Happened in the Toledo City Council Agenda Review Meeting Of 4-23-19

### COUNCILMAN RILEY PRESENTS:

TMP-3926 Recognize 7-Eleven owner for his act of kindness towards a young man caught stealing food.

**My Position: Support.**

### APPOINTMENTS FROM THE OFFICE OF THE MAYOR:

TMP-3927 Appointment - Board of Building Appeals  
TMP-3928 Appointment - Human Relations Commission

**My Position: Support.**

**Louise Schlatter was appointed to the Board of Building Appeals. Her term is for five (5) years ending 4/30/24.**

TMP-3928 Appointment - Human Relations Commission

**My Position: Support.**

**Christina Rodriguez was appointed to the Human Relations Commission. Her term is for one (1) year ending 1/5/20.**

### SECOND READING ITEMS:

O-172-19 Authorizing the expenditure not to exceed \$115,320 from the Capital Improvement Fund District Improvement Program for the purchase and installation of decorative streetlights along Sylvania Avenue from approximately Douglas Road to Secor Road on the north side of the roadway; authorizing the Mayor to accept bids and to execute the necessary contract(s).

**My Position: Support.**

**WOW, the West Oak Walk Business Association, made this request for eleven (11) LED decorative streetlights. They will be more energy efficient and add more light. Included in this request is a proposal to upgrade thirty (30) existing sodium lights with light emitting diode (LED) lighting as well.**

O-177-19 Authorizing the disappropriation of \$151,208.95 from the Water Bond Improvement Fund; authorizing the appropriation and expenditure of \$151,208.95 in the Water Bond Improvement Fund for the Pump, Motor, Large Valve, Repair/Rebuild/Replacement Project at the Collins Park Water Treatment Plant; authorizing the Mayor to execute the necessary contract(s) for the design, preparation of plans and specifications, engineering, bidding, construction oversight, testing, permits, renovation, construction, appurtenances, and other related work, tasks, equipment, and materials needed.

**My Position: Support.**

**This ordinance will re-appropriate left over monies from completed projects to pay for work that needs to be done at the High Service Pump Station.**

O-179-19 Authorizing the expenditure of \$17,680 from the Sanitary Sewer Operating Fund to pay the National Association of Clean Water Agencies (NACWA) for Water Reclamation's 2019 membership dues.

**My Position: Support.**

**The City's membership in this organization gives it an affiliation with a nationally recognized leader and resource on ecosystem protection and water quality.**

R-182-19 Declaring it necessary to improve Dorr Street at the intersection of Sawyer Road by installing street lighting.

**My Position: Support.**

**The cost to the city is \$118.32. The request came from the property owners in the area.**

R-183-19 Declaring it necessary to improve Machen Street at the alley between Putnam Street and Warren Street by installing street lighting.

**My Position: Support.**

**This will cost the city \$111.48. However, this is a small price to pay for nighttime safety for residents in the area.**

O-186-19 Authorizing the disappropriation of \$435,405 from the Capital Improvement Fund; authorizing the appropriation of \$3,543,000 from the Capital Improvement Fund and the expenditure of same for additional capital improvement projects; authorizing the Mayor to award contracts for said improvement projects.

**My Position: Support.**

**This disappropriation will add money for projects that need to be done. Fortunately, there were close out funds available from the CIP to make this possible.**

O-189-19 Amending Ordinance 380-18, by repealing Section 1 and enacting a new Section 1 in order to re-classify the purpose of the expenditure.

**My Position: Support.**

**This expenditure will enable the city to do roof repairs at Fire Stations 4 and 14, and a roof replacement at Fire Station 7.**

**COUNCIL MEMBER KOMIVES AND THE ADMINISTRATION PRESENT:**

TMP-3929 Amending Toledo Municipal Code Chapter 719, "Courtesy Benches".

**My Position: Support.**

**The City of Toledo is in dire need of a uniform and updated look to its benches and trash receptacles. Approval of this amendment to the Toledo Municipal Code will make that and better recycling receptacles possible. FUEL Martin Outdoor, LLC will be awarded the contract. A negotiated percentage of the revenue generated will go to the city's General Fund. All details and terms for the operation of Courtesy Benches are outlined in the amendment.**

TMP-3930 Authorizing the Mayor to enter into a contract for the installation of Courtesy Benches throughout the City and trash and recycling receptacles in the downtown area.

