



City of Toledo

One Government Center
Toledo, OH 43604

Meeting Minutes City Council

Tuesday, March 13, 2018

4:00 PM

Council Chambers

Present: 11 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes, Ujvagi and Waniewski

Absent: 1 - Ludeman

CALL TO ORDER:

Present: 11 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes, Ujvagi and Waniewski

Absent: 1 - Ludeman

INVOCATION, PLEDGE OF ALLEGIANCE, NATIONAL ANTHEM;

The invocation was rendered and the National Anthem was sung by Toledo Public Schools Officer John Hicklin, which was followed by the entire audience reciting the Pledge of Allegiance to our Flag.

APPOINTMENT FROM THE OFFICE OF THE MAYOR:

[A-082-18](#)

Appointments - TARTA Board

Attachments: [TARTA](#)

Communication submitting the following names for appointment to the TARTA Board, for a term expiring 2/28/21: Daniel Woodcock; Harvey Savage, Jr.; Stacy Cook, pursuant to the special engagement authority of Toledo City Charter Section 6l; Cheryl Grice, pursuant to the special engagement authority of Toledo City

Charter Section 61; Matthew S. Heyrman, pursuant to the special engagement authority of Toledo City Charter Section 61; and Chris Monaghan.

A motion was made by Council Member Cherry to confirm the Appointment. The motion carried by the following vote:

Yea: 10 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes and Waniewski

Not Present: 1 - Ujvagi

COUNCIL MEMBER KOMIVES PRESENTS:

[R-083-18](#)

Expressing the sense of the Toledo City Council that the Ohio General Assembly must enact greater safety requirements on guns to prevent the death and injury caused by the use of firearms.

A motion was made by Council Member Harper to Dispense with the rules of Council the Resolution. The motion carried by the following vote:

Yea: 11 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes, Ujvagi and Waniewski

This Resolution was Dispense with the rules of Council

Yea: 9 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang and Sykes

Nay: 1 - Waniewski

Not Present: 1 - Ujvagi

NEW ITEMS FROM CITY COUNCIL:

[R-084-18](#)

Accepting the petition of Dennis Lange for special assessments for various special energy improvement projects in accordance with Chapters 1710 and 727 of the Ohio Revised Code;

declaring the necessity of proceeding with the special energy improvement projects and approving the plans and specifications therefor; stating the method for making the special assessments against the benefitted properties and the amount of such special assessments; and declaring an emergency.

Attachments: [Exhibits A, B & C](#)
[Petition](#)
[Agreement](#)

A motion was made to dispense with the rule requiring that resolutions not be passed earlier than the next succeeding regular or special meeting of Council following its reading. The motion carried by the following vote:

Yea: 10 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes and Waniewski

Not Present: 1 - Ujvagi

A motion was made by Council Member Harper to declare the Resolution an emergency measure . The motion carried by the following vote:

Yea: 10 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes and Waniewski

Not Present: 1 - Ujvagi

A motion was made by Council Member Harper to adopt the Resolution. The motion carried by the following vote:

Yea: 10 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes and Waniewski

Not Present: 1 - Ujvagi

[O-085-18](#)

Determining to proceed with certain 2116 Scottwood Ave., Toledo, Ohio 43620 Special Energy Improvement Projects by way of special assessments in accordance with Chapters 1710 and 727 of the Ohio Revised Code; and declaring an emergency.

Attachments: [Exhibits A, B & C](#)

A motion was made to dispense with the rule requiring that ordinances not be passed earlier than the next succeeding regular or special meeting of Council following its reading. The motion carried by the following vote:

Yea: 11 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes, Ujvagi and Waniewski

A motion was made by Council Member Harper to declare the Ordinance an emergency measure . The motion carried by the following vote:

Yea: 11 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes, Ujvagi and Waniewski

A motion was made by Council Member Harper to pass the Ordinance. The motion carried by the following vote:

Yea: 11 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes, Ujvagi and Waniewski

[O-086-18](#)

Levying special assessments for the 2116 Scottwood Ave., Toledo, Ohio 43620 Special Energy Improvement Project; and declaring an emergency.

Attachments: [Exhibits A, B & C](#)

A motion was made to dispense with the rule requiring that ordinances not be passed earlier than the next succeeding regular or special meeting of Council

following its reading. The motion carried by the following vote:

Yea: 11 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes, Ujvagi and Waniewski

A motion was made by Council Member Harper to declare the Ordinance an emergency measure . The motion carried by the following vote:

Yea: 11 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes, Ujvagi and Waniewski

A motion was made by Council Member Harper to pass the Ordinance. The motion carried by the following vote:

Yea: 11 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes, Ujvagi and Waniewski

[R-087-18](#)

Accepting the petition of Beauty Bar II, LLC. for special assessments for various special energy improvement projects in accordance with Chapters 1710 and 727 of the Ohio Revised Code; declaring the necessity of proceeding with the special energy improvement projects and approving the plans and specifications therefor; stating the method for making the special assessments against the benefitted properties and the amount of such special assessments; and declaring an emergency.

