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City of

MAUMEE

MEMO TO: Mayor and City Councilmembers
FROM: Jennifer Harkey, Finance Director
DATE: October 16, 2023
SUBJECT: TIF repayment to General Fund

Recommendation:

Authorize the transfer of \$ 7,542.85 from Arrowhead TIF Fund and \$2,652.68 from Tollgate TIF Fund to repay General Fund.

COPY

City of Maumee DEPARTMENTAL REPORT

MEMO TO: Mayor and City Councilmembers

FROM: Jennifer Harkey, Finance Director

DATE: October 16, 2023

RECOMMENDATION: Authorize the transfer of \$ 7,542.85 from Arrowhead TIF Fund and \$2,652.68 from Tollgate TIF Fund to repay General Fund.

SUMMARY

The city expended funds with Squire Patton Boggs LLP in 2016 to create two Tax Increment Financing areas. The funds were expended from the General Fund with the understanding it would be reimbursed once the TIFs began to receive payment. The Tollgate TIF received its first distribution in 2021 and the Arrowhead TIF received its first distribution in 2023.

BUDGETARY CONSIDERATIONS

Budget amendments are needed for Fund 252 (Arrowhead) and Fund 253 (Tollgate).

HISTORY, BACKGROUND and DISCUSSION of the ISSUE

TIF areas can take several years to realize funds, depending on the scope and timeline of development.

POSITIONS

Authorize the transfer of \$ 7,542.85 from Arrowhead TIF Fund and \$2,652.68 from Tollgate TIF Fund to repay General Fund.

City of
MAUMEE

Richard H. Carr | Mayor

p 419.897.7115 | mayor@maumee.org

October 11, 2023

9B
Members of Council
City of Maumee
Maumee, OH 43537

Dear Council Members:

I respectfully request your confirmation of the following amended terms of appointments to the City of Maumee Environmental and Tree Advisory Commission:

Environmental and Tree Advisory Commission

New Term Ending

Name

William Buri

W. Harrison St.

04/30/2026

Alaina Meister

Joliet Dr.

04/30/2025

Jason Mendelsohn

W. Harrison St.

04/30/2024

Council's confirmation on the above amended terms of appointments would be greatly appreciated. Thank you.

Sincerely,



Richard H. Carr
Mayor

ac City of
MAUMEE

MEMO TO: Mayor and City Councilmembers
FROM: Patrick Burch, City Administrator
DATE: October 16, 2023
SUBJECT: Surplus Police Printers/Copiers

Recommendation:

Declare Police printers/copiers (#13776, #13777, & #19069) as surplus, authorize the sale of said items on Govdeals or disposal, and authorize the City Administrator to effectuate the sale or disposal.

COPY

City of Maumee DEPARTMENTAL REPORT

MEMO TO: Mayor and City Councilmembers
FROM: Jennifer Harkey, Finance Director
DATE: October 16, 2023
RECOMMENDATION: Declare Police printers/copiers (#13776, #13777, & #19069) as surplus, authorize the sale of said items on Govdeals or disposal, and authorize the City Administrator to effectuate the sale or disposal.

SUMMARY

The printer/copiers were purchased in 2005 & 2011 and have since been replaced with current technology.

BUDGETARY CONSIDERATIONS

There are no budgetary considerations.

HISTORY, BACKGROUND and DISCUSSION of the ISSUE

The identifiers for the equipment are:

Copier LD 145 Digital Imaging; Tag #13776

Copier LD 145 Digital Imaging; Tag #13777

Lanier LD635C; Tag #19069

POSITIONS

Requested action is for Maumee City Council to declare the equipment as surplus and sell the items through Govdeals.com or dispose of them.

AD

City of

MAUMEE

MEMO TO: Mayor and City Councilmembers
FROM: Patrick H. Burch, City Administrator
DATE: October 11, 2023
SUBJECT: Surplus Declaration for Water Division equipment

Recommendation:

Declare the Water Department's 2012 GMC Savana Cargo Van as surplus, authorize the sale of said vehicle on Govdeals, and authorize the City Administrator effectuate the sale.

COPY

City of Maumee DEPARTMENTAL REPORT

MEMO TO: Patrick Burtch, City Administrator

FROM: Todd Walborn, Supervisor

DATE: October 11, 2023

RECOMMENDATION: Declare the Water Department's 2012 GMC Savana Cargo Van as surplus, authorize the sale of said vehicle on Govdeals, and authorize the City Administrator effectuate the sale.

SUMMARY

The Water Division would like to declare the following vehicle as surplus to be sold on Gov-Deals.

The 2012 GMC Savana Cargo Van Vin 1GTZ7TCA8C1121639 "Truck 48" – Tag # 19014

BUDGETARY CONSIDERATIONS

A new truck has been purchased with 2023 Capital Budget

HISTORY, BACKGROUND and DISCUSSION of the ISSUE

The Water Division has replaced truck 48 with a 2023 Chevrolet Silverado 2500.

