

# CITY OF TOLEDO

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## What Happened in the Agenda Review Meeting of 6-4-19

### SECOND READING ITEM:

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: Held Pending Public Safety and Criminal Justice Committee Discussion.**

**There is concern that the proposed \$150.00 permit fee may be too high. I have learned from the Finance Director that based on the daily rate of a fire fighter doing one of these inspections, an hour of their time (salary plus benefits) would cost considerably less. Pricing fairness for struggling vendors is the issue that has surfaced.**

### COUNCILMAN RILEY PRESENTS:

TMP-4063      Authorizing the expenditure not to exceed \$50,000 from the Capital Improvement Fund District Improvement Program for the construction of an entry arch and sidewalks at Ottawa Park Amphitheater, city-owned property located in Ottawa Park; authorizing the Mayor to execute the necessary contract(s).

**My Position: Support.**

**Mr. Harry Ward, a member and Past President of the Friends of Ottawa-Jermain Park, submitted an application for a District Improvement Program Grant requesting \$125,000 on December 18, 2018 entitled "Rebuilding the Ottawa Park Amphitheater-Phase Two." This expenditure will be used to pay for a portion of the project involving the entry arch and sidewalks to be constructed for a pathway to the amphitheater.**

### TOLEDO MUNICIPAL COURT:

TMP-4064 Repealing Toledo Municipal Code Section 2134.28 “Part-Time Employee Benefits”, enacting a new Section 2134.28 “Part-Time Employee Benefits” to eliminate the offer of pro rata health benefits for part-time employees at the Toledo Municipal Court.

**My Position: Support.**

**This action will increase the appeal for retirees to continue working for the city. Currently, they have to forego their OPERS medical benefits and pay for the city’s package, even if their retirement system health benefits are cheaper. It may cost as much as \$400.00. By remaining silent on prorated benefits, the city retains discretion when appropriate, to offer proportional benefits on a case by case basis. The problem was discovered when the court realized that this Toledo Municipal Code provision discouraged bailiffs and other Toledo Municipal Court employees from taking advantage of part time employment. So, none of them have been applying.**

TMP-4065 Authorizing the Mayor to accept and deposit an Incentive Award in the amount of \$95,401 from the State of Ohio, Department of Rehabilitation and Correction in connection with Fiscal Year 2019 Justice Reinvestment and Incentive Grant (JRIG). Subsidy agreement previously issued to the City and the Toledo Municipal Court Probation Department. The Department of Rehabilitation and Correction has reviewed the performance goals and determined that the grantee (City of Toledo and the Toledo Municipal Court Probation Department) will be awarded an incentive award in the amount of \$95,401. The Incentive award will be used to fund any community corrections program/services as defined by ORC 5149.30 (A) before June 30, 2021; authorizing the appropriation and expenditure of said amount from the Probation Performance Grant Funds.

**My Position: Support.**

**A simple acceptance of these funds is all that this ordinance allows, with Council approval. Congratulations are in order! These additional funds will provide money for staff having and continuing to meet performance goals related to reducing recidivism, jail population diversion and reduction and other offender treatment strategies.**

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

1. TMP-4031 Authorizing the Mayor to establish the Downtown Toledo Parking Revenue Fund; and further authorizing the Mayor to request permission from the Auditor of the State of Ohio to establish the new funds.

**My Position: Support.**

**This is a simple request to create a repository for money collected from parking violations. The idea is to keep track of how this revenue is accounted for and transparency on how it is expended through a dedicated account.**

2. TMP-4066 Repealing Toledo Municipal Code Sections 743.01, 743.02, 743.03, 743.04, 743.07, 743.08, 743.09, 743.11, 743.13, 743.18, 1361.04; enacting New Toledo Municipal Code Sections 743.01, 743.02, 743.03, 743.04, 743.07, 743.08, 743.09, 743.11, 743.13, 743.18, 1361.04.