Attachments: [Exhibits A, B & C](#)
[Petition](#)
[Agreement](#)

A motion was made to dispense with the rule requiring that resolutions not be passed earlier than the next succeeding regular or special meeting of Council following its reading. The motion carried by the following vote:

Yea: 11 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes, Ujvagi and Waniewski

A motion was made by Council Member Harper to declare the Resolution an emergency measure . The motion carried by the following vote:

Yea: 11 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes, Ujvagi and Waniewski

A motion was made to dispense with the rule requiring that resolutions not be passed earlier than the next succeeding regular or special meeting of Council following its reading. The motion carried by the following vote:

Yea: 11 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes, Ujvagi and Waniewski

[O-088-18](#)

Determining to proceed with certain Beauty Bar Energy Improvement Project by way of special assessments in accordance with Chapters 1710 and 727 of the Ohio Revised Code; and declaring an emergency.

Attachments: [Exhibits A, B & C](#)

A motion was made to dispense with the rule requiring that ordinances not be passed earlier than the next succeeding regular or special meeting of Council following its reading. The motion carried by the following vote:

Yea: 11 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes, Ujvagi and Waniewski

A motion was made by Council Member Harper to declare the Ordinance an emergency measure . The motion carried by the following vote:

Yea: 11 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes, Ujvagi and Waniewski

A motion was made by Council Member Harper to pass the Ordinance. The motion carried by the following vote:

Yea: 11 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes, Ujvagi and Waniewski

[O-089-18](#)

Levying special assessments for the Beauty Bar Energy Improvement Project; and declaring an emergency.

Attachments: [Exhibits A, B & C](#)

A motion was made to dispense with the rule requiring that ordinances not be passed earlier than the next succeeding regular or special meeting of Council following its reading. The motion carried by the followin

Yea: 11 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes, Ujvagi and Waniewski

A motion was made by Council Member Harper to declare the Ordinance an emergency measure . The motion carried by the following vote:

Yea: 11 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes, Ujvagi and Waniewski

A motion was made by Council Member Harper to pass the Ordinance. The motion carried by the following vote:

Yea: 11 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes, Ujvagi and Waniewski

[R-090-18](#)

Accepting the petition of The Law Offices of Stevin J. Groth, LLC, Toledo Legal Building, Ltd, and 416 North Erie Street,

LLC for special assessments for various special energy improvement projects in accordance with Chapters 1710 and 727 of the Ohio Revised Code; declaring the necessity of proceeding with the special energy improvement projects and approving the plans and specifications therefor; stating the method for making the special assessments against the benefitted properties and the amount of such special assessments; and declaring an emergency.

Attachments: [Exhibits A, B & C](#)
[Petition](#)
[Agreement](#)

A motion was made to dispense with the rule requiring that resolutions not be passed earlier than the next succeeding regular or special meeting of Council following its reading. The motion carried by the following vote:

Yea: 11 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes, Ujvagi and Waniewski

A motion was made by Council Member Harper to declare the Resolution an emergency measure . The motion carried by the following vote:

Yea: 11 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes, Ujvagi and Waniewski

A motion was made by Council Member Harper to adopt the Resolution. The motion carried by the following vote:

Yea: 11 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes, Ujvagi and Waniewski

[O-091-18](#)

Determining to proceed with certain Toledo Legal Building Energy Improvement Project by way of special assessments in accordance with Chapters 1710 and 727 of the Ohio Revised

Code; and declaring an emergency.

Attachments: [Exhibits A, B & C](#)

A motion was made to dispense with the rule requiring that ordinances not be passed earlier than the next succeeding regular or special meeting of Council following its reading. The motion carried by the following vote:

Yea: 11 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes, Ujvagi and Waniewski

A motion was made by Council Member Harper to declare the Ordinance an emergency measure . The motion carried by the following vote:

Yea: 11 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes, Ujvagi and Waniewski

A motion was made by Council Member Harper to pass the Ordinance. The motion carried by the following vote:

Yea: 11 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes, Ujvagi and Waniewski

[O-092-18](#)

Levying special assessments for the Toledo Legal Building Energy Improvement Project; and declaring an emergency.