POSITIONS

Approve the vehicle to be declared surplus, and authorize it to be listed on Gov-Deals.

11 A

RESOLUTION NO. 020-2023

A RESOLUTION AUTHORIZING SUPPORT FOR PROJECT iAM 2024 AND SEVERAL COMPONENT ACTIONS TO FACILITATE THE EVENT.

WHEREAS, the City of Maumee has supported Project iAM and the Acoustics for Autism event that annually takes place within the City of Maumee;

WHEREAS, the City Council of the City of Maumee wishes to continue to support Project iAM and Acoustics for Autism and finds that the use of City property and resources, placement of tents, closure of roads and suspension of the DORA for Project iAM and Acoustics for Autism would be for a public purpose as defined by Ohio law; that the actions taken would be for the general good of the residents of the City of Maumee and surrounding area; promotes the public health and general welfare of the City of Maumee; and serves a public purpose by providing support for this cause and their annual event.

THEREFORE, BE IT RESOLVED by the Council for the City of Maumee, Ohio, that:

SECTION 1. That the City Council of the City of Maumee, Ohio, hereby authorizes, for 2024 the use of City property and resources on behalf of Project iAM. The City Administrator is authorized to suspend the DORA during the Acoustics for Autism event on March 3, 2024, authorized to approve the request and plans for an F2 liquor permit for the event, and close the West MEWS parking lot from the Friday, March 1, 2024 through Monday, March 4, 2024. The City of Maumee further authorizes Project iAM to use the back theater at the Maumee Indoor Theater on March 3, 2024 from 12 noon until 4PM at no cost, authorizes the placement of tents on the portion of West Wayne Street that will be closed for the event, authorizes the placement of a tents on the West MEWS parking lots, authorizes the waiver of the noise ordinance for the event until March 3, 2024 at 11 PM and authorizes the closure of portions of the following streets for said event:

- (A) Conant Street between West John Street and West Wayne Street on March 3, 2024 from 6AM until 10 PM
- (B) West Dudley Street between Conant Street and Allen Street on March 3 2024 from 6AM until 11:59 PM
- (C) West Wayne Street between Conant Street and Allen Street from March 2, 2024 at 2PM until March 3, 2024 at 11:59 PM. The closure of Wayne Street will begin near the Masonic.Lodge and parking along Wayne closest to Conant will remain open along with access to Maumee Tackle and other businesses and parking will remain open at Maumee Tackle.
- (D) Allen Street between West Wayne Street and Dudley Street from March 3, 2024 at 6 AM until 11:59 PM.

SECTION 2. The City Administrator is authorized to take such further actions that do not involve the expenditure of funds, in addition to those set forth herein, as may be necessary including the closure of additional streets or parking lots as may be in the best interest of the City of Maumee for the Acoustics for Autism 2024 event.

SECTION 3. If any section, phrase, sentence, or portion of this resolution is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including the Maumee Charter and Section 121.22 of the Revised Code of Ohio.

Motion to waive three readings:

Yeas: Nays:

Motion to Pass:

Yeas: Nays:

Passed: October 16, 2023.

Second:

Second:

Mayor.

ATTEST:

Municipal Clerk.

Approved as to form by:

Law Director.

11 B

RESOLUTION NO. 021-2023

A RESOLUTION REPEALING RESOLUTION NO. 015-2023 THEREBY LIFTING THE TEMPORARY MORATORIUM ON THE ESTABLISHMENT, DEVELOPMENT AND CONSTRUCTION OF ANY BUILDING, STRUCTURE, USE OR CHANGE OF USE THAT WOULD ENABLE THE PROCESSING, OR RETAIL SALE OF TOBACCO OR VAPE PRODUCTS WITHIN THE CITY OF MAUMEE, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Maumee passed Resolution 015-2023 on August 21, 2023, which imposed a temporary moratorium on the establishment, development and construction of any building, structure, use or change of use that would enable the processing, or retail sale of tobacco or vape products in the City of Maumee;

WHEREAS, the City of Maumee modified their zoning and building codes as to tobacco and vape retail sales to address the issues which led to the imposition of the moratorium and as such there is no longer the need for the moratorium imposed by Resolution 015-2023;

THEREFORE, BE IT RESOLVED by the Council for the City of Maumee, Ohio, that:

SECTION 1. That the City Council of the City of Maumee, Ohio, hereby repeals Resolution 015-2023 which imposed a Temporary Moratorium on the establishment, development and construction of any building, structure, use or change of use that would enable the processing, or retail sale of tobacco or vape products within the City of Maumee, and said moratorium is hereby lifted.