**My Position: Support.**

**FUEL Martin Outdoor, LLC reportedly submitted the best overall proposal of the three that were received from the Request for Proposal (RFP). This company will be awarded the contract if this request is approved.**

**NEW ITEMS FROM CITY COUNCIL:**

TMP-3931 Necessity for energy improvements for 123 N. Erie LLC at 123 N. Erie St., \$392,896.

**My Position: Support.**

**This resolution supports the need for energy improvements at this address. Elements included will consist of window replacement, 6 HVAC units, insulation, LED lighting and low flow fixtures. It will be paid in annual assessments of \$28,064.00 for fourteen (14) years beginning January 31, 2020. This property was formerly Reger's Church Supply.**

TMP-3932 Proceed with energy improvements for 123 N. Erie LLC at 123 N. Erie St., \$392,896.

**My Position: Support.**

**This ordinance enables the city to move forward with energy improvements outlined in TMP-3931.**

TMP-3933 Levy assessments for energy improvements for 123 N. Erie LLC at 123 N. Erie St., \$392,896.

**My Position: Support.**

**This ordinance makes payment for the special energy improvements described in TMP-3931 possible.**

#### **OFFICE OF THE MAYOR:**

1. TMP-3925 Authorizing the expenditure of \$10,000 from the General Fund as a contribution for the TARTA TARPS program in order to restore weekend and holiday paratransit services.

**My Position: Support.**

**As TARTA struggles to find a long-term solution to its entire system's problems, the short-term solution will stem from a donation from the City of Toledo added to contributions from other community partners to restore weekends and holidays paratransit services for the remainder of this year. The check will be paid to the Toledo Community Foundation.**

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

2. TMP-3912 Authorizing the mayor to execute a fourth amendment to the professional engineering services agreement with Black & Veatch Corporation to adjust the scope of services performed for the Environmental Protection Agency (EPA)

Consent Decree project, increase the length of contract and increase the amount by \$800,000.

**My Position: Support.**

**This 4<sup>th</sup> amendment not only increases the amount of the contract but adjusts the scope of services and extends the term of the contract to August 31, 2024.**

3. TMP-3907 Authorizing the appropriation and expenditure in an amount not to exceed \$1,333,334 from the unappropriated balance of the Sewer Replacement Fund, \$679,666 from the unappropriated balance of the Storm Water Replacement Fund, and \$1,477,000 from the unappropriated balance of the Water Replacement Fund for the purchase or lease of vehicles and equipment; authorizing the mayor to accept bids and enter into contracts.

**My Position: Support.**

**This request is pretty self explanatory. Details on the amounts from which funds, cost centers, functional areas, division names and appropriated amounts were provided.**

4. TMP-3910 Authorizing the appropriation and expenditure in an amount not to exceed \$200,000 from the unappropriated balance of the Sewer Replacement Fund for the Laskey Road Sewer Replacement Project; authorizing the mayor to prepare plans and specifications, acquire rights-of-way and easements as necessary, accept bids and enter into contracts.

**My Position: Support.**

**The sewer that serves the J.M. Smucker Company is reportedly in “extremely poor condition”. Approval of this appropriation will pay for replacing it.**

5. TMP-3911 Authorizing the expenditure of \$46,509 from the Sanitary Sewer Operating Fund to R&S Construction for the emergency repair of a sinkhole located at 2301 W. Bancroft; authorizing the mayor to enter into necessary agreements and waiving the competitive bidding requirement of the TMC 187.

**My Position: Support.**

**The need for this repair was created by a sewer collapse near the address above. R & S Construction had the expertise needed that the Department of Utilities lacked.**

**DEPARTMENT OF LAW:**

6. TMP-3923 Authorizing the closure of the pedestrian concourse over Summit St. connecting to the Four Seagate parking garage and the city-owned Imagination Station property; authorizing the demolition of said concourse; authorizing an amendment to the May 25, 1983 Concourse Agreement with the George F. Eyde Family, LLC, as successor in interest, and IST Theatre, LLC; authorizing an indemnity agreement with IST Theatre, LLC; authorizing the Commissioner of Transportation to take actions necessary to address safety issues related to removal/demolition of the concourse.