Attachments: [Exhibits A, B & C](#)

A motion was made to dispense with the rule requiring that ordinances not be passed earlier than the next succeeding regular or special meeting of Council following its reading. The motion carried by the following vote:

Yea: 11 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes, Ujvagi and Waniewski

A motion was made by Council Member Harper to declare the Ordinance an emergency measure . The motion carried by the following vote:

Yea: 11 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes, Ujvagi and Waniewski

A motion was made by Council Member Harper to pass the Ordinance. The motion carried by the following vote:

Yea: 11 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes, Ujvagi and Waniewski

TOLEDO MUNICIPAL COURT:

[O-093-18](#)

Authorizing the Clerk of Toledo Municipal Court to enter into an agreement with GBS Corporation for the purchase of case file folders for \$31,072.90; and declaring an emergency.

A motion was made to dispense with the rule requiring that ordinances not be passed earlier than the next succeeding regular or special meeting of Council following its reading. The motion carried by the following vote:

Yea: 11 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes, Ujvagi and Waniewski

A motion was made by Council Member Harper to declare the Ordinance an emergency measure . The motion carried by the following vote:

Yea: 11 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes, Ujvagi and Waniewski

A motion was made by Council Member Harper to pass the Ordinance. The motion carried by the following vote:

Yea: 11 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes, Ujvagi and Waniewski

DEPARTMENT OF LAW:

[O-094-18](#)

Authorizing the settlement of all claims now pending in McGranahan v. City of Toledo, et. al, in the Lucas County Court of Common Pleas, before the Honorable Judge Stacy Cook for the sum of \$15,000; and authorizing the expenditure of \$15,000 from the Risk Management Fund; and declaring an emergency.

A motion was made to dispense with the rule requiring that ordinances not be passed earlier than the next succeeding regular or special meeting of Council following its reading. The motion carried by the following vote:

Yea: 11 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes, Ujvagi and Waniewski

A motion was made by Council Member Harper to declare the Ordinance an emergency measure . The motion carried by the following vote:

Yea: 11 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes, Ujvagi and Waniewski

A motion was made by Council Member Harper to pass the Ordinance. The motion carried by the following vote:

Yea: 11 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes, Ujvagi and Waniewski

DEPARTMENT OF PUBLIC UTILITIES:

[O-095-18](#)

Authorizing the appropriation and operating transfer of \$670,000 from the unappropriated balance of the Demolition

Trust Fund into the Water Operating Fund in the amount of \$536,000 and into the Sewer Operating Fund in amount of \$134,000; authorizing the Mayor to renew contracts with Taylor Excavating for the purpose of providing water and sanitary sewer kills for the City of Toledo, Lucas County Land Reutilization Corporation, and private demolition projects; authorizing the expenditure in an amount not to exceed \$782,203 from the Water Operating Fund and an amount not to exceed \$249,800 from the Sewer Operating Fund; and declaring an emergency.

A motion was made to dispense with the rule requiring that ordinances not be passed earlier than the next succeeding regular or special meeting of Council following its reading. The motion carried by the following vote:

Yea: 11 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes, Ujvagi and Waniewski

A motion was made by Council Member Harper to declare an emergency measure the Ordinance. The motion carried by the following vote:

Yea: 11 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes, Ujvagi and Waniewski

A motion was made by Council Member Harper to pass the Ordinance. The motion carried by the following vote:

Yea: 11 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes, Ujvagi and Waniewski

DEPARTMENT OF ECONOMIC & BUSINESS DEVELOPMENT:

[O-096-18](#)

Amending Toledo Municipal Code Section 187.19 relating to the Land Reutilization Program (Landbanking Program); making certain findings with respect thereto; and declaring an

emergency.

A motion was made by Council Member Harper that this Ordinance be an First Reading. The motion carried by a unanimous vote.

DEPARTMENT OF PUBLIC SERVICE:

[O-097-18](#)

Authorizing the expenditure in an amount not to exceed \$110,000 from the Toledo Urban Forestry Trust Fund for the purchase of two tree stump removal machines; and declaring an emergency.

A motion was made to dispense with the rule requiring that ordinances not be passed earlier than the next succeeding regular or special meeting of Council following its reading. The motion carried by the following vote:

Yea: 11 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes, Ujvagi and Waniewski

A motion was made by Council Member Harper to declare the Ordinance an emergency measure . The motion carried by the following vote:

Yea: 11 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes, Ujvagi and Waniewski

A motion was made by Council Member Harper to pass the Ordinance. The motion carried by the following vote:

Yea: 11 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes, Ujvagi and Waniewski

DEPARTMENT OF PUBLIC UTILITIES:

[O-098-18](#)

Authorizing the Mayor to enter into cooperative grant agreements with and accept financial assistance from the State

of Ohio Department of Transportation (ODOT) for multiple construction projects; authorizing the acceptance, deposit, appropriation and expenditure of grant proceeds into the Capital Improvement Fund in an amount not to exceed \$17,024,253; authorizing the Mayor to execute all necessary documentation for the grants; authorizing the Mayor to accept bids and award contracts related to the construction; and declaring an emergency.