SECTION 2. That this lifting and repeal of the Moratorium imposed by Resolution 015-2023 shall become effective on the date that this Resolution is passed and all terms of said moratorium shall be held for naught.

SECTION 3. If any section, phrase, sentence, or portion of this resolution is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Charter of the City of Maumee and the Revised Code of Ohio.

SECTION 5. This resolution is hereby declared an emergency measure and shall take effect and be in full force and effect immediately from and after its passage. The reason for the emergency lies in the fact that this resolution lifting the moratorium is necessary for the immediate preservation of the public peace, health, and safety and as legislation has been adopted governing these entities within the City of Maumee.

MOTION TO DECLARE AN EMERGENCY:

Second:

Yeas: Nays:

Motion to Pass:

Second:

Yeas: Nays:

Passed: October 16, 2023.

ATTEST:

Mayor.

Municipal Clerk.

Approved as to form by:

Law Director.

11 C

ORDINANCE NO. 039-2023

AN ORDINANCE AMENDING CHAPTER 105-MUNICIPAL PROPERTY OF THE MAUMEE CODIFIED ORDINANCES, UPDATING THE REQUIREMENTS FOR THE USE AND DISPOSITION OF MUNICIPAL PROPERTY.

WHEREAS, Maumee has previously adopted Chapter 105 titled Municipal Property of the Maumee Codified Ordinances and,

WHEREAS, in order to update the requirements for the use and disposition of Municipal property for the City of Maumee, Chapter 105 of the Codified Ordinances and any ordinances related thereto should be amended to include the following revisions, additions and deletions.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Maumee, Ohio, that:

SECTION 1. Chapter 105 of the Maumee Codified Ordinances be, and the same hereby are amended as follows:

CHAPTER 105
Municipal Property

105.01 Use of municipal buildings.

105.02 Use of municipally owned equipment.

105.03 Disposal of personal property and vehicles unneeded, obsolete or unfit for municipal purposes

105.04 Sale or Lease of City owned Real Property

CROSS REFERENCES

Sale or lease of property -- see Ohio R.C. Ch. 721

Disposition of property -- see Ohio R.C. 2933.41

Destruction of property - see GEN. OFF. 541.04

Amend Ord. 12-2015

105.01 USE OF MUNICIPAL BUILDINGS.

The **City Administrator in consultation with the Finance Director and Law Director** ~~Directors of Public Safety and Service~~ is hereby authorized and empowered to establish rules and regulations concerning the use of the municipal buildings **and real property**, and to charge and collect from persons or organizations using the same, except in connection with municipal business, reasonable charges to cover heat, light, **insurance, overhead, employee costs**, janitor service and **other costs** for such use.

105.02 USE OF MUNICIPALLY OWNED EQUIPMENT.

(a) Vehicles, equipment, and personal property belonging to the City shall not be used by or for the benefit of private individuals, firms or corporations **unless it for a public purpose or public project; or except** under the conditions and in the manner provided in this section **or pursuant to rules established for use of said vehicles.**

~~(b) If in the judgment of the Mayor or the Directors of Public Safety and Service an emergency exists requiring the use or employment of such vehicles, equipment or personal property for the benefit or on behalf of private individuals, firms or corporations, the same may be so used, but only in the charge of and under the direction of an employee or employees of the City designated by the Mayor or Directors and upon condition that the party or parties for whom the same is used pay to the City the cost of the use thereof as fixed by the Directors, which shall include compensation to City employees in charge of or directing the use of such vehicles, equipment or personal property.~~

~~(e) (b) The Law Director and Finance Director~~ Directors of Public Safety and Service are hereby authorized to establish and enforce rules, **insurance requirements**, regulations and rates of charge for the use of such vehicles, equipment and personal property in accordance with this section.

~~(d) (c) Nothing contained herein shall be deemed to authorize or permit the employment or use of municipally owned property in any manner or for any purpose forbidden by the statutes or laws of the City of Maumee or the State of Ohio.~~

105.03 DISPOSAL OF PERSONAL PROPERTY AND VEHICLES UNNEEDED, OBSOLETE OR UNFIT FOR MUNICIPAL PURPOSES.

(a) The City shall dispose of municipal personal property and vehicles that are no longer needed for a public purpose. Reasonable efforts shall be made to obtain the value for the sale or disposition of such property. City Council shall authorize surplus of said property as required per policy.

(1) Scrap value, repair, storage, labor, and other applicable costs are considered when determining the value of said property.

(b) Methods of sale and/or disposal.

(1) Auction, sealed bids, or Internet auction:

(A) Auctions and sealed bid disposal shall be conducted after advertisement for not less than two (2) consecutive weeks in a newspaper of general circulation within the municipal corporation and/or on municipal website for the same.

(B) Internet auctions shall be open for a minimum of 28 days for all non-motor vehicle sales; 45 days for sales of motor vehicles.

