



City of Toledo

One Government Center
Toledo, OH 43604

Meeting Minutes City Council

Tuesday, November 23, 2021

4:00 PM

Council Chambers

CALL TO ORDER:

Present: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

Invocation, Pledge of Allegiance, and Singing of the National Anthem

Pastor Perry Harris

Ramona Collins

COUNCIL PRESIDENT CHERRY PRESENTS:

[R-571-21](#)

Recognizing November 27, 2021 as Small Business Saturday and supporting awareness of the value of our small businesses.

Attachments: [Audio: Agenda Review 11/16/2021](#)

Suspension

Yea: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

Passage

Yea: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

SECOND READING ITEMS:

[O-485-21](#)

Amending the Toledo Municipal Code by enacting a new Section 953.21, Youth Programs, requiring organizations providing Youth Programs and utilizing City Parks or Facilities

or receiving funding from the City to meet minimum safety requirements; and declaring an emergency.

Attachments: [Exhibit A](#)
[Fact Sheet](#)
[Audio: Agenda Review 9/21/2021](#)
[Audio: Agenda Review 10/19/2021](#)
[Audio Agenda Review 11/16/2021](#)

amended

Yea: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

Emergency

Yea: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

Passage

Yea: 4 - Adams, Gadus, Ludeman and Whitman

Nay: 8 - Cherry, Hobbs III, Komives, McPherson, Melden, Moline, Morris and Williams

[O-542-21](#)

Authorizing the mayor to enter into a development agreement with the Toledo Lucas County Police Athletic League, Inc. for the construction and operation and of a multipurpose sports field located at 1111 E. Manhattan; authorizing the appropriation and expenditure of \$406,191.50 from the Capital Improvement Fund and the expenditure of \$600,000 from the Community Development Block Grant (CDBG) Fund for the construction of a multipurpose field at 1111 E. Manhattan; authorizing the Mayor to accept bids and award contracts; and declaring an emergency.

Attachments: [Proposal](#)
[Baseball Field](#)
[Scott A. Noonan](#)
[Scope of Work](#)
[Cost Estimate, December 9](#)
[Audio: Agenda Review 11/16/2021](#)
[Audio: City Council November 23, 2021](#)
[Audio: Education, Recreation & Employment](#)
[Committee Meeting 11/10/2021](#)
[Education, Recreation & Employment Committee](#)
[Meeting 12/1/2021](#)

Referred To:

- Yea:** 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams
relieve of Committee
- Yea:** 4 - Adams, Komives, Ludeman and Melden
- Nay:** 8 - Cherry, Gadus, Hobbs III, McPherson, Moline, Morris, Whitman and Williams

[R-544-21](#)

Submitting to the Toledo City Plan Commission an amendment to TMC 1104.0603 to remove the 2000 ft spacing requirement between convenience stores in a Special Use Permit; authorizing a public hearing on said text amendment and publication of said hearing; and declaring an emergency.

Attachments: [Audio: Agenda Review 11/16/2021](#)

Emergency

- Yea:** 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams
Passage

Yea: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

[O-556-21](#)

Authorizing the Mayor to enter into a Purchase and Sale Contract with NorthPoint Development, LLC, to execute and deliver needed instruments for the sale and conveyance of 60 acres of city-owned real property known as the former North Towne Square Mall property, in the City of 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 Capital Improvement Fund and the appropriation of same; and declaring an emergency.

Attachments:

[Exhibit A](#)

[Exhibit B](#)

[Media Advisory, October 28](#)

[Site Plan](#)

[Audio: Agenda Review 11/16/2021](#)

Emergency

Yea: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

Passage

Yea: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

[O-557-21](#)

Amending Ordinance 68-21, which established the North Towne TIF, with respect to the priority of exemptions granted under the Ohio Revised Code; and declaring an emergency.

Attachments:

[Audio: Agenda Review 11/16/2021](#)

Emergency

Yea: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

Passage

Yea: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

[O-559-21](#)

Authorizing the Mayor to execute a Lease Renewal with Toledo Zoological Society for their use and operation of the Parking Lot, located at 2683 Broadway, Toledo, Ohio, authorizing the receipt and deposit of annual Lease payments; making certain findings and waivers with respect thereto; and declaring an emergency.

Attachments: [Audio: Agenda Review 11/16/2021](#)

Emergency

Yea: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

Passage

Yea: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

[O-560-21](#)

Authorizing the Mayor to execute a lease renewal with Toledo Sailing Club for their continued use of certain property within the Parking Lot across from the Toledo Zoo, located at 2683 Broadway, Toledo, Ohio, for vehicular parking spaces and for off-season boat dock storage; authorizing the receipt and deposit of annual lease proceeds; making certain findings and waivers with respect thereto; and declaring an emergency.

