



City of Toledo

One Government Center
Toledo, OH 43604

Meeting Minutes City Council

Tuesday, January 22, 2019

4:00 PM

Council Chambers

CALL TO ORDER:

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

Absent: 1 - Adams

INVOCATION, PLEDGE OF ALLEGIANCE, NATIONAL ANTHEM:

The invocation was rendered by the TPD Chaplain Larry Vriezlaar, which was followed by the entire audience reciting the Pledge of Allegiance to our Flag and the singing of the National Anthem by TPD Officer Tifani Richard.

APPOINTMENTS FROM THE OFFICE OF THE MAYOR:

[A-028-19](#) Appointment - Board of Building Appeals

Attachments: [BBA](#)

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

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

[A-029-19](#) Appointment - Board of Zoning Appeals

Attachments: [BZA](#)

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

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

[A-030-19](#) Appointment - Civilian Police Review Board

Attachments: [Civilian Police Review Bd](#)

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

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

[A-031-19](#) Appointment - TARTA Board

Attachments: [TARTA](#)

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

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

SECOND READING ITEM:

[O-003-19](#) Authorizing the Mayor to enter into a golf course management agreement for the operation of the Ottawa Park, Detwiler, and Collins Park municipal golf courses; authorizing the deposit of net golf course revenue into the golf course improvement fund; authorizing the Mayor to execute a settlement and release

agreement with Master Golf Management Group with respect to the termination of the current golf course lease agreement; and declaring an emergency.

Attachments: [Audio: O-531-18 Council Meeting 12/18/2018](#)
[Audio: Agenda Review 1/2/2019](#)
[Audio: Council Meeting 1/8/19](#)
[Audio: Agenda Review Meeting 1/15/2019](#)

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

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

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

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

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

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

COUNCILMAN SYKES PRESENTS:

[R-032-19](#)

Urging banks, credit unions and other financial agencies to create programs and work with federal employees, non-profit organizations and contractors affected by the government shutdown.

Attachments: [Audio: Agenda Review 1/15/2019](#)

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

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

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

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

COUNCILMAN JOHNSON PRESENTS:**[R-033-19](#)**

Urging TARTA to continue to diligently look for ways to reinstate Sunday and holiday transportation services to those who rely solely on TARTA for transportation services.

Attachments: [Audio: Agenda Review 1/15/2019](#)

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 - Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

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

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

NEW ITEMS FROM CITY COUNCIL:

[R-034-19](#)

Accepting the petition of the City School District of the City of Toledo, Lucas County, The Young Men's Christian Association of Greater Toledo, and Northwest Ohio Advanced Energy Improvement District 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: [Exhibit 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 - Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

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

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

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

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

[O-035-19](#)

Determining to proceed with certain the City School District of the City of Toledo, Lucas County, and The Young Men's Christian Association of Greater Toledo 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: [Exhibit A, B & C](#)

A motion was made by Councilman Delaney 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 - Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

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

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

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

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

[O-036-19](#)

Levying special assessments for the City School District of the City of Toledo, Lucas County, and The Young Men's Christian Association of Greater Toledo; and declaring an emergency.

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

A motion was made by Councilman Delaney 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 - Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

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

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

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

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

ITEM LIKELY TO BE GIVEN IMMEDIATE CONSIDERATION:[O-049-19](#)

Waiving the collection of water, sewer, storm sewer and refuse fees, suspending late fees and termination of service for federal employees affected by the federal government shutdown until 30 days after shutdown ends; and declaring an emergency.

A motion was made by Council Member Ujvagi to immediate consideration the Ordinance. The motion carried by the following vote:

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

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

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

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

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

Yea: 10 - Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes and Ujvagi

Nay: 1 - Waniewski

OFFICE OF THE MAYOR:[O-037-19](#)

Amending the Toledo Municipal Code by repealing Section

2101.01 and enacting a new Section 2101.01 to change the Salary Group classification of the Executive Director of the Office of Diversity and Inclusion from E-2 to E-4; to change the title of the top administrative position within the Office of Diversity and Inclusion from Executive Director to Director; and declaring an emergency.

Attachments: [Audio: Agenda Review 1/15/2019](#)

A motion was made by Councilman Delaney 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 - Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

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

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

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

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

DEPARTMENT OF PUBLIC UTILITIES:

[O-038-19](#)

Authorizing the expenditure of an amount not to exceed \$4,500,000 in the Water Operating Fund for the removal, hauling and beneficial reuse of spent lime produced by the

Division of Water Treatment; authorizing the mayor to accept bids and execute the necessary contract or contracts; and declaring an emergency.

Attachments: [Audio: Agenda Review 1/15/2019](#)

A motion was made by Councilman Delaney 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 - Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

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

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

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

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

O-039-19

Authorizing the Mayor to enter into an Easement Agreement with Generations Pipeline, LLC for the grant of an easement for installation, operation, and maintenance of a 16-inch subsurface gas pipeline across a portion of city-owned real estate known as the Collins Park Water Treatment Plant, 3040 York Street, Toledo, Ohio, for purposes of providing natural gas service for the Cliffs Natural Resources, Inc. HBI Production Project; authorizing the Mayor to execute needed instruments and agreements in connection with such easement grant; authorizing the Mayor to accept and deposit funds as

reimbursement for City incurred expenses associated with the pipeline installation into the Water Operating Fund from Generations Pipeline, LLC in consideration of the easement grant; and declaring an emergency.

