



City of Toledo

One Government Center
Toledo, OH 43604

Meeting Minutes City Council

Tuesday, November 12, 2019

4:00 PM

Council Chambers

CALL TO ORDER:

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

INVOCATION, PLEDGE OF ALLEGIANCE & NATIONAL ANTHEM

COUNCILMAN SYKES PRESENTS:

[R-525-19](#)

Recognizing Jaden Jefferson for using his love of writing to help lead him to a life-long career as a Multimedia Journalist by changing lives of those around him.

Attachments: [Audio: City Council November 12, 2019](#)

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 pass the Resolution. 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-381-19](#)

Amending Sections 135.02 and 135.03 of the Toledo Municipal

Code, Creating a Division of Rental Registry and Lead Safety; and amending Chapter 1760 of the Toledo Municipal Code, Registration of Lead Safe Residential Rental Units, and enacting a new Ch. 1760, Registration of Residential Rental Properties and Lead Safety.

Attachments:

[Redline](#)

[Audio: Agenda Review 8/13/2019](#)

[Audio: City Council 8/20/2019](#)

[Audio: Agenda Review 8/27/2019](#)

[Audio: City Council Meeting 9/3/2019](#)

[Audio: Agenda Review September 11, 2019](#)

[Audio: Agenda Review 9/24/2019](#)

[Audio: City Council 10/1/2019](#)

[Audio: Agenda Review 10/8/2019](#)

[Audio: City Council October 15, 2019](#)

[Audio: Agenda Review 10/22/2019](#)

[Audio: City Council October 29, 2019](#)

[Audio: City Council November 12, 2019](#)

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

Yea: 8 - Adams, Harper, Johnson, Komives, Riley, Sykes, Ujvagi and Waniewski

Nay: 4 - Cherry, Delaney, Ludeman and Spang

[O-455-19](#)

Authorizing the Mayor to execute a loan modification

agreement on the Low-Income Housing Tax Credit Project for 48 scattered site, single family rental housing units called Autumn Wood I that provides for the partial release of twelve (12) single family unit mortgages in an amount not to exceed Twenty Five Thousand Dollars (\$25,000.00), as well as providing those purchasers of the twelve (12) single unit family homes down payment assistance in the amount of the partial release so that their mortgage is no greater than Fifty Thousand Dollars (\$50,000.00); in addition agreement shall also forgive accrued interest and set interest rate at 0% on the original Three Hundred Thousand (\$300,000.00) HOME loan and also provide that city shall monitor compliance with terms of agreement by reviewing and approving closing statements for initial twelve (12) home sales; and declaring an emergency.

Attachments: [Audio: Agenda Review 9/24/2019](#)
[Audio: City Council 10/1/2019](#)
[Closing Statement - AW I](#)
[Closing Statement - AW II](#)
[Audio: Agenda Review 10/8/2019](#)
[Audio: City Council October 15, 2019](#)
[Audio: Agenda Review 10/22/2019](#)
[Audio: City Council October 29, 2019](#)
[Audio: City Council November 12, 2019](#)

A motion was made by Council Member Adams to amend the Ordinance. 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 Adams to declare emergency the Ordinance. 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 Adams 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-507-19](#)

Declaring a Moratorium until January 31, 2020, on the enforcement of Toledo Municipal Code Section 1105.0301 as it relates to fence height requirements; and declaring an emergency.

Attachments: [Audio: Agenda Review 10/22/2019](#)
[Audio: City Council October 29, 2019](#)
[Audio: City Council November 12, 2019](#)

A motion was made by Council Member Adams to table 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-508-19](#)

Amending Toledo Municipal Code 1105.0301, "Fences and Hedges; Residential Districts."

Attachments: [Audio: Agenda Review 10/22/2019](#)
[Audio: City Council October 29, 2019](#)
[Audio: City Council November 12, 2019](#)

A motion was made by Council Member Adams to Referred To: the Ordinance. 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 PRESIDENT OF COUNCIL:

[A-526-19](#) Appointment - Tax Board of Review

Attachments: [Tax Board of Review](#)

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

NEW ITEMS FROM CITY COUNCIL:

[O-527-19](#) Authorizing the expenditure not to exceed \$15,000 from the Capital Improvement Fund District Improvement Program for the Dorr Street Beautification Project; authorizing the Mayor to execute the necessary contract(s); and declaring an emergency.

