

CITY OF TOLEDO

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COUNCIL MEMBERS LUDEMAN AND SYKES PRESENT:

R-241-19 Recognize Coach Ed Heintschel on his retirement from St. John's Jesuit after 40 years.

My Position: Support.

Resolution adopted at the Toledo City Council meeting of May 28, 2019.

COUNCILMAN JOHNSON PRESENTS:

R-242-19 Memorializing the Life of Thomas A. Baither.

My Position: Support.

Resolution adopted at the Toledo City Council meeting of May 28, 2019.

APPOINTMENTS FROM THE OFFICE OF THE MAYOR:

R-243-19 Appointment - Board of Building Appeals

My Position: Support.

Mr. Sam Muhsen was reappointed for a 5 year term expiring 5/28/2024.

Appointment confirmed at the Toledo City Council meeting of May 28, 2019.

R-244-19 Appointment - Human Relations Commission

My Position: Support.

Ms. Erin Baker will continue the term of Rachel Richardson. Her term will expire 6/5/21.

Appointment confirmed at the Toledo City Council meeting of May 28, 2019.

R-245-19 Appointment - Old West End Historic District Commission

My Position: Support.

Mr. Ken Fallows will fill a vacancy. His term will last 3 years expiring on 5/14/2022.

Appointment confirmed at the Toledo City Council meeting of May 28, 2019.

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.

This ordinance has been through a process that has spanned two agenda reviews and two other council meetings. In my opinion, passage is overdue.

Ordinance amended and passed at the Toledo City Council meeting of May 28, 2019.

O-232-19 Authorizing the mayor and the Commissioner of Purchases and Supplies to contract for various goods, materials and services for up to one (1) year with an option of up to 3 successive one-year renewals.

My Position: Support.

The passage of this ordinance is also overdue, in my opinion. It covers a multitude of necessary goods and services, including those for which there is only one provider.

Ordinance passed at the Toledo City Council meeting of May 28, 2019.

COUNCIL PRESIDENT CHERRY AND THE MEMBERS OF COUNCIL PRESENT:

O-246-19 Authorizing the disappropriation of \$26,820 from the General Fund City Council personnel services budget; authorizing the appropriation and expenditure of \$26,820 for City Council contractual services.

My Position: Support.

This pays for summer internships for UT students in the collaboration city council has through the Toledo Talent Makes Toledo Great Program. These interns are independent contractors.

Ordinance passed at the Toledo City Council meeting of May 28, 2019.

COUNCILMAN MEMBERS UJVAGI AND DELANEY PRESENTS:

R-247-19 Urging the Ohio General Assembly to enact House Bill No. 186 to enact legislation regarding railyard walkway safety and illumination, two-person freight train crews, and public roadway obstruction that delays emergency vehicles.

My Position: Support.

Resolution adopted at the Toledo City Council meeting of May 28, 2019.

COUNCILMAN RILEY PRESENTS:

O-248-19 Amending Toledo Municipal Code, Part Eleven, Subsections 1104.0600 and 1116.0217; enacting new Subsections 1104.0600, 1116.0217 regarding convenience stores.

My Position: Support.

Convenience stores that are not in compliance with restrictions are proliferating. New convenience stores will be required to not be in excess of 5,000 square feet and adhere to congestion, spacing and litter regulations.

Ordinance placed into the Plan Commission at the Toledo City Council Meeting of May 28, 2019.

COUNCILMAN WANIEWSKI PRESENTS:

O-249-19 Declaring it necessary to improve the existing street lights along Sylvania Avenue from approximately Douglas Road to Secor Road on the north side of the roadway.

My Position: Support.

To me, this is a real plus for District 5. The city's share for maintaining and operating these 11 decorative lights and 30 upgraded LED Lights will only be \$575.76 annually.

Ordinance passed at the Toledo City Council meeting of May 28, 2019.

COUNCILMAN DELANEY PRESENTS:

R-250-19 Asserting Toledo City Council's opposition to House Bills 174 and 178 which seek to diminish or eliminate restrictions on the concealed carry of deadly weapons; and declaring an emergency.

My Position: Support.

Resolution adopted at the Toledo City Council meeting of May 28, 2019.