(C) Minimum bid shall be determined by department supervisor and City Administrator or division Director.

(D) Property scheduled for auction, sealed bids, or Internet auction shall be sold to the highest and best bidder. The department supervisor or City Administrator or division Director is authorized to determine the highest and best bidder and to reject any and all bids.

(2) Fixed Price:

(A) Price shall be determined by City Administrator and Finance Director in consultation with the division supervisor.

(B) Property shall be made available for sale on a case by case basis; including but not limited to website or social media advertising and specific inquiries.

(C) Sale shall be awarded in order offer is received.

(D) In addition to payment of the purchase price, the City Administrator may require reimbursement to the city for some or all of the City's costs associated with the sale of the item, including but not limited to surveyor fees, advertising costs, auctioneer fees or commissions.

(c) Authorization for disposal:

(1) City Council shall authorize the sale or otherwise dispose of personal property and/ or vehicles with a fair market value of \$5,000 or more.

(2) City Administrator in consultation with the Finance Director and Law Director is authorized to sell or otherwise dispose of surplus personal property and/or vehicles with a fair market value of less than \$5,000 by any of the methods set forth herein.

(d) Other dispositions of municipal personal property and/or vehicles:

(1) By destruction upon the determination of the City Administrator and/or the City Law Director that the property needs to be destroyed for public safety reasons.

(2) By trade for goods or services of like value when such trade is determined by the City Administrator to be in the best interest of the City.

(3) By trade-in for credit at the time of the City's purchase of new or replacement property.

(4) By sale to another government jurisdiction without the requirement of competitive bidding.

(5) By donation to a charitable organization.

(6) By selling as scrap metal.

(7) By refuse collection if item holds no value or has minimal value and the cost of disposal will exceed sales price, and no other disposition method listed above would apply.

105.04 SALE OR LEASE OF CITY OWNED REAL PROPERTY.

(a) Except as otherwise provided herein, real property, or any interest therein, belonging to the City may be sold, leased or otherwise encumbered pursuant to the methods established for the sale or lease by an ordinance, passed by Council, authorizing such sale, lease or encumbrance, after a finding by the City Administrator or City Council that it is no longer needed for municipal purposes or, in those cases in which real estate is offered only for lease for a term, that it will not be needed for municipal purposes during the term or, in those cases where a proposed sale is for an interest of less than fee simple, that the sale shall not be adverse to those interests in the real property retained by the City. Council may authorize the City Administrator to transfer, convey, and/or lease real property, owned by the City as part of an economic development incentive and/or development agreement.

When bidding is authorized by an ordinance authorizing the sale of real property, bidding shall be conducted by the City Administrator in conformance with the terms of said ordinance. Such terms shall include, as appropriate, the method of taking bids, the minimum bid amount, references to available additional information, the method of advertising for bids and other pertinent information. In addition to payment of the purchase price, the City Administrator may require the highest bidder to reimburse the City for some or all of the City's costs associated with the sale of the real property interest, including but not limited to the appraiser and surveyor fees, advertising costs, auctioneer fees, real estate commissions, title insurance fees, transfer fees, document preparation costs, taxes and closing costs. The City Administrator shall in all cases reserve the right to reject all bids in the event that it is determined that no bids submitted are acceptable. If an ordinance requires the auction of real property, if said property is not sold at auction, said property may be offered for sale at a later

auction without further action of Council. The requirement of a minimum bid for real property which has received no acceptable bids at a prior auction may be waived by the City Administrator. If more than one bid acceptable to the City Administrator is received for a parcel of real property, the parcel may be sold to the highest bidder.

The City Administrator shall in all cases reserve the right to reject any and all bids or offers for the sale of real property in the event that it is determined that no offers or bids submitted are acceptable.

(b) The City Administrator in consultation with the Finance Director and Law Director is authorized, without the approval of Council, to do the following:

(1) Grant a lease of, or right of entry upon, any City-owned real property for a term of one year or less.

(2) Grant an easement on, over, under, or across City-owned real property for utility purposes or other purposes that are in the best interest of the City.

(3) Execute, on behalf of the City, Ohio Department of Liquor Control forms enabling promoters of special events to provide or sell alcoholic beverages on City owned real property.

SECTION 2. Any ordinances, parts of ordinances or the Chapters of the Maumee Municipal Code in conflict herewith are hereby amended and repealed in part to reflect the foregoing changes;

SECTION 3. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of Council's committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements of the Charter of Maumee, Ohio and the laws of the State of Ohio.

Motion to waive three readings: Second:
Yeas: Nays:
Motion to Pass: Second:
Yeas: Nays:

Passed: October 16, 2023.

Mayor

ATTEST:

Municipal Clerk

Approved as to form by:

Law Director