

### City of Toledo

One Government Center Toledo, OH 43604

# **Meeting Minutes City Council**

Tuesday, December 7, 2021

4:00 PM

**Council Chambers** 

#### CALL TO ORDER:

**Present:** 11 - Adams, Cherry, Gadus, Hobbs III, Ludeman, McPherson,

Melden, Moline, Morris, Whitman and Williams

**Absent:** 1 - Komives

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

<u>R-587-21</u> Recognizing Fire Chief Brian Byrd on the occasion of his

retirement and expressing gratitude for his many years of public

service.

Attachments: Audio: Agenda Review November 30, 2021

Audio: City Council Meeting December 7, 2021

**Suspension** 

Yea: 11 - Adams, Cherry, Gadus, Hobbs III, Ludeman, McPherson,

Melden, Moline, Morris, Whitman and Williams

#### **COUNCIL MEMBER MELDEN PRESENTS:**

<u>R-588-21</u> Recognizing Toledo Area Regional Transit Authority (TARTA)

on 50 years of service.

Attachments: Audio: Agenda Review November 30, 2021

Audio: City Council Meeting December 7, 2021

**Suspension** 

Yea: 11 - Adams, Cherry, Gadus, Hobbs III, Ludeman, McPherson,

Melden, Moline, Morris, Whitman and Williams

#### **SECOND READING ITEMS:**

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

**Emergency** 

Yea: 11 - Adams, Cherry, Gadus, Hobbs III, Ludeman, McPherson,

Melden, Moline, Morris, Whitman and Williams

**Passage** 

Yea: 9 - Adams, Cherry, Gadus, Hobbs III, Melden, Moline,

Morris, Whitman and Williams

Nav: 2 - Ludeman and McPherson

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: 11 - Adams, Cherry, Gadus, Hobbs III, 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

held

**Yea:** 11 - Adams, Cherry, Gadus, Hobbs III, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

O-579-21

City of Toledo

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.

Page 3

Attachments: Audio: Agenda Review 11/16/2021

Audio: Agenda Review November 30, 2021
Audio: City Council December 7, 2021

held

**Yea:** 11 - Adams, Cherry, Gadus, Hobbs III, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

#### **COUNCIL PRESENT CHERRY PRESENTS:**

O-589-21 Authorizing the improvement to Elmer Drive at the southeast

corner of the intersection at N. Holland Sylvania by installing one (1) LED street light; determining to proceed with the improvement; authorizing the annual cost of \$111.48 for said improvement from the Special Assessment Fund and the General Fund utilities account to Toledo Edison; and declaring

an emergency.

Attachments: Audio: Agenda Review November 30, 2021

Audio: City Council December 7, 2021

First Reading

Yea: 11 - Adams, Cherry, Gadus, Hobbs III, Ludeman, McPherson,

Melden, Moline, Morris, Whitman and Williams

#### **TOLEDO MUNICIPAL COURT:**

O-590-21 Authorizing the Mayor to enter into an agreement with the

Lucas County Sheriff to continue to provide security for Toledo

Municipal Court and Warrant Enforcement Services;

authorizing the expenditure of funds; waiving TMC Section 187.24; making certain findings, and declaring an emergency.

**Attachments:** Agreement

Audio: Agenda Review November 30, 2021 Audio: City Council December 7, 2021

Suspension

**Yea:** 11 - Adams, Cherry, Gadus, Hobbs III, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

#### **DEPARTMENT OF NEIGHBORHOODS:**

O-591-21 Authorizing the Mayor to accept, deposit, appropriate, and

expend \$3,215,643.74 of Emergency Rental Assistance ("ERA2") Funds from the Lucas County Board of Commissioners awarded by the United States Department of Treasury for the purpose of continuing a unified Emergency Rental Assistance Program for low to moderate income participants; authorizing the Mayor to execute an agreement with the Lucas County Board of Commissioners for the sole authority to continue to disburse, manage and administer a second Emergency Rental Assistance Program on its behalf; authorizing the appropriation and expenditure these funds on behalf of Lucas County Board of Commissioners as their fiscal agent in accordance with Ohio law; and declaring an emergency.