COUNCIL PRESIDENT CHERRY AND THE MEMBERS OF COUNCIL PRESENT:

O-251-19 Approving a Petition For Special Assessments for Special Energy Improvement Projects and a Project Plan for the Northwest Ohio Advanced Energy Improvement District under Chapter 1710 of the Ohio Revised Code; to authorize and levy special assessments for the purpose of acquiring, constructing, and improving certain public improvements in the City of Toledo in cooperation with the Northwest Ohio Advanced Energy Improvement District; and to approve an Energy Project Agreement in connection with such improvements and special assessments.

My Position: Support.

Paul Valdez will pay a total of \$23,979.40 over ten years for boiler replacements at 2333 Scottwood beginning in January, 2020. All exhibits, the petition and the agreement were presented for review.

Ordinance passed at the Toledo City Council meeting of May 28, 2019.

O-252-19 Approving a Petition For Special Assessments for Special Energy Improvement Projects and a Project Plan for the Northwest Ohio Advanced Energy Improvement District under Chapter 1710 of the Ohio Revised Code; to authorize and levy special assessments for the purpose of acquiring, constructing, and improving certain public improvements in the City of Toledo in cooperation with the Northwest Ohio Advanced Energy Improvement District; and to approve an Energy Project Agreement in connection with such improvements and special assessments.

My Position: Support.

A description of the property, the petition and the schedule of special assessments were provided. Steven Thomas, the petitioner, will pay for the Heating/Cooling System in twenty semi-annual installments of \$691.85, collected with property taxes in calendar years 2020 – 2029 for a total of \$13,837.00.

Ordinance passed at the Toledo City Council meeting of May 28, 2019.

DEPARTMENT OF NEIGHBORHOOD & BUSINESS DEVELOPMENT:

O-253-19 Authorizing the mayor to enter into a Real Estate Purchase Agreement with Estes Express Lines (“Estes”) and to execute and deliver needed instruments for the sale and conveyance of approximately 47.9 acres of city-owned real property at Capital Commons, in Toledo, Lucas County, Ohio; making certain findings with respect thereto; waiving the competitive bidding and advertising provisions of TMC 187.19; authorizing the deposit of net sale proceeds into the Property Management Fund; authorizing the deposit, appropriation, and expenditure of \$50,000 from the net sale proceeds from General Fund to the Capital Improvements Fund to pay for road improvements; Authorizing the mayor to enter into a separate agreement with and to accept additional financial assistance from the State of Ohio, Department of Transportation (ODOT), in an amount not to exceed \$75,000 for improvement to Capital Commons Drive; authorizing deposit, appropriation, and expenditure of the grant proceeds from the General Fund to the Capital Improvements Fund; authorizing the mayor to accept bids and award contracts for said project.

My Position: Support.

Estes wants to purchase this property for \$424,760 or \$8,500/acre. It is also known as Capital Commons located at 5330 Angola Road. The business promises to retain 193 jobs and create 15 new jobs with the expansion of its operations. Closing costs and commission fees are \$21,900 and \$42,276 for current agricultural use valuation recapture expenses and Reichle Klein commission fees, respectively.

Ordinance passed at the Toledo City Council meeting of May 28, 2019.

DEPARTMENT OF PUBLIC SERVICE:

O-254-19 Authorizing the Mayor to enter into a five-year contract with Enterprise Fleet Management for vehicle replacement with an option to renew for an additional five years; authorizing the annual expenditure from various funds over the life of the agreement; waiving the competitive bidding requirements of TMC 187.

My Position: Support.

Our aging fleet has necessitated the exploration of a way to manage and replace it as efficiently as possible. This company will help us with accomplishing that end. The trial program will begin with the expenditure of \$140,000 in total for vehicle replacement in both the Division of Transportation and Division of Engineering.

Ordinance passed at the Toledo City Council meeting of May 28, 2019.

O-255-19 Authorizing the Mayor to enter into the necessary contracts for capital equipment; authorizing the expenditure of \$110,000 from the Expendable Demolition Trust Fund for the purchase of two (2) Used 2014 Volvo VNM200 Day Cab Semi-

Tractors with wet kit systems from General Truck Sales for the Department of Public Service, Division of Streets, Bridges & Harbor; waiving competitive bidding.

My Position: Support.

Although I am opposed to waiving competitive bidding, this appears to be a unique opportunity to save money on these two used vehicles. According to the bullet points provided, a new semi tractor alone would cost about \$125,000 and take nine months to access. We can get these two used pieces of equipment for \$110,000 and keep the demolition program on schedule.

Ordinance passed at the Toledo City Council meeting of May 28, 2019.

