

City of Toledo

One Government Center Toledo, OH 43604

Meeting Minutes City Council

Tuesday, August 6, 2019

4:00 PM

Council Chambers

Rollcall

Present: 12 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

INVOCATION, PLEDGE OF ALLEGIANCE, NATIONAL ANTHEM:

Pastor Waverly Earley of Wesley United Methodist Church offered the Invocation. Nicole Wilson sang the National Anthem

COUNCIL PRESIDENT CHERRY AND THE MEMBERS OF COUNCIL PRESENT:

R-357-19

Recognizing the signing of the Sister Cities Agreement between Coburg, Germany, and the City of Toledo.

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

Yea: 12 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

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

Yea: 12 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

APPOINTMENTS FROM THE OFFICE OF THE MAYOR:

A-358-19 Appointment - Old West End Historic District Commission

Attachments: OWE Historic District Comm

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

Yea: 12 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

A-359-19 Appointments - Toledo City Historic District Commission

Attachments: Toledo City Historic District Comm

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

Yea: 12 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

SECOND READING ITEMS:

O-343-19 Authorizing the disappropriation of \$50,000 from the General

Fund; authorizing the appropriation and expenditure of \$50,000 from the General Fund for the JumpStart Program; authorizing the mayor to enter into an agreement with JumpStart Inc.; waiving the competitive bidding requirements of TMC Chapter

187; and declaring an emergency.

Attachments: Audio: Agenda Review 7/16/2019

Audio: City Council 8/6/2019

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

motion carried by the following vote:

Yea: 12 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

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

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

Nay: 1 - Harper

O-356-19 Approving the site plan for a Religious Assembly located at

3900 Emmajean Road, Toledo, Ohio; subject to certain conditions and a waiver; and declaring an emergency.

Attachments: Audio: ZPC 7/17/2019

Audio: TCPC 6/13/19

Audio: Agenda Review 7/30/2019 Audio: City Council 8/6/2019

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

Yea: 12 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

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

Yea: 12 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

COUNCIL MEMBERS UJVAGI AND HARPER PRESENT:

O-360-19 Authorizing the Mayor to implement a Better Board up Program through the Department of Neighborhood and

Business Development, for securing vacant structures and preserving the integrity of our neighborhoods, even pending demolitions; and declaring an emergency.

Attachments: Highlights

Audio: City Council 8/6/2019
Audio: Agenda Review 8/13/2019
Audio: City Council 8/20/2019

The motion was made by Council member Sykes that this Ordinance receive first reading. The motion carried by the following vote:

Yea: 12 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

COUNCIL PRESIDENT CHERRY AND THE MEMBERS OF COUNCIL PRESENT:

O-361-19

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; 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 to approve an Energy Project Agreement in connection with such improvements and special assessments; and declaring an emergency.

Attachments: Exhibit A, B & C

Petition Agreement

Audio: Agenda Review July 30, 2019 Audio: City Council August 6, 2019

A motion was made by Council Member Sykes 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: 12 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

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

Yea: 12 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

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

Yea: 12 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

DEPARTMENT OF FINANCE:

O-362-19

Levying special assessments for sprinkling, sweeping, cleaning and snow removal services for the municipal streets, alleys and public ways in the City during the calendar year 2018; and declaring an emergency.

Attachments: Assessed Services Program History Audio: Agenda Review 7/30/2019 Audio: City Council 8/6/2019

> A motion was made by Council Member Sykes 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:

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

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

Yea: 12 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

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

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

Nay: 1 - Waniewski

O-363-19 Levying special assessments for the improvement of certain

streets, alleys and public ways outside of the downtown area of the City by providing street lighting during the calendar year

2018; and declaring an emergency.

Attachments: Audio: Agenda Review 7/30/2019

Audio: City Council 8/6/2019

A motion was made by Council Member Sykes 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: 12 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

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

Yea: 12 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

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

Yea: 12 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

O-364-19 Levying special assessments for the improvement of certain streets and public ways in the downtown area of the City by providing street lighting during the calendar year 2018; and

declaring an emergency.