Attachments: Schedule A

ERA Overview, November 30

Audio: Agenda Review November 30, 2021
Audio: City Council December 7, 2021

Suspension

Yea: 11 - Adams, Cherry, Gadus, Hobbs III, Ludeman, McPherson,

Melden, Moline, Morris, Whitman and Williams

O-592-21 Authorizing the mayor to enter into an Ohio Department of

Health SCHIP subrecipient agreement for lead remediation in twenty properties; authorizing the acceptance, deposit, appropriation and expenditure of an amount not to exceed \$500,000 into the Operation Grants Fund; and declaring an

emergency.

Attachments: Audio: Agenda Review November 30, 2021

Audio: City Council December 7, 2021

**Suspension** 

**Yea:** 11 - Adams, Cherry, Gadus, Hobbs III, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

O-593-21 Authorizing the Mayor to accept and deposit Lead Based Paint

Hazard Control (LBPHC) Program Income dollars derived from the recapture of project funds and miscellaneous reimbursements into the Lead Based Paint Hazard Control Grant Fund; authorizing the appropriation and expenditure of

LBPHC program income to the LBPHC Grants Fund;

authorizing the appropriation of the program income funds into the LBPHC Fund; authorizing the transfer of LBPHC program income from the unappropriated balance of the LBPHC Fund into the LBPHC Fund; authorizing the appropriation and expenditure of said funds for the LBPHC program; and

declaring an emergency.

Attachments: Audio: Agenda Review November 30, 2021

Audio: City Council December 7, 2021

Suspension

Yea: 11 - Adams, Cherry, Gadus, Hobbs III, Ludeman, McPherson,

Melden, Moline, Morris, Whitman and Williams

O-594-21 Authorizing the disappropriation of \$58,029.06 from the

previous Emergency Solutions Grant (ESG) grant year;

authorizing the re-appropriation and expenditure of \$58,029.06 from the unappropriated balance of the ESG Operating Grant

Fund; and declaring an emergency.

Attachments: Schedule A

Audio: Agenda Review November 30, 2021

Audio: City Council December 7, 2021

**Suspension** 

**Yea:** 11 - Adams, Cherry, Gadus, Hobbs III, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

#### **DEPARTMENT OF POLICE OPERATIONS:**

O-595-21 Authorizing the Mayor to enter into an agreement with the

Bureau of Justice Assistance (BJA) through the Office of Criminal Justice Services (OCJS) and to accept and deposit a 2019-PS-PSN-439F grant in the amount of \$29,000 for the Toledo Police Department; authorizing the appropriation and expenditure of funds from the Operation Grants fund for departmental overtime and to purchase portable radios; and

declaring an emergency.

Attachments: Audio: Agenda Review November 30, 2021

Audio: City Council December 7, 2021

**Suspension** 

Yea: 11 - Adams, Cherry, Gadus, Hobbs III, Ludeman, McPherson,

Melden, Moline, Morris, Whitman and Williams

O-596-21 Authorizing the mayor to enter into a software expansion and

customization agreement with Emprise Technologies, LLC for case management software; authorizing the expenditure of an amount not to exceed \$150,000 from the Operation Grants Fund; waiving the competitive bid requirements of Chapter 187 of the Toledo Municipal Code; and declaring an emergency.

Attachments: Audio: Agenda Review November 30, 2021

Audio: City Council December 7, 2021

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Melden, Moline, Morris, Whitman and Williams

O-597-21 Authorizing the Mayor to enter into a contract for the purchase

of a laser scanner; authorizing the expenditure of \$130,361.32

from the Law Enforcement Trust Fund; and declaring an emergency.

Attachments: Audio: Agenda Review November 30, 2021

Audio: City Council December 7, 2021

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O-598-21 Authorizing the Mayor to enter into a virtual reality training

simulator agreement with Axon Enterprises Inc. for a period of 27 months; authorizing the Law Enforcement Trust Fund

expenditure of an amount not to exceed \$78,000 for the first 15 months and \$59,000 from the General Fund for the remaining

12 months subject to future appropriations; waiving the competitive bidding requirements of TMC Chapter 187; and

declaring an emergency.