A motion was made to dispense with the rule requiring that ordinances not be passed earlier than the next succeeding regular or special meeting of Council following its reading. The motion carried by the following vote:

Yea: 11 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes, Ujvagi and Waniewski

A motion was made by Council Member Harper to declare the Ordinance an emergency measure . The motion carried by the following vote:

Yea: 11 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes, Ujvagi and Waniewski

A motion was made by Council Member Harper to pass the Ordinance. The motion carried by the following vote:

Yea: 11 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes, Ujvagi and Waniewski

[O-099-18](#)

Authorizing the Mayor to enter into agreements with and accept financial assistance from the State of Ohio, Ohio Public Works Commission (“OPWC”) in an amount not to exceed \$2,253,905 for six roadway projects; authorizing the appropriation and expenditure of said grant and loan proceeds into the Capital Improvement Program Fund on the subject

projects; authorizing a dedicated source for repayment of said loans; authorizing the Mayor to execute all necessary documentation for said grants and loans and to execute the necessary documentation for all contracts related to construction, professional services, contingencies, capitalized interest, testing, and permit fees; and declaring an emergency.

A motion was made to dispense with the rule requiring that ordinances not be passed earlier than the next succeeding regular or special meeting of Council following its reading. The motion carried by the following vote:

Yea: 11 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes, Ujvagi and Waniewski

A motion was made by Council Member Harper to declare the Ordinance an emergency measure . The motion carried by the following vote:

Yea: 11 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes, Ujvagi and Waniewski

A motion was made by Council Member Harper to pass the Ordinance. The motion carried by the following vote:

Yea: 11 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes, Ujvagi and Waniewski

[O-100-18](#)

Authorizing the appropriation and expenditure of \$2,900,000 from the unappropriated balance of the Franklin Park/Westfield Municipal Public Improvement Tax Increment Fund for the Monroe Street construction project from Secor to Nantucket; and declaring an emergency.

This Ordinance was Dispense with the rules of Council

A motion was made by Council Member Harper to declare the Ordinance an emergency measure . The

motion carried by the following vote:

Yea: 11 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes, Ujvagi and Waniewski

A motion was made by Council Member Harper to pass the Ordinance. The motion carried by the following vote:

Yea: 11 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes, Ujvagi and Waniewski

DEPARTMENT OF HUMAN RESOURCES:[O-101-18](#)

Authorizing the Mayor to enter into an Agreement with Ergometrics and Applied Personnel Services, Inc. to provide services to the City relating to job analyses, development of written examinations and/or assessment centers for Police Sergeant, Police Lieutenant, Police Captain, Fire Lieutenant and Fire Captain and recruitment examinations and physical ability testing for Police Officer and Fire Fighter; further authorizing the expenditure of funds; and declaring an emergency.

A motion was made by Council Member Harper to Dispense with the rules of Council the Ordinance. The motion carried by the following vote:

Yea: 11 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes, Ujvagi and Waniewski

A motion was made by Council Member Harper to declare the Ordinance an emergency measure . The motion carried by the following vote:

Yea: 11 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes, Ujvagi and Waniewski

A motion was made by Council Member Harper to pass the Ordinance. The motion carried by the following vote:

Yea: 11 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Riley, Spang, Sykes, Ujvagi and Waniewski

OFFICE OF THE MAYOR:

[O-102-18](#)

Amending and supplementing Title Seven of Part One of the Toledo Municipal Code and enacting a new Chapter 162 to create the Joe E Brown Park Advisory Board and establishing the Joe E. Brown Park Trust Fund; and declaring an emergency.

A motion was made by Council Member Harper that this Ordinance be an First Reading. The motion carried by a unanimous vote.

READING OF THE TOLEDO CITY JOURNAL:

Councilwoman Harper moved that reading of minutes of meeting of Council held February 27, 2018 be dispensed with and that the Journal be approved; carried unanimously.

EXCUSALS:

COUNCILWOMAN HARPER moved to excuse Council President Cherry, for non-attendance at the Education, Recreation & Employment Committee of March 1, 2018; Councilman Ludeman, for non-attendance at the City Council Meeting of February 27, 2018, Agenda Review of March 6, 2018 and the Water Quality & Sustainability Committee of March 7, 2018; and Councilman Ujvagi, for non-attendance at the Streets, Public Services & Utilities Committee of March 7, 2018; carried; v.v.

ADJOURNMENT:

Council President Cherry moved to adjourn until

Tuesday, March 27, 2018 at 4:00 P.M.; carried; v.v.

Toledo City Council supports the provisions of the Americans' with Disabilities Act. If you need special accommodations, please call 48 hours prior to meeting time at (419) 245-1060.