**My Position: Support.**

**Imagination Station will be working with the Ohio Facilities Construction Commission to build an 8,200 sq. ft. addition to the complex with a 300 seat digital theater and additional exhibit and retail space. The Bridge Concourse will be closed and demolished by IST Theatre, LLC at its expense. The original concourse agreement was executed by the Charles F. Eyde Family in 1983. The Plan Commission approved this on May 14, 2019.**

7. TMP-3922 Authorizing the Mayor to execute an amendment to and assignment and assumption of the city's current Imagination Station property lease to Ohio Facilities Construction Commission to the Toledo Science Center and to consent to termination of the Management Agreement between Toledo Science Center and Ohio Facilities Construction Commission; authorizing sublease and sub-sublease agreements between the Toledo Science Center and IST Theatre, LLC; authorizing the Mayor to execute an amendment to the deed of service facility easements recorded in the Lucas County records as Instrument Nos. 83-235A11; authorizing the Mayor to enter into an indemnity agreement with the IST Theatre, LLC related to project improvements; waiving TMC Sec. 187.19 competitive bid requirements pertaining to city property; authorizing the Mayor to execute and deliver a petition and other needed instruments with the Northwest Ohio Advanced Energy Improvement District for the purpose of providing qualifying energy improvements for city-owned Imagination Station property; authorizing the Mayor to take other actions as necessary to consummate the approved transactions.

**My Position: Support.**

**It is necessary to indemnify (protect the city in the event of a loss) since we own the property, i.e. Imagination Station (Toledo Science Center). The theater will be able to play traditional and 3D films on a 38 ft. screen. A sub sublease dating back to the Toledo Science Center agreement will be made for access to the building from the concourse since it is city-owned property. Approval of this ordinance allows for expansion and construction of the theater project.**

**DEPARTMENT OF NEIGHBORHOOD & BUSINESS DEVELOPMENT:**

8. TMP-3906 Authorizing the mayor to execute and deliver a Real Estate Purchase Agreement and other needed instruments to effectuate the sale and conveyance of certain City-owned real property located at 37 Vance Street to I.B.C., Inc.; authorizing the deposit of the net sale proceeds; waiving the competitive bidding provisions of T.M.C. 187.

**My Position: Support.**

**The property will be sold to I.B.C., Inc., the corporation that owns the Erie Street Market for \$150.00. It is located in the Port Lawrence Division of Lucas County, specifically, S. Erie at the Anthony Wayne Trail and adjacent to I.B.C., Inc.**

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

9. TMP-3908 Authorizing the mayor to execute needed instruments for the granting of a temporary right-of-way over a portion of city-owned real property to the State of Ohio Department of Transportation (ODOT), required for the construction of a new interchange and related improvements at Interstate 475 (I-475) and Dorr Street, a portion of which will be within the City of Toledo; authorizing the mayor to enter into a donation agreement with ODOT for the temporary property rights required over said land; dedicating portions of city-owned land as public right-of-way required for ODOT's I-475/Dorr Street Interchange Project.

**My Position: Support.**

**Three attachments of supportive documentation were provided. Approval of this request for a temporary right-of-way will improve the safety of I-475 near the City of Toledo. This portion of city-owned property is across a section known as Cubu-Saturn Park. It will accommodate construction equipment and activities related to them.**

10. TMP-3909 Authorizing the mayor to accept certain rights-of-way from the Ohio Department of Transportation (ODOT), located within the City of Toledo, related to the development, construction and improvement of a new interchange along I-475 at Dorr Street, and dedicating the same.

**My Position: Support.**

**These rights of way are needed for purposes related to the construction and improvement projects in and around the City of Toledo. Two exhibits containing drawings of where they will be were provided. It accepts the right of way requests for this new I-475/Dorr St. Interchange Project.**

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

11. TMP-3881 Authorizing the appropriation and expenditure of an amount not to exceed \$150,000 from the General Fund for the second year of the Bike Sharing agreement maintenance costs with Gotcha Bikes, LLC.

**My Position: Support.**

**This agreement allows the city to continue its sponsorship agreement with this biking company. Year two of the three-year agreement will begin on July 1, 2019.**

#### **DEPARTMENT OF FIRE & RESCUE OPERATIONS:**

12. TMP-3860 Authorizing the Mayor to continue the Property Lease with Triversified LLC for certain real property located at 1310 (aka 1302) Expressway Drive South, Toledo, Lucas County, Ohio; authorizing the expenditure of funds.