**Attachments:** Axon VR Training

Audio: Agenda Review November 30, 2021
Audio: City Council December 7, 2021

**Suspension** 

Yea: 11 - Adams, Cherry, Gadus, Hobbs III, Ludeman, McPherson,

Melden, Moline, Morris, Whitman and Williams

#### **DEPARTMENT OF PUBLIC UTILITIES:**

O-599-21

Authorizing the expenditure in an amount not to exceed \$2,387,253 from the Water Bond Improvement Fund; authorizing the mayor to execute the necessary contract(s) for the design, preparation of plans and specifications, engineering, bidding, construction oversight, testing, permits, renovation, construction, appurtenances, and other related work, tasks, equipment, and materials needed for Facility Refurbishments and Improvements at the Collins Park Water Treatment Plant;

and declaring an emergency.

Attachments: Audio: Agenda Review November 30, 2021

Audio: City Council December 7, 2021

First Reading

Yea: 11 - Adams, Cherry, Gadus, Hobbs III, Ludeman, McPherson,

Melden, Moline, Morris, Whitman and Williams

O-600-21 Authorizing the expenditure of \$3,248,211 from the Water

Bond Fund for the Chemical Feed Improvements Project at the Division of Water Treatment; authorizing the mayor to execute the necessary contract(s) for the design, preparation of plans and specifications, engineering, bidding, construction oversight, testing, permits, renovation, construction, appurtenances, and other related work, tasks, equipment, and materials needed; and

declaring an emergency.

Attachments: Audio: Agenda Review November 30, 2021

Audio: City Council December 7, 2021

**First Reading** 

Yea: 11 - Adams, Cherry, Gadus, Hobbs III, Ludeman, McPherson,

Melden, Moline, Morris, Whitman and Williams

O-601-21 Authorizing the expenditure of \$262,664 from the Water Bond

Improvement Fund for the Low Service Pump Station

Improvements Project for the Collins Park Water Treatment

Plant; authorizing the mayor to execute the necessary contract(s) for the design, preparation of plans and

is in the design, preparation of plans and

specifications, engineering, bidding, construction oversight, testing, permits, renovation, construction, appurtenances, and other related work, tasks, equipment, and materials needed; and

declaring an emergency.

Attachments: Audio: Agenda Review November 30, 2021

Audio: City Council December 7, 2021

#### **First Reading**

**Yea:** 11 - Adams, Cherry, Gadus, Hobbs III, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

O-602-21 Authorizing the expenditure in an amount not to exceed

\$700,515 from the Sewer Replacement Fund for the Major Pump Station Variable Frequency Drive (VFD) Replacement Project at the Water Reclamation Plant; authorizing the Mayor to accept bids and award contracts for said project; and

declaring an emergency.

Attachments: Audio: Agenda Review November 30, 2021

Audio: City Council December 7, 2021

**First Reading** 

**Yea:** 11 - Adams, Cherry, Gadus, Hobbs III, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

**DEPARTMENT OF FINANCE:** 

O-603-21 Appropriating money for current ordinary expenditures of the

various departments for the City of Toledo for the first quarter (January, February and March) of 2022; and declaring an

emergency.

Attachments: Attachment

Audio: Agenda Review November 30, 2021

Audio: City Council December 7, 2021

**First Reading** 

Yea: 11 - Adams, Cherry, Gadus, Hobbs III, Ludeman, McPherson,

Melden, Moline, Morris, Whitman and Williams

O-604-21 Appropriating from various funds to individual accounts for the

current expenses and other expenses of the City of Toledo for the fiscal year ending December 31, 2022; and declaring an

emergency.

**Attachments:** Operating Transfers

Attachment

Audio: Agenda Review November 30, 2021
Audio: City Council December 7, 2021

**First Reading** 

Yea: 11 - Adams, Cherry, Gadus, Hobbs III, Ludeman, McPherson,

Melden, Moline, Morris, Whitman and Williams

O-605-21 Approving the Capital Improvement Budget and Road

Improvement Budget for the years 2022 - 2026; authorizing the appropriation of \$57,405,003 for capital projects; and declaring

an emergency.