Attachments: [Exhibit A](#)
[Exhibit A, easement](#)
[Audio: Agenda Review 1/15/2019](#)

A motion was made by Council Member Delaney that this Ordinance receive First Reading. The motion carried by a unanimous vote.

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

DEPARTMENT OF NEIGHBORHOOD & BUSINESS DEVELOPMENT:

[O-040-19](#)

Authorizing the Mayor to (i) enter into one or more easement agreements (the “Easements”) with IronUnits LLC for the grant of a surface easement and aerial easement for the installation, operation, and maintenance of a rail line and conveyor system across portions of City-owned Front Street right-of-way and (ii) consent to the grant of an easement from the Toledo-Lucas County Port Authority over certain land adjacent to the Front Street right-of-way over which the City has existing easement rights (the “Port Easement”), all for purposes of the development, construction and operation of the Cleveland-Cliffs Inc. HBI Production Plant Project on adjacent land (the “Project”); authorizing the Mayor to execute needed instruments and agreements in connection with such easement grants; authorizing the Mayor to accept and deposit funds as reimbursement for City incurred expenses associated with such easement grants; and declaring an emergency.

Attachments: [Exhibit A](#)[Audio: Agenda Review 1/15/2019](#)

A motion was made by Councilman Delaney 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 - Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

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

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

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

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

[O-041-19](#)

Authorizing the Mayor to enter into a Maumee Riverfront Metropark Project Development Agreement with the Metropolitan Park District of the Toledo Area; making certain findings with respect thereto; waiving the competitive bidding process of Toledo Municipal Code Chapter 187 with respect to the conveyance of real property; and declaring an emergency.

Attachments: [Development Agreement](#)[Audio: Agenda Review 1/15/2019](#)

A motion was made by Council Member Delaney that this Ordinance receive First Reading. The motion carried by a unanimous vote.

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

DEPARTMENT OF FINANCE:

[O-042-19](#) Approving the Capital Improvement Budget for the years 2019 - 2023; authorizing the appropriation of \$11,512,546 for capital projects; and declaring an emergency.

Attachments: [2019-2023 CIP Plan](#)
[Audio: Agenda Review 1/15/2019](#)

A motion was made by Council Member Delaney that this Ordinance receive First Reading. The motion carried by a unanimous vote.

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

[O-043-19](#) Changing the zoning maps attached to Part 11, Planning and Zoning, Toledo Municipal Code, for the property located at 2105, 2139, 2141 & 2147 Lawrence Avenue, in the City of Toledo, Lucas County, Ohio; and declaring an emergency.

Attachments: [Plan Commission Report](#)
[Audio: TCPC 12/6/2018](#)
[Audio: ZPC 1/9/2019](#)

A motion was made by Councilman Delaney 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 - Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

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

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

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

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

[O-044-19](#)

Changing the zoning maps attached to Part 11, Planning and Zoning, Toledo Municipal Code, for the property located at 4216 Secor Rd. in the City of Toledo, Lucas County, Ohio; and declaring an emergency.

Attachments: [Plan Commission Report](#)
[Audio: TCPC 12/6/2018](#)
[Audio: ZPC 1/9/2019](#)

A motion was made by Councilman Delaney 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 - Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

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

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

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

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

[O-045-19](#)

Changing the zoning maps attached to Part 11, Planning and Zoning, Toledo Municipal Code, for the property located at 625 Adams Street, in the City of Toledo, Lucas County, Ohio; and declaring an emergency.

Attachments: [Plan Commission Report](#)

[Audio: TCPC 12/6/2018 625 Adams](#)

[Audio: ZPC 1/9/2019](#)

A motion was made by Councilman Delaney 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 - Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

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

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

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

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

[O-046-19](#)

Approving and adopting the M-11-13 Junction Avenue Neighborhood Plan as an amendment to the Toledo 20/20 Comprehensive Plan for the City of Toledo, Ohio; and declaring an emergency.

Attachments: [Plan Commission Report](#)
[Junction Neighborhood Master Plan](#)
[Audio: TCPC 12/6/2018](#)
[Audio: ZPC 1/9/2019](#)

A motion was made by Councilman Delaney 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 - Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

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

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

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

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

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

[O-047-19](#) Changing the zoning maps attached to Part 11, Planning and Zoning, Toledo Municipal Code, for the property located at 1630 & 1632 W. Laskey Rd, in the City of Toledo, Lucas County, Ohio; and declaring an emergency.

Attachments: [Plan Commission Report](#)
[Aufio: TCPC 12/6/2018 ZC--1630 W. Laskey](#)
[Audio: ZPC 1/9/2019](#)

A motion was made by Councilman Delaney 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 - Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

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

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

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

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

[O-048-19](#) Granting a Special Use Permit for used auto sales facility for a site located at 1630 & 1632 W Laskey Rd, in the City of Toledo, Lucas County, Ohio; subject to certain conditions; declaring an emergency.

Attachments: [Plan Commission Report](#)
[Audio: TCPC 12/6/2018 SUP--1630 W. Laskey](#)
[Audio: ZPC 1/9/2019](#)

A motion was made by Councilman Delaney 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 - Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

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

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

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

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

READING OF THE TOLEDO CITY JOURNAL:

A motion was made to Dispense with the reading of TCJ from January 8, 2019. The motion carried unanimously.

EXCUSALS:

A motion was made by Council Member Delaney to

excuse Council Member Komives, for non-attendance at the Committee of the Whole of January 16, 2019: carried by a unanimous vote.

ADJOURNMENT:

Council President Cherry moved to adjourn until Tuesday February 5, 2019 at 4:00 PM.

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.