DEPARTMENT OF PUBLIC UTILITIES:

O-256-19 Authorizing the mayor to enter into and execute cooperative agreements between the city of Toledo and the state of Ohio Department of Transportation (ODOT) and to give consent to ODOT for reconstruction work on Dorr Street within the city limits as part of the I-475 Dorr Street Interchange Project.

My Position: Support.

ODOT identified this need and will lead the project starting in 2020.

Ordinance passed at the Toledo City Council meeting of May 28, 2019.

O-257-19 Authorizing the improvement to Dorr Street at the intersection of Sawyer Road by installing one (1) LED street light; determining to proceed with the improvement; authorizing the annual cost of \$118.32 for said improvement from the Special Assessment Fund and the General Fund utilities account to Toledo Edison.

My Position: Support.

The property owners made this request. It will cost \$118.32 annually and be paid from the Special Assessment fund and the General Fund Utilities Account.

Ordinance passed at the Toledo City Council meeting of May 28, 2019.

O-258-19 Authorizing the improvement to Machen Street at the alley between Putnam Street and Warren Street by installing one (1) LED street light; determining to proceed with the improvement; authorizing the annual cost of \$111.48 for said improvement from the Special Assessment Fund utilities account to Toledo Edison.

My Position: Support.

The annual cost will be \$118.48, paid from the Special Assessment Fund.

Ordinance passed at the Toledo City Council meeting of May 28, 2019.

DEPARTMENT OF NEIGHBORHOOD & BUSINESS DEVELOPMENT:

O-259-19 Authorizing the mayor to enter, execute and deliver a real estate purchase agreement and other needed instruments for the sale and conveyance of 1319, 1321 and 1325 Woodland Avenue to People's Missionary Baptist Church; authorizing the deposit of net sale proceeds; making certain findings with respect thereto; waiving the notice and bidding provisions of T.M.C. 187.19.

My Position: Support.

The church will use it as greenspace and a natural urban park. They will pay \$150 for each of these properties plus transfer and recording fees. Exhibits showing a map of the three parcels and a description of each address were provided.

Ordinance passed at the Toledo City Council meeting of May 28, 2019.

DEPARTMENT OF LAW:

O-260-19 Authorizing the settlement of the claims of Thomas and Susan Schlageter arising from a December 15, 2017 auto accident involving a Toledo police officer for the sum of \$270,000.00 and authorizing the expenditure of \$270,000.00 from the Risk Management Fund.

My Position: Support.

This will settle the claims for Mr. & Mrs. Schlageter concerning her claim and his related claim.

Ordinance passed at the Toledo City Council meeting of May 28, 2019.

O-261-19 Authorizing the mayor to pay the annual fee to the Petroleum Underground Storage Tank Release Compensation Board (PUSTRCB) in the amount of \$9,100 for qualifying city-owned underground petroleum storage tanks; authorizing the expenditure for 2019 annual fee from the Risk Management Fund.

My Position: Support.

The city owns 26 qualifying underground petroleum tanks and the annual fee is \$9,100.

Ordinance passed at the Toledo City Council meeting of May 28, 2019.

DEPARTMENT OF FIRE & RESCUE OPERATIONS:

O-262-19 Establishing and implementing a program to provide an annual fire operational inspection permit for mobile food units and charging a permit fee; authorizing the acceptance and deposit of revenues in the General Fund.

My Position: Support.

The fee annually is \$150 for each inspection.

First reading was held on this ordinance at the Toledo City Council meeting of May 28, 2019.

DEPARTMENT OF POLICE OPERATIONS:

O-263-19 Authorizing the mayor to enter into a space usage agreement with Owens Community College for the Toledo Police Training Academy; authorizing the General Fund expenditure of an amount not to exceed \$88,297.40 per year for two years subject to future appropriations; waiving the competitive bidding requirements of TMC Chapter 187.

My Position: Support.

This partnership has been in place since 1999. The current request will be in effect 7/1/2019 - 6/30/2021.

Ordinance passed at the Toledo City Council meeting of May 28, 2019.

O-264-19 Authorizing the mayor to enter into an agreement with Dolan Consulting Group LLC for consulting services from Dr. Richard R. Johnson for the Justice Assistance Technology Innovation for Public Safety (TIPS) grant; waiving the competitive bidding requirements of TMC Chapter 187.

My Position: Support.