<u>Attachments:</u> 2022-2026.CIP

Audio: Agenda Review November 30, 2021

Audio: City Council December 7, 2021

First Reading

Yea: 11 - Adams, Cherry, Gadus, Hobbs III, Ludeman, McPherson,

Melden, Moline, Morris, Whitman and Williams

#### **DEPARTMENT OF PUBLIC SERVICE:**

O-606-21 Authorizing the Mayor to enter into an agreement with ADJ

Forest Products, LP for the sale of first grind woodchip

material; authorizing the acceptance of a unit price of \$4.00 per

cubic yard; and declaring an emergency.

Attachments: Audio: Agenda Review November 30, 2021

Audio: City Council December 7, 2021

**Suspension** 

Yea: 10 - Adams, Cherry, Hobbs III, Ludeman, McPherson,

Melden, Moline, Morris, Whitman and Williams

Nay: 1 - Gadus

#### **DEPARTMENT OF HUMAN RESOURCES:**

O-607-21 Authorizing the Mayor to enter into an Agreement for the

provision of life insurance coverage for city of Toledo employees for a term of three (3) years; authorizing the

expenditure of an amount not to exceed \$181,896.00 per year;

and declaring an emergency.

**Attachments:** Talking Points

Audio: Agenda Review November 30, 2021

Audio: City Council December 7, 2021

**Suspension** 

Yea: 11 - Adams, Cherry, Gadus, Hobbs III, Ludeman, McPherson,

Melden, Moline, Morris, Whitman and Williams

#### **DEPARTMENT OF FINANCE:**

O-608-21 Declaring the necessity of providing sprinkling, sweeping,

cleaning and snow removal services for streets, alleys and

public ways in the City; providing for the assessment of the cost

of those services; and declaring an emergency.

**Attachments:** Actuals and Estimates

**Comparison Charts** 

Audio: Agenda Review November 30, 2021

First Reading

Yea: 11 - Adams, Cherry, Gadus, Hobbs III, Ludeman, McPherson,

Melden, Moline, Morris, Whitman and Williams

O-609-21 Declaring it necessary to improve certain streets, alleys, and

public ways outside the Downtown Area of the City by

providing street lighting; providing for the assessment of costs

of that lighting; and declaring an emergency.

Attachments: Audio: Agenda Review November 30, 2021

Audio: City Council December 7, 2021

First Reading

**Yea:** 11 - Adams, Cherry, Gadus, Hobbs III, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

O-610-21 Declaring it necessary to improve certain streets and public

ways in the Downtown Area of the City by providing street lighting; providing for the assessment of costs of that lighting;

and declaring an emergency.

Attachments: Audio: Agenda Review November 30, 2021

Audio: City Council December 7, 2021

First Reading

Yea: 11 - Adams, Cherry, Gadus, Hobbs III, Ludeman, McPherson,

Melden, Moline, Morris, Whitman and Williams

O-611-21 Declaring the necessity of controlling the blight and disease of

shade trees within public rights of way, and for planting, maintaining, trimming and removing shade trees in and along the streets of the City; providing for the assessment of the cost

of those services; and declaring an emergency.

Attachments: Audio: Agenda Review November 30, 2021

Audio: City Council December 7, 2021

First Reading

Yea: 11 - Adams, Cherry, Gadus, Hobbs III, Ludeman, McPherson,

Melden, Moline, Morris, Whitman and Williams

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

O-612-21 Declaring the vacation of all of a 20-foot-wide alley located

between Lots 5, 6 and 7,8 together with a portion of a

16-foot-wide alley lying easterly of Lot 4 and south of Lot 5 and lying northerly of Lot 9, Lot 10, and the west 8' of Lot 11 within the Plat of Sumner's Subdivision of Part of Osborne Place, in the City of Toledo, Lucas County, Ohio; and declaring

r face, in the City of Toledo, Edeas County, Onio, and decial

an emergency.