**My Position: Support.**

**Uniform Downtown parking lot regulations and standards will be created by amending these two Toledo Municipal Code Chapters (743 and 136). This is in response to the nuisance created by the abundance of parked vehicles along unmarked entrances and exits; in sidewalks and alleys; and into city right of ways. A vote for this request does not preclude a hearing to help explain the need to the public.**

3. TMP-4067 Repealing Toledo Municipal Code Sections 1103.0202, 1103.0205, 1103.0207; enacting New Toledo Municipal Code Sections 1103.0202, 1103.0205, 1103.0207, 1103.0208, 1103.0209, 1103.0210, 1103.0211.

**My Position: Support.**

**Although this ordinance will be going to the Plan Commission because it needs to have certain provisions in the Planning and Zoning Code amended as well before coming back to council for a vote, it will be a good thing to have uniformity in parking lot design. This repeal and enactment will set standards for increased security and set measures for appearance improvement in parking lots. It will also provide for a Downtown Parking Lot Review and Advisory Committee with authority for advising council and addressing variances.**

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

4. TMP-4051 Providing for the rehabilitation of sidewalks and driveway approaches on various streets in the City of Toledo.

**My Position: Support.**

**There are one hundred and fifty-two (152) properties that were listed for sidewalk rehabilitation. This resolution will start the assessment process for these additional properties in the 2019 Sidewalk Program. A list identifying which property sidewalk addresses will be paid for by the owner, the city or both was requested. The cost is determined by the square footage covered by**

**the sidewalks. The allocation for these particular sidewalks which include some that were damaged by tree roots or pedestrian curb ramps is \$310,000.**

5. TMP-4052 Authorizing the appropriation and expenditure of \$310,000 from the Special Assessment Improvement Fund for the 2019 Sidewalk Program; authorizing the mayor to prepare plans and specifications, acquire required rights-of-way as appropriate, and enter into contracts for this project within the Division of Engineering Services.

**My Position: Support.**

**This ordinance permits the City to enter into contracts to pay for the 152 sidewalk projects explained in #4. It will be added to the \$1,250,000 previously approved by ordinance 97-19. All of this work is scheduled to begin in 2019.**

6. TMP-4050 Authorizing the acceptance, deposit, appropriation and expenditure of an amount not to exceed \$15,000 from Lucas County into the Capital Improvement Program Fund for the restriping of Bancroft Street within the Lucas County limits; authorizing the mayor to prepare plans and specifications and to enter into a joint cooperation agreement with Lucas County for the Bancroft Street Resurfacing project upon such terms and conditions as approved by the Director of Public Utilities and the Director of Law.

**My Position: Support.**

**Striped bike lanes will be added to the resurfacing on Bancroft that continues into Lucas County. The county has agreed to pay for striping that lies within their district. This is a 2019 project on Bancroft Street from I-475 to Holland Sylvania Road.**

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

7. TMP-4016 Authorizing the appropriation and expenditure of \$34,712 from the unappropriated balance of the Street Construction Maintenance and Repair Fund (SCMR); authorizing the Mayor to modify the current contract with Gerken Materials to provide for hauling services; authorizing the Finance Director to pay Gerken Materials \$34,712 for asphalt hauling to the Anthony Wayne Trail.

**My Position: Support.**

**This appropriation is for services that this company provided from March 18, 2019 through April 13, 2019. At the time that hauling services were needed, Gerken Materials was the only company available for asphalt and hauling. But, hauling was not included in our contract with them. So, the current contract needs to be modified to add hauling service to the asphalt material purchase.**

8. TMP-4045 Authorizing the Mayor to renew the city's agreement with ReCommunity through 2021 in order to continue facilitation of the processing of single-stream recycling materials; authorizing the Agreement to have deferred payment terms indexed to the prevailing annual market rate of recyclables; authorizing appropriation and expenditures; waiving the competitive bidding provisions of TMC 187.

**My Position: Held Pending Committee Hearing Discussion.**

**The City's current contract with ReCommunity ends in July, 2019. Currently, no other alternatives for recycling processing are available. By 2022, the Lucas County Solid Waste District Plans to have developed a Material Recovery Facility. At that time, the city should be able to renegotiate terms with ReCommunity or pursue other bids for alternatives.**

9. TMP-4047 Authorizing the expenditure of an amount not to exceed \$100,000 from the Capital Improvement Fund for upgrades to the fuel system; authorizing the mayor to enter into the necessary contracts for said project.