Attachments: [Exhibit A](#)
[Renewal](#)
[Audio: Agenda Review 11/16/2021](#)

Emergency

Yea: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

Passage

Yea: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

[O-561-21](#)

Authorizing the expenditure of \$1,500,000 from the Capital Improvement Fund for the purchase of replacement Windows 7 computers and Windows 10 computers, office licenses, edge switches and UPS devices; authorizing the Mayor to award contracts; and declaring an emergency.

Attachments: [Audio: Agenda Review 11/16/2021](#)

Emergency

Yea: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

Passage

Yea: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

COUNCILWOMAN MORRIS PRESENTS:

[O-572-21](#)

Authorizing the Mayor to enter into certain agreements to conduct and oversee a Toledo-Columbus Passenger Rail Corridor Route Assessment Concept Study; authorizing the appropriation of \$20,000 from the unappropriated balance of

the General Fund; authorizing expenditure of \$20,000 in the General Fund and an agreement with Transportation Economics & Management Systems Inc.; waiving TMC Ch. 187 for competitive proposals; and declaring an emergency.

Attachments: [Concept Study](#)
[Audio: Agenda Review 11/16/2021](#)

Suspension

Yea: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

Emergency

Yea: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

Passage

Yea: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

**COUNCIL PRESIDENT CHERRY AND THE MEMBERS OF CITY COUNCIL
PRESENT:**

[O-573-21](#)

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 for a WLC Co Limited and 1447 N. Summit Street, Toledo, Ohio 43604; 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 declaring an emergency.

Attachments: [Exhibit A, B & C](#)
[Petition](#)
[Audio: Agenda Review 11/16/2021](#)

Suspension

Yea: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

Emergency

Yea: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

Passage

Yea: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

DEPARTMENT OF FIRE & RESCUE OPERATIONS:

[O-574-21](#)

Authorizing the Mayor to appropriate and expend \$234,319.49 for the purchase of (61) portable radios and related equipment for the department of Fire and Rescue; authorizing the acceptance of a grant from the Cleveland-Cliffs Foundation in the amount of \$27,000; waiving the competitive bid requirements of Chapter 187 of the Toledo Municipal Code; authorizing the Mayor to award contracts for said purchases; and declaring an emergency.

Attachments: [Audio: Agenda Review 11/16/2021](#)

Suspension

Yea: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

Emergency

Yea: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

Passage

Yea: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

DEPARTMENT OF PUBLIC UTILITIES:

[O-575-21](#)

Authorizing the expenditure in an amount not to exceed \$600,000 from the Water Replacement Fund for the purchase of laboratory equipment; authorizing the mayor to accept bids and enter into contracts; and declaring an emergency.

Attachments: [Audio: Agenda Review 11/16/2021](#)

Suspension

Yea: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

Emergency

Yea: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

Passage

Yea: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

[O-576-21](#)

Authorizing the disappropriation of \$2,387,253 from the Water Bond Improvement Fund; authorizing the appropriation of \$2,387,253 in the Water Bond Improvement Fund for Laboratory Improvements, Roadway and Site Improvements, and other Facility Refurbishments and Improvements at the

Collins Park Water Treatment Plant; and declaring an emergency.

Attachments: [Audio: Agenda Review 11/16/2021](#)
[Audio: Agenda Review November 30, 2021](#)
[Audio: City Council December 7, 2021](#)

First Reading

Yea: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

[O-577-21](#) Authorizing the disappropriation of \$2,446,980 from the 2016 Water Bond Issuance and \$211,316 from the 2018 Water Bond Issuance in the Water Bond Improvement Fund and providing necessary transfer of funds to facilitate the closure or reduction of projects in said funds; authorizing the appropriation of \$284,915 from the unappropriated balance of the 2012 Bond issuance, \$2,446,980 from the unappropriated balance of the 2016 Bond issuance, and \$516,316 from the unappropriated balance of the 2018 Bond issuance; and declaring an emergency.

Attachments: [Audio: Agenda Review 11/16/2021](#)
[Audio: Agenda Review November 30, 2021](#)
[Audio: City Council December 7, 2021](#)

[O-578-21](#) Authorizing the disappropriation of \$262,664 from the Water Bond Improvement Fund; authorizing the appropriation of \$262,664 in the Water Bond Improvement Fund for the Low Service Pump Station Improvements Project for the Collins Park Water Treatment Plant; and declaring an emergency.

