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TOLEDO CITY COUNCIL MINUTES

April 2, 2008

Mayor Jim Chambers called a regular meeting of the Toledo City Council to order at 7pm. Councilors present: Bob Emmett, Ron Beckham, Wes Chadwick, Sara Cole and Council President Rod Cross.

Excused: Councilors Mark Camara and Ron Beckham.

Staff present: City Manager (CM) Pete Wall, Library Director Peter Rayment, City Attorney (CA) Jim Ruggeri, Police Chief (PC) Mark Fandrey, Public Works Director (PWD) Adam Denlinger, Events Coordinator Celeste Mathews and Utility/Recording Clerk Nancy Bryant.

Visitors present: Jim Fossum, Bob Deming, Teresa Methvin, Teresa Denlinger and Lowell Neal.

Visitor Comments:

Lowell Neal spoke to council regarding his concern that the code enforcement of discarded vehicles is no longer complaint driven. He does not believe that the issues of abandoned vehicles have caused fires, additional crime or attractive nuisance in the City of Toledo. He stated that he does not understand where this is coming from especially while the City itself has unsightly buildings that need to be removed. He asked Council to consider that there may be citizens who cannot afford to clean up the problem.

Mr. Neal also asked that Council relay to the Toledo Fire Chief and the Fire Department volunteers that there are people in this community who support them.

Mayor Chambers stated that the Police Chief is acting at the direction of the City Council and they are asking for voluntary compliance. The city buildings that need repair or replacement are on the council goals for this year.

(CP) Cross stated there is a way for owners to dispose of vehicles at no cost to them. Also, within the Ordinance there are rules and guidelines set up for project vehicles; vehicles that are being worked on,

Mr. Neal said if the Police Chief has a vehicle towed out of Toledo someone will have to pay for it. Complaint driven code enforcement was good enough last year and he doesn't understand why it isn't anymore.

Events Coordinator Celeste Matthews provided Council with an overview of the activities for Arbor Day. On April 5th there will be a demonstration at 10am on pruning apple trees by Bob Deming and Don Jerome. Also, several citizens want to commemorate the late Mayor Sharon

Branstiter. They have chosen April 26th for a planting party for volunteers from 10am to 1pm followed by a lunch at the fire hall. Everyone is welcome to attend.

Mayor Chambers acknowledged that Toledo Arbor Day is, in part, a result of the work that Celeste has done.

Mayor Chambers proclaimed April 5, 2008 as Toledo Arbor Day in observance of Oregon Arbor Week and National Arbor Day.

Consent Calendar:

Motion-It was moved and seconded (Emmett/Chadwick) to approve the Consent Calendar consisting of the invoice list dated March 28, 2008 and Council minutes dated March 19, 2008.

Motion passed 5-0

Discussion and Information Items:

There was none.

Decision Items:

Appoint Budget Committee Member

Mayor Chambers stated that the City has received an application from Julie Rockwell and she was interviewed by Council at the March 26th Council work session meeting.

Public Comment

There was none.

Motion-It was moved and seconded (Cross/Emmett) to suspend Council rules and appoint Julie Rockwell to fill the vacancy on the Budget Committee which term will end December 31, 2010.

Motion passed 5-0.

(CM) Wall agreed to notify Julie Rockwell.

Proposed Lincoln County Deadly Physical Force Plan Approval

(PC) Fandrey explained that Oregon Legislative Assembly passed Senate Bill 111 requiring each county in Oregon to develop procedures for law enforcement agencies to follow when a police officer uses deadly physical force. Senate Bill 111 establishes criteria for the policy development and content. After the development of the plan the bill requires 2/3 of the governing bodies within the county to approve the plan. He said that the proposed Lincoln County plan couldn't be revised or amended by Council. Council may only approve or disapprove of the plan. The City's insurance carrier, CCIS, has reviewed and given their approval of the Lincoln County plan. The financial impact of this policy on the City could include time loss of officers who would be required to take a certain amount of time off duty as well as counseling sessions for the officer and possibly their families as well. (PC) Fandrey recommended approval of the plan.

In answer to Council questions (PC) Fandrey stated the following:

- All of the law enforcement agencies within Lincoln County will be included in the plan as well as the Oregon State Police.

- Toledo Police Department already exceeds the plan's training criteria.
- Toledo's policy can be more strict if the Council chooses.

Public Comment

There was none.

Motion-It was moved and seconded (Cross/Cole) to approve the Lincoln County Deadly Physical Force Plan. **Motion Passed 5-0.**

Proposed Contribution Committee Recommendation

(CM) Wall reported to Council that the Contribution Committee met on March 11th and have made their recommendation to council. They were able to fund all of those agencies that ask for funding if not at the requested capacity. The funds are to be allocated after July 1st for the 2008/09 fiscal year. It is now up to Council to accept or modify the recommendation.

Public Comment

There was none.

Motion-It was moved and seconded (Emmett/Chadwick) to approve the Contribution Committee Recommendations for the 2008/09 fiscal year. **Motion passed 5-0.**

Reports and Comments:

Department Reports

Library Director Peter Rayment reported the following:

- The Library expects to receive the new reader printer within the next couple weeks.
- On August 24th the Coastal Resource Sharing Network is having a training session in Tillamook County. All libraries in Lincoln and Tillamook Counties will be closed on that date. There will be a future press release for that event.
- The Toledo Library made over \$600 on the recent book sale.

City Manager's Report

(CM) Wall reported the following:

- Staff is wrapping up the budget and they have balanced the general fund. They are finishing up on the special and reserve funds. The process has gone well.
- On Friday and Saturday, April 11th and 12th, council and staff will be involved in the City Manager recruitment. There are now four candidates.
- SCI forms are out and Council can return their completed forms to City Hall and Staff will send them certified mail. The due date is April 15th.

Council Comments

(CP) Cross commended the Public Works Director; the Mill Creek water line repair bill is less than estimated.

(PW) Denlinger stated that the cost for that repair was shared with Seal Rock Water District.

(CP) Cross also thanked the Contribution Committee for their work and said it is good that the City can give back to the community.

Mayor Comments

Mayor Chambers noted a reminder that the ceramic tile project at the Park and Ride will start April 11th through the 13th. Volunteers will be clipping tile at the Toledo Library. Application of the tiles will begin April 18th through 20th. He thanked Bob Deming for volunteering his master gardener skills of tree pruning for the April 5th event.

Mayor Chambers called a brief recess at 7:45pm and announced an executive session will follow.

The Council meeting resumed at 9:20 pm and Mayor Chambers called for an executive session according to ORS 192.660(2) concerning (e) To conduct deliberations with persons designated by the governing body to negotiate real property transactions.

Adjournment:

The Council returned to regular session and the meeting adjourned at 8:45pm.

ATTEST:

APPROVE:

Utility/Recording Clerk

Mayor