**My Position: Support.**

**The existing operating software, which is not upgradable, needs to be replaced.**

10. TMP-4048 Authorizing the expenditure of \$49,502 from the Capital Improvement Fund for facility improvements; authorizing the mayor to accept bids and award contracts for labor, materials and professional services necessary to complete said project(s).

**My Position: Support.**

**This money is needed for the completion of maintenance projects that include community center roof replacement; and facility improvements that include the warm bay and electrical needs at Streets, Bridges and Harbor. There is no emergency, so this ordinance will follow the normal procedure and just be a first reading.**

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

11. TMP-4040 Approving the Northwest Ohio Advanced Energy Improvement District Residential Program Plan; authorizing and approving the execution, delivery, and performance of a City Residential PACE Cooperative Agreement with respect to property assessed clean energy transactions in cooperation with the Northwest Ohio Advanced Energy Improvement District and the Toledo-Lucas County Port Authority; authorizing the Toledo-Lucas County Port Authority to approve petitions and plans for public improvements or public services

submitted by the owners of real property within the City requesting that their property be added to the territory of the Northwest Ohio Advanced Energy Improvement District and assessed for the costs of such plans on behalf of the Council of the City.

**My Position: Held Pending Additional Discussion at a Committee hearing that will be scheduled.**

**Before entering into this agreement, Council Members need a clear understanding about what it entails. The big issue seems to be that the Port Authority is asking for Credit Checks now, which were not a requirement previously. Property Assessed Clean Energy (PACE) is a financing mechanism that can be used by property owners for low cost long term funding for energy efficiency, renewable energy and water conservation projects.**

12. TMP-4044 Repealing in its entirety Ord. 154-19; authorizing the mayor to accept, deposit, appropriate and expend the Community Development Block Grant (CDBG) from the U.S. Department of Housing and Urban Development (HUD) in an amount of \$7,423,463; authorizing the expenditure of CDBG carryover funds from all years prior to program year 2019 (45th) in the amount of \$1,035,000; and authorizing submission to the U.S. Department of Housing and Urban Development of the One-Year Action Plan.

**My Position: Support.**

**HUD informed the City of Toledo that even though \$30,000 less overall will be received, \$711, 899 more than anticipated will be sent. Requests will be increased as a result of this good news. So, a new ordinance needs to be approved with the changes made reflected. Eighteen public service Activities (\$936,338.45); six capacity, community develop corporation; housing and other activities (\$1,393,500.00); twelve City of Toledo Departmental Allocations (\$5,093,624.55) and four community Development Block Grant Expenditure of Carryover Funds (\$1,035,000.00) will be funded.**

13. TMP-4043 Repealing in its entirety Ord. 155-19; authorizing the Mayor to accept, deposit, appropriate and expend the Emergency Solutions Grant (ESG) from the U.S. Department of Housing and Urban Development (HUD) in an amount of \$632,768 to fund Emergency Solutions Grant Program activities.

**My Position: Support.**

**The City of Toledo was informed by HUD that an increase of \$26, 378 will be sent. This amount is more than was anticipated. So, as a result of this good news, a revised ordinance must be approved. Four Public Service for**

**Homeless Service Providers (\$217,151.00); and two Stabilization Services including Direct Financial Assistance, TLCHB HMIS and TLCHB ESG Administration (\$415,617.00) grants will be funded.**

**DEPARTMENT OF POLICE OPERATIONS:**

14. TMP-4002 Authorizing the mayor to enter into a contract for the purchase of mobile data terminals for police vehicles; authorizing the expenditure of \$293,988.83 from the Law Enforcement Trust Fund and \$98,369.26 from the Capital Improvement Fund.