Attachments: Audio: Agenda Review 7/30/2019

Audio: City Council 8/6/2019

A motion was made by Council Member Sykes 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: 12 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

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

Yea: 12 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

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

Yea: 12 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

O-365-19 Levying special assessments for controlling the blight and

disease of shade trees within public rights-of-way and planting, maintaining, trimming and removing shade trees in and along the streets of the City during the calendar year 2018; and declaring an emergency.

Attachments: Audio: Agenda Review 7/30/2019

Audio: City Council 8/6/2019

A motion was made by Council Member Sykes 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: 12 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

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

Yea: 12 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

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

Yea: 12 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

O-366-19 Levying special assessments for the 2018 Sidewalk Program; and declaring an emergency.

Attachments: 2018 Sidewalk Program

Audio: Agenda Review 7/30/2019 Audio: City Council 8/6/2019

A motion was made by Council Member Sykes 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: 12 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

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

Yea: 12 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

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

Yea: 12 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

DEPARTMENT OF NEIGHBORHOOD & BUSINESS DEVELOPMENT:

O-367-19 Authorizing the mayor to enter into an agreement with Total

Environmental Services, LLC for the abatement of environmental contaminates and removal of debris at 604 Junction Ave. as declared an emergency demolition by the Chief Building Official; authorizing expenditure of an amount not to exceed \$36,000 from the General Fund; and declaring an

emergency.

Attachments: Audio: Agenda Review 7/30/2019

Audio: City Council 8/6/2019

A motion was made by Council Member Sykes 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: 12 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

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

Yea: 12 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

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

Yea: 12 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

DEPARTMENT OF FIRE & RESCUE OPERATIONS:

O-368-19 Authorizing the Mayor to accept a donation from Old

Newsboys Goodfellow Association, for the City of Toledo, Fire & Rescue Department; authorizing the deposit, appropriation and expenditure of \$26,000 to provide Public Safety Training

Equipment; and declaring an emergency.

Attachments: Audio: Agenda Review 7/30/2019

Audio: City Council 8/6/2019

A motion was made by Council Member Sykes 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: 12 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

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

motion carried by the following vote:

Yea: 12 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

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

Yea: 12 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

DEPARTMENT OF LAW:

O-369-19 Authorizing the pre-suit settlement of a negligence claim of the

City of Toledo against Autumn Marsh for damages to a police vehicle arising from a May 6, 2018 motor vehicle accident for the sum of \$25,000; authorizing the Director of Finance to deposit the settlement proceeds into the Capital Improvement

Fund; and declaring an emergency.

Attachments: Audio: Agenda Review 7/30/2019

Audio: City Council 8/6/2019

A motion was made by Council Member Sykes 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: 12 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

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

Yea: 12 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

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

Yea: 12 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

DEPARTMENT OF POLICE OPERATIONS:

O-370-19

Authorizing the Mayor to enter into a School Resource Officer Program agreement with Toledo Public Schools and to accept and deposit \$217,265.03 into the General Fund in payment for services provided by Toledo Police Department; and declaring an emergency.

Attachments:

Audio: Agenda Review 7/30/2019 Audio: City Council 8/6/2019

A motion was made by Council Member Sykes 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: 12 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

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

Yea: 12 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

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

Yea: 12 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

O-371-19

Authorizing the Mayor to enter into a School Resource Officer Program agreement with the Washington Local Schools and to accept and deposit \$36,210.84 into the General Fund in payment for services provided by Toledo Police Department; and declaring an emergency.