**My Position: Support.**

**This space is used for the storage of highly sensitive equipment used by the Special Operations Bureau. It continues a property lease at this address for \$14,400 from the General Fund.**

#### **DEPARTMENT OF POLICE OPERATIONS:**

13. TMP-3891 Authorizing the mayor to accept and deposit grant proceeds from the Criminal Justice Coordinating Council (CJCC) for the United States Department of Justice/Bureau of Justice Assistance/Edward Byrne Memorial Justice Assistance Grant Program in the amount of \$155,523.55; authorizing the appropriation from the unappropriated balance of the Operation Grants Fund; authorizing an expenditure in an amount not to exceed \$155,523.55 for the purchase of firing range upgrades.

**My Position: Support.**

**Approval of this request will allow the city to accept these funds from the Department of Justice. It does not require any matching funds.**

14. TMP-3920 Authorizing the expenditure of \$155,523.55 from the United States Department of Justice/Bureau of Justice Assistance/Edward Byrne Memorial Justice Assistance Grant Program BJA 2018-JG-LE-1000; authorizing the expenditure of \$325,000 from the 2019 capital improvements fund; authorizing the expenditure of \$7,023.62 from the general fund; authorizing the mayor to accept bids and award a contract for upgrades to the Toledo Police firing range.

**My Position: Support.**



**For a total of \$487,547.00, firing range upgrades for the Police Department will be approved with passage of this request.**

15. TMP-3894 Authorizing the mayor to enter into an agreement and accept \$5,977.66 from the Office of Criminal Justice Services for an Edward Byrne Memorial Grant funded through the U.S. Department of Justice Assistance (2018-JG-A02-6907); authorizing the appropriation and expenditure of said proceeds from the Operation Grants Fund.

**My Position: Support.**

**Accepting this grant will help the Police Department provide services through the Special Victims Unit for equipment, personnel salaries and conducting investigations.**

#### **THE CLERK REPORTS:**

- TMP-3934 Approve application for farmland in agricultural district for Jackson Industries Corporation at Macomber, Milburn & Swiler, 1.0378 acres.

**My Position: Support.**

**Mr. Jackson is trying to be an urban farmer and work the land he owns to provide vegetables for the community. He deserves our support.**

#### **ITEMS LIKELY TO BE RELIEVED OF ZONING & PLANNING COMMITTEE:**

- TMP-3935 Zone change at 1800 Krieger Dr.

**My Position: Support.**

**The Toledo Plan Commission approved this zone change. It was sent to the full council from the Zoning and Planning Committee without recommendation. However, there were no major concerns, or any lengthy discussions.**

- TMP-3936 Zone change at 219 Southard Ave.

**My Position: Support.**

**The Toledo Plan Commission approved this zone change. It was sent to the full council from the Zoning and Planning Committee without recommendation. However, there were no major concerns, or any lengthy discussions.**

TMP-3937 SUP for Community Recreation Active at 4100 Harvest Lane for Christ the King Parish.

**My Position: Support.**

**The Toledo Plan Commission approved this zone change. It was sent to the full council from the Zoning and Planning Committee without recommendation. However, there were no major concerns, or any lengthy discussions.**

TMP-3938 Amend SUP for gas station & convenience store at 3023 Dorr St.

**My Position: Support.**

**The Toledo Plan Commission approved this zone change. It was sent to the full council from the Zoning and Planning Committee without recommendation. However, there were no major concerns, or any lengthy discussions.**

TMP-3939 Zone change at 5901 Airport Highway for St. John's Jesuit High School & Academy.

**My Position: Support.**

**The Toledo Plan Commission approved this zone change. It was sent to the full council from the Zoning and Planning Committee without recommendation. However, there were no major concerns, or any lengthy discussions.**

TMP-3940 Institutional Campus Master Plan at 5901 Airport Highway for St. John's Jesuit High School & Academy.

**My Position: Support.**

**The Toledo Plan Commission approved this zone change. It was sent to the full council from the Zoning and Planning Committee without recommendation. However, there were no major concerns, or any lengthy discussions.**