**My Position: Support.**

**It did not take much explanation to convince Council Members that this should be approved right away. The Mobile Data Terminals are for for 15 new vehicles; and replacement of 53 that are obsolete and will not be operational starting 1/1/2020.**

**DEPARTMENT OF PUBLIC UTILITIES:**

15. TMP-4011 Amending Ordinance 339-18, which authorized the mayor to execute a contract with Johnson Controls, Inc. Automatic Meter Reading / Advanced Metering Infrastructure (AMR/AMI) and Leak Detection Project Development; authorizing the Mayor to execute an amendment and addendum to the contract upon completion of the audit and technical analysis phases of the project to address implementation of system improvements, subject to the limitation that total project costs shall not exceed the savings and additional revenue generated by project improvements over the average life of such improvements; authorizing the expenditure of funds.

**My Position: Support.**

**This is a contract for amending the original agreement and includes stipulations for the implementation of these improvements. It will correct certain deficiencies in the first ordinance.**

16. TMP-4049 Authorizing the expenditure of \$27,023 from the Sanitary Sewer Operating Fund to Taylor Excavating for the emergency repair of multiple collapsed laterals located at 4136 Burnham; authorizing the mayor to enter into necessary agreements and waiving the competitive bidding requirement of the TMC 187.

**My Position: Support.**

**We were told that there was great appreciation for this emergency repair work. The sewer collapse was right in the middle of Barnham.**

**DEPARTMENT OF PUBLIC SERVICE:**

17. TMP-4055 Authorizing the expenditure of \$491,250 for numerous capital Park improvement projects as outlined below; authorizing the Mayor to accept bids and award contracts necessary to compete said projects.

**My Position: Strongly Support.**

**This amount will pay for the installation of new features, rebuilding athletic fields and replacing worn equipment at the following parks: Gunckel (\$22,000), Junction (\$39,000), Macelwane (\$40,000), Ottawa (\$35,000), Smith (\$85,000), Birmingham (\$75,000), Navarre (\$34,000), Winterfield (\$10,000), Willys (\$9,800) and Cullen Park (\$6,200). It will also include ballfield drainage (\$75,000) and general park improvements (\$56,450). The desires of the people using these parks have been the driving force behind decisions about what will be done.**

**DEPARTMENT OF LAW:**

18. TMP-4059 Authorizing the Mayor to enter into an amended joint economic development district agreement with the Board of Trustees of Troy Township, Wood County, Ohio, for the purpose of extending the agreement's term 10 years to expire December 31, 2039.

**My Position: Support.**

**Instead of expiring ten years from now, the agreement will expire twenty years from now. Basically, this is a request for a ten year extension. This Joint Economic Development District agreement is located on property immediately south of the intersection of I-280 and State Route 23 in Wood County; and will facilitate economic growth.**

**ITEMS LIKELY TO BE RELIEVED OF REGIONAL GROWTH, DEVELOPMENT & SMALL BUSINESS ENTERPRISE COMMITTEE:**

- O-144-19 Repealing Toledo Municipal Code Sections 743.01, 743.02, 743.03, 743.04, 743.07, 743.08, 743.09, 743.11, 743.13, 743.18, 1103.0202, 1103.0205, 1103.0207, 1361.04; enacting New Toledo Municipal Code Sections 743.01, 743.02, 743.03, 743.04, 743.07, 743.08, 743.09, 743.11, 743.13, 743.18, 1103.0202, 1103.0205, 1103.0207, 1103.0208, 1103.0209, 1103.0210, 1103.0211, 1361.04.

**My Position: Held Pending Review of Adjustments to be made.**

**It has been referred back to the Administration because it was split into two ordinances.**



O-145-19      Approving and Adopting the Toledo Lucas County Port Authority's Amended Operating Plan and Budget relating to On Street Parking Hours, Rates and Fees; authorizing and directing the Commissioner of Transportation to make amendments to the Rules of the Commissioner to effectuate the Amended Operating Plan and Budget; authorizing the mayor to execute necessary amendments to the area of the On-Street Parking Service Area.

**My Position: Held Pending the Hearing.**

**Exhibit B needs to be put into this ordinance. It describes Modifications to the 2011 Franchise Agreement between the City of Toledo and the Port Authority for on street parking. It would eliminate free 11:00 am – 2:00 pm parking; increase per offense cost; start enforcement of non-moving vehicles; expanded to all of service area; promote consistent availability of parking by extended paid meter parking hours; expand parking enforcement in the City of Toledo and reinvest parking revenue.**