Attachments:

Audio: Agenda Review 7/30/2019 Audio: City Council 8/6/2019

A motion was made by Council Member Sykes 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: 12 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

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

Yea: 12 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

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

Yea: 12 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

O-372-19

Authorizing the Mayor to enter into a grant agreement and accept and deposit \$28,433.36 from the Office of Criminal Justice Services for an Ohio Drug Law Enforcement Fund (2018-DL-LEF-5853) Program; authorizing the appropriation

and expenditure of said proceeds from the Operation Grants Fund; and declaring an emergency.

Attachments: Audio: Agenda Review 7/30/2019

Audio: City Council 8/6/2019

A motion was made by Council Member Sykes 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: 12 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

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

Yea: 12 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

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

Yea: 12 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

DEPARTMENT OF PUBLIC UTILITIES:

O-373-19

Authorizing the mayor to accept bids and execute the necessary contract or contracts for the removal, hauling and beneficial reuse of spent lime produced by the Division of Water Treatment; authorizing the annual expenditure of an amount not to exceed \$6,500,000 for a period not to exceed five years from the Water Operating Fund; and declaring an emergency.

Attachments: Audio: Agenda Review 7/30/2019
Audio: City Council 8/6/2019

A motion was made by Council Member Sykes 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: 12 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

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

Yea: 12 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

A motion was made by Council Member Sykes 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

Nay: 1 - Ludeman

O-374-19

Authorizing the mayor to enter into grant agreements with the Ohio Public Works Commission (OPWC) for the Large Diameter Sewer Rehabilitation Project and to accept and deposit grant proceeds into the Sewer Replacement Fund; authorizing the appropriation and expenditure of the unappropriated grant proceeds from the Sewer Replacement Fund in an amount not to exceed \$850,000; authorizing the mayor to enter into loan agreements with OPWC for said project and to accept and deposit loan proceeds into the Sewer Replacement Fund; authorizing the appropriation and expenditure of the unappropriated loan proceeds from the

Sewer Replacement Fund in an amount not to exceed \$850,000; authorizing the appropriation and expenditure of \$1,500,000 from the Sewer Replacement Fund; authorizing various adjustments and transfers of expense to comply with the grant and loan agreements; authorizing a dedicated source for repayment of said loans; authorizing the mayor to prepare plans and specifications, acquire rights-of-way and easements as necessary, accept bids and enter into contracts; and declaring an emergency.

Attachments: Audio: Agenda Review 7/30/2019 Audio: City Council 8/6/2019

> A motion was made by Council Member Sykes 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: 12 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

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

Yea: 12 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

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

Yea: 12 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

THE CLERK REPORTS:

R-375-19 Declaring the intent to vacate the 30-foot strip adjacent to Lot 3

in Plat made by Commissioners in Partition, in the City of Toledo, Lucas County, Ohio; and declaring an emergency.

Attachments: Audio: Agenda Review 7/30/2019

Audio: City Council 8/6/2019

A motion was made by Council Member Sykes 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: 12 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

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

Yea: 12 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

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

Yea: 12 - Adams, Cherry, Delaney, Harper, Johnson, Komives, Ludeman, Riley, Spang, Sykes, Ujvagi and Waniewski

Note

Note

READING OF THE TOLEDO CITY JOURNAL:

A motion was made to Dispense with the reading of TCJ the Resolution. The motion carried by the following vote:

EXCUSALS:

A motion was made by Councilman Sykes to excuse:

Council President Cherry, for non-attendance at the Education, Recreation & Employment Committee of August 5, 2019 and the Streets, Public Services & Utilities Committee of August 5, 2019.

Councilman Delaney, for non-attendance at the Finance & Debt Oversight Committee of July 25, 2019.

Council Member Komives, for non-attendance at the Education, Recreation & Employment Committee of August 5, 2019.

Councilman Ludeman, for non-attendance at the Public Safety & Criminal Justice Reform Committee of July 24, 2019.

Councilman Ujvagi, for non-attendance at the Streets, Public Services & Utilities Committee of August 5, 2019.

The motion carried by a unanimous vote.

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.