Dr. Richard R. Johnson and his team will assist project staff with all aspects of the grant project for \$30,000 and evaluate its effectiveness through performance measures.

Ordinance passed at the Toledo City Council meeting of May 28, 2019.

O-265-19 Authorizing the Mayor to enter into a five-year lease agreement with the Toledo Lucas County Police Athletic League for the city-owned property at 1111 E

Manhattan Blvd, Toledo, OH 43608; authorizing the acceptance and deposit of \$1 per year for each of the five years of the lease agreement into the General Fund.

My Position: Support.

PAL has been operating since 2016 at the former Leverette Middle School site. The City of Toledo owns the property and purchased it for \$0 from Toledo Public Schools.

Ordinance passed at the Toledo City Council meeting of May 28, 2019.

DEPARTMENT OF LAW:

O-266-19 Changing the zoning maps attached to Part 11, Planning and Zoning, Toledo Municipal Code, for the property located at 617 Adams Street, in the City of Toledo, Lucas County, Ohio.

My Position: Support.

The Hylant Group negotiated a lower rate for the city with Firemans Fund Insurance. By doing so, the city is receiving the best coverage for the lowest premium.

Ordinance passed at the Toledo City Council meeting of May 28, 2019.

COUNCIL PRESIDENT CHERRY, CHAIR, ZONING & PLANNING COMMITTEE, REPORTS AS APPROVED:

O-267-19 Changing the zoning maps attached to Part 11, Planning and Zoning, Toledo Municipal Code, for the property located at 131 19th Street, in the City of Toledo, Lucas County, Ohio.

My Position: Support.

Both the Toledo City Plan Commission and the Toledo City Council Zoning and Planning Committee recommended approval. The applicant is requesting the change for the development of a General Retail tenant space.

Ordinance passed at the Toledo City Council meeting of May 28, 2019.

O-268-18 Granting a Special Use Permit for a Type A Family Day Care for a site located at 4560 Hill Avenue, in the City of Toledo, Lucas County, Ohio; subject to certain conditions.

My Position: Support.

The proposed use is for commercial space on the first floor and residential uses on the second floor. It is currently a vacant commercial structure. Both the Toledo City Plan Commission and the Toledo City Council Zoning and Planning Committee recommended approval.

Ordinance passed at the Toledo City Council meeting of May 28, 2019.

- O-269-19 Granting a Special Use Permit to add a second drive-through lane to an existing fast food restaurant for a site located at 1540 Broadway Street, in the City of Toledo, Lucas County, Ohio; subject to certain conditions.

My Position: Support.

The proposed use is for a Type “A” Family Day Care. It is currently a single-dwelling house. Both the Toledo City Plan Commission and the Toledo City Council Zoning and Planning Committee recommended approval.

Ordinance passed at the Toledo City Council meeting of May 28, 2019.

- O-270-19 Changing the zoning maps attached to Part 11, Planning and Zoning, Toledo Municipal Code, for the property located at 702-704 East Broadway Street, in the City of Toledo, Lucas County, Ohio.

My Position: Support.

Currently, this is an existing fast food restaurant with one drive through lane. The Toledo City Plan Commission and the Toledo City Council Planning Committee have recommended approval of a second parallel lane.

Ordinance passed at the Toledo City Council meeting of May 28, 2019.

**COUNCIL PRESIDENT CHERRY, CHAIR, ZONING & PLANNING COMMITTEE,
REPORTS WITHOUT RECOMMENDATION:**

- O-271-19 Changing the zoning maps attached to Part 11, Planning and Zoning, Toledo Municipal Code, for the property located at 702-704 East Broadway Street, in the City of Toledo, Lucas County, Ohio.

My Position: Support.

This site exists as a vacant commercial space on the 1st floor and two apartments on the second floor. The Toledo City Plan Commission recommended approval of converting the vacant commercial space to an apartment.

Ordinance passed at the Toledo City Council meeting of May 28, 2019.

ITEM LIKELY TO BE GIVEN IMMEDIATE CONSIDERATION:

O-272-19 Authorizing the disappropriation of \$13,000 from the Capital Improvement Fund District Improvement Program; authorizing the appropriation and expenditure of \$13,000 from the Capital Improvement Fund for the purchase and installation of a security camera for Joe E. Brown Park; authorizing the Mayor to award contracts for said purpose.

My Position: Support.

Ordinance passed at the Toledo City Council meeting of May 28, 2019.