Attachments: [Dorr St Beautification.pdf](#)
[Audio: Agenda Review 11/6/2019](#)
[Audio: City Council November 12, 2019](#)

A motion was made by Council Member Adams to Dispense with the rules of Council the Ordinance. 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 Adams to declare emergency the Ordinance. 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 Adams 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-528-19](#)

Authorizing the expenditure not to exceed \$8,870 from the Capital Improvement Fund District Improvement Program for the Legends Arena Basketball Units for Robinson Park Project; authorizing the Mayor to execute the necessary contract(s); and declaring an emergency.

Attachments: [Robinson Park App.pdf](#)
[Audio: Agenda Review 11/6/2019](#)
[Audio: City Council November 12, 2019](#)

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

A motion was made by Council Member Adams 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-529-19](#)

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 11/6/2019](#)
[Audio: City Council November 12, 2019](#)

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A motion was made by Council Member Adams 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

TOLEDO MUNICIPAL COURT:

[O-530-19](#)

Authorizing an agreement between Justice AV Solutions, an Ohio corporation (“JAVS”) City of Toledo, by and through, Toledo Municipal Court (“TMC”) for access to JAVS

Preventative Maintenance, Support and Services in addition to audio and visual equipment for the court located at 555 N. Erie Toledo, Ohio 43604; authorizing an expenditures of \$38,892.00 for the year, waiving the requirements of TMC 187 and making certain findings with respect thereto; and declaring an emergency.

Attachments: [Audio: Agenda Review 11/6/2019](#)
[Audio: City Council November 12, 2019](#)

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

DEPARTMENT OF LAW:

O-531-19

Authorizing the settlement of the claims of Alexandra R. Presberry in an incident occurring on January 7, 2018, while driving westbound on Glendale Avenue, Toledo, Ohio, when she hit an open manhole in the right lane, authorizing the expenditure of \$23,000 from the Risk Management Fund; and declaring an emergency.

Attachments: [Memo of settlement](#)
[Audio: Agenda Review 11/6/2019](#)
[Audio: City Council November 12, 2019](#)

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A motion was made by Council Member Adams 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-532-19](#)

Authorizing the mayor to donate to the Toledo Police Museum one retired TPD Harley Davidson Police trike motorcycle, one retired TPD Harley Davidson Police motorcycle, and one retired TPD Ford Bomb Squad truck; authorizing the transfer of titles.

Attachments: [Photos](#)
[Audio: Agenda Review 11/6/2019](#)
[Audio: City Council November 12, 2019](#)

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

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A motion was made by Council Member Adams 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-533-19](#)

Authorizing the mayor to accept bids and award a two-year contract for recruitment consulting services for the Department of Fire and Rescue Operations; authorizing the expenditure of an amount not to exceed \$59,600 over two years from the General Fund; and declaring an emergency.

Attachments: [Audio: Agenda Review 11/6/2019](#)
[Audio: City Council November 12, 2019](#)

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

DEPARTMENT OF PUBLIC UTILITIES:

[O-534-19](#)

Authorizing the appropriation and expenditure of an amount not to exceed \$115,000 from the unappropriated balance of the Stormwater Utility Improvement Fund for the Silver Creek Phase 4 survey; authorizing the mayor to accept bids and to execute the necessary contract(s) after due advertising; and declaring an emergency.

Attachments: [Audio: Agenda Review 11/6/2019](#)
[Audio: City Council November 12, 2019](#)

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

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

A motion was made by Council Member Adams 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-535-19](#)

Authorizing an Agreement with Columbia Gas of Ohio to accept its Right of Way permit fees in bulk, annually, and to settle existing pre-suit claims between the City of Toledo and Columbia Gas of Ohio for various instances of alleged damage to each other's infrastructure within the City's Right of Way; and declaring an emergency.

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A motion was made by Council Member Adams 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 SERVICE:

[O-536-19](#)

Authorizing the mayor to enter into a ten-year property lease agreement with Arms Dock, Inc. for property space located at 1900 Summit Street, Toledo, Lucas County, Ohio for the

storage of bulk salt; authorizing the annual expenditure of an amount not to exceed \$105,000 from the Special Assessment Fund subject to annual appropriation; and declaring an emergency.

Attachments: [Bullet Points](#)
[Audio: Agenda Review 11/6/2019](#)

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

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

ITEMS LIKELY TO BE GIVEN IMMEDIATE CONSIDERATION:

[O-538-19](#) Amending portions of Section 933.02 in Title III, Chapter 933 of the Toledo Municipal Code to establish new water rates.

This Ordinance was immediate consideration

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

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

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

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.