Attachments: Audio: Agenda Review November 30, 2021

**Suspension** 

Yea: 11 - Adams, Cherry, Gadus, Hobbs III, Ludeman, McPherson,

Melden, Moline, Morris, Whitman and Williams

### ITEM LIKELY TO BE RELIEVED OF EDUCATION, RECREATION & EMPLOYMENT COMMITTEE:

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

relieve of Committee

**Yea:** 11 - Adams, Cherry, Gadus, Hobbs III, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

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.

<u>R-587-21</u> Recognizing Fire Chief Brian Byrd on the occasion of his

retirement and expressing gratitude for his many years of public

service.

Attachments: Audio: Agenda Review November 30, 2021

Audio: City Council Meeting December 7, 2021

**Passage** 

Yea: 11 - Adams, Cherry, Gadus, Hobbs III, Ludeman, McPherson,

Melden, Moline, Morris, Whitman and Williams

R-588-21 Recognizing Toledo Area Regional Transit Authority (TARTA)

on 50 years of service.

**Attachments:** Audio: Agenda Review November 30, 2021

Audio: City Council Meeting December 7, 2021

**Passage** 

Yea: 11 - Adams, Cherry, Gadus, Hobbs III, Ludeman, McPherson,

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Lucas County Sheriff to continue to provide security for Toledo

Municipal Court and Warrant Enforcement Services;

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187.24; making certain findings, and declaring an emergency.

**Attachments:** Agreement

Audio: Agenda Review November 30, 2021

Audio: City Council December 7, 2021

**Emergency** 

Yea: 11 - Adams, Cherry, Gadus, Hobbs III, Ludeman, McPherson,

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#### Passage

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#### Attachments: Schedule A

ERA Overview, November 30

Audio: Agenda Review November 30, 2021

Audio: City Council December 7, 2021

#### **Emergency**

**Yea:** 11 - Adams, Cherry, Gadus, Hobbs III, Ludeman, McPherson, Melden, Moline, Morris, Whitman and Williams

#### **Passage**

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LBPHC program income to the LBPHC Grants Fund;

authorizing the appropriation of the program income funds into the LBPHC Fund; authorizing the transfer of LBPHC program income from the unappropriated balance of the LBPHC Fund into the LBPHC Fund; authorizing the appropriation and expenditure of said funds for the LBPHC program; and

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Audio: City Council December 7, 2021

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Authorizing the disappropriation of \$58,029.06 from the previous Emergency Solutions Grant (ESG) grant year; authorizing the re-appropriation and expenditure of \$58,029.06 from the unappropriated balance of the ESG Operating Grant Fund; and declaring an emergency.

**Attachments:** Schedule A

Audio: Agenda Review November 30, 2021 Audio: City Council December 7, 2021

**Emergency** 

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Authorizing the Mayor to enter into a virtual reality training simulator agreement with Axon Enterprises Inc. for a period of 27 months; authorizing the Law Enforcement Trust Fund expenditure of an amount not to exceed \$78,000 for the first 15 months and \$59,000 from the General Fund for the remaining 12 months subject to future appropriations; waiving the competitive bidding requirements of TMC Chapter 187; and declaring an emergency.

**Attachments:** Axon VR Training

Audio: Agenda Review November 30, 2021 Audio: City Council December 7, 2021

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Authorizing the Mayor to enter into an agreement with ADJ Forest Products, LP for the sale of first grind woodchip material; authorizing the acceptance of a unit price of \$4.00 per cubic yard; and declaring an emergency.

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**Passage** 

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Audio: City Council December 7, 2021

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an emergency.

Attachments: Audio: Agenda Review November 30, 2021

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**Passage** 

Yea: 11 - Adams, Cherry, Gadus, Hobbs III, Ludeman, McPherson,

Melden, Moline, Morris, Whitman 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

amended

Yea: 11 - Adams, Cherry, Gadus, Hobbs III, Ludeman, McPherson,

Melden, Moline, Morris, Whitman and Williams

held

Yea: 11 - Adams, Cherry, Gadus, Hobbs III, Ludeman, McPherson,

Melden, Moline, Morris, Whitman and Williams

R-0462-14 FIRST CALL

READING OF THE TOLEDO CITY JOURNAL R-0463-14