Attachments: [Audio: Agenda Review 11/16/2021](#)
[Audio: Agenda Review November 30, 2021](#)
[Audio: City Council December 7, 2021](#)

First Reading

Yea: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

[O-579-21](#)

Authorizing the disappropriation and balance transfer of \$700,515 from four accounts in the Sewer Replacement Fund into an existing account in the Sewer Replacement Fund; authorizing the appropriation in an amount not to exceed \$700,515 from the Sewer Replacement Fund for the Major Pump Station VFD Replacement Project at the Water Reclamation Plant; and declaring an emergency.

Attachments: [Audio: Agenda Review 11/16/2021](#)
[Audio: Agenda Review November 30, 2021](#)
[Audio: City Council December 7, 2021](#)

First Reading

Yea: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

[O-580-21](#)

Authorizing the mayor to enter into cooperative grant agreements with and accept financial assistance from the State of Ohio Department of Transportation (ODOT) for two construction projects; authorizing the acceptance, deposit, appropriation and expenditure of grant proceeds into the Capital Improvement Program Fund in an amount not to exceed \$2,741,185; 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.

Attachments: [Audio: Agenda Review 11/16/2021](#)

Suspension

Yea: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

Emergency

Yea: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

Passage

Yea: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

DEPARTMENT OF PUBLIC SERVICE:

[O-581-21](#)

Authorizing the expenditure in an amount not to exceed \$15,736 from the Street Construction Maintenance and Repair Fund for software upgrades and capacity expansions for City of Toledo Signal engineering; waiving the competitive bidding requirements under TMC Chapter 187; and declaring an emergency.

Attachments: [Quote](#)

[Audio: Agenda Review 11/16/2021](#)

Suspension

Yea: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

Emergency

Yea: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

Passage

Yea: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

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

[O-582-21](#) Changing the zoning maps attached to Part 11, Planning and Zoning, Toledo Municipal Code, for the property located at 2805, 2807 and 2809 119th Street, in the City of Toledo, Lucas County, Ohio; and declaring an emergency.

Attachments: [Plan Commission Report](#)
[Zoning & Planning Committee 11/17/2021](#)
Suspension

Yea: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

Emergency

Yea: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

Passage

Yea: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

[O-583-21](#) Granting a Special Use Permit, for a Drug and Alcohol Treatment Center Non-Residential for a site located at 4352 W. Sylvania Avenue, in the City of Toledo, Lucas County, Ohio; subject to certain conditions and a waiver; and declaring an emergency.

Attachments: [Plan Commission Report](#)
[Zoning & Planning Committee 11/17/2021](#)

Suspension

Yea: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

Emergency

Yea: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

Passage

Yea: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

[O-584-21](#)

Granting a Special Use Permit, for a New Gas Station and Convenience Store for a site located at 3531 Airport Highway, in the City of Toledo, Lucas County, Ohio; subject to certain conditions and a waiver; and declaring an emergency.

Attachments: [Plan Commission Report](#)
[Zoning & Planning Committee 11/17/2021](#)

Suspension

Yea: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

Emergency

Yea: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

Passage

Yea: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

[O-585-21](#)

Granting a Special Use Permit, for a Tobacco Shop for a site located at 5801 Telegraph Rd., in the City of Toledo, Lucas County, Ohio; subject to certain conditions and a waiver; and declaring an emergency.

Attachments: [Plan Commission Report](#)
[Zoning & Planning Committee 11/17/2021](#)

Suspension

Yea: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

Emergency

Yea: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

Passage

Yea: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

COUNCILWOMAN DR. ADAMS, CHAIR, NEIGHBORHOODS, COMMUNITY DEVELOPMENT & HEALTH COMMITTEE, REPORTS AS APPROVED:[O-267-21](#)

Enacting a new Toledo Municipal Code Chapter 702, "Short-Term Rentals"; and declaring an emergency.

Attachments: [Audio: Agenda Review, June 1, 2021](#)
[Audio: Agenda Review June 15, 2021](#)
[Audio: City Council June 8, 2021](#)
[Neighborhoods, Community Development & Health Committee 11/10/2021](#)
[Audio: Agenda Review November 30, 2021](#)
[Audio: City Council December 7, 2021](#)

held

Yea: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

DEPARTMENT OF HUMAN RESOURCES:

[O-586-21](#) Approving the revision of the current Collective Bargaining Agreement between the City of Toledo and the Toledo Police Command Officers' Association for a successor agreement, consistent with the bargained understandings; and declaring an emergency.

Attachments: [Exhibit A](#)

[Memo](#)

Suspension

Yea: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

Emergency

Yea: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

Passage

Yea: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

R-0470-14 Reading of Toledo City Journal

R-0471-14 EXCUSALS

The Clerk of Council's Office 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 for arrangements.

Present: 12 - Adams, Cherry, Gadus, Hobbs III, Komives, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams