

TOLEDO CITY COUNCIL MINUTES

February 18, 2009

Mayor Rod Cross called a meeting of the Toledo City Council to order at 6 pm in the City Hall Conference Room. Councilors present: Nancy Lynne, Monica Lyons, Mary Young, Mark Camara, and Council President Bob Emmett. Staff present: City Manager Michelle Amberg.

Excused: Councilor Wes Chadwick

Council reviewed the 2009 goal number 3 and modified the task list associated with the completion of that goal.

Mayor Cross called a brief recess at 6:55pm to allow council members to move to the City Hall council chambers.

The meeting resumed at 7pm.

Staff present: City Manager (CM) Michelle Amberg, Library Director Peter Rayment, Public Works Director (PWD) Adam Denlinger, Toledo Police Chief Mark Fandrey, and Assistant City Recorder Nancy Bryant.

Visitors present: Don Amberg, Zack Dahl, Teresa Denlinger, Terry Dillman and Clay Martin.

Mayor Cross announced a change in the agenda. Lincoln Community Land Trust was moved to the first position under decision items on the agenda.

Visitor Comments:

There were none.

Consent Calendar:

Motion-It was moved and seconded (Emmett/Young) to approve the consent calendar consisting of the invoice list dated March 13, 2009 as well as council minutes dated February 25, 2009 and March 4, 2009. **Motion passed 6-0** noting the absence of Councilor Chadwick.

Discussion and Information Items

Oversized Truck Permits

PC Fandrey explained that there are several areas of concern over Toledo's truck routes and commercial motor vehicle (CMV) operation within the city. Staff is attempting to evaluate the issues and make recommendations or take corrective action to the problems as they are identified. He said when evaluating or establishing a truck route within the city, infrastructure, public safety, economics, and quality of life are considerations. Toledo has problems in all of these areas. There is an increasing amount of CMV using non truck route streets. It is difficult to enforce the truck route laws in Toledo because the routes are poorly posted. He recommended an evaluation of Toledo's existing truck route from the west junction before any changes are made.

Council and staff discussed the following;

- The location and types of businesses serviced by commercial motor vehicles in Toledo.
- The volume of daily CMV traffic.
- The issues with the existing Toledo truck routes.
- Alternative considerations for corrective action including posting additional signage and issuance of over-length truck permits.
- The designation of CMV entrance into Toledo by Georgia Pacific gate number.
- Arcadia Drive continues to be a public safety concern when used by a CMV. Council suggested posting signs at the Highway 20 entrance to Arcadia Drive as well as the intersection of A Street and Business Highway 20.
- The possible change in CMV traffic when the Eddyville to Pioneer Mountain Hwy 20 project is complete.
- The need for a discussion with the city's liability insurance company.
- The possibility of adopting a city ordinance to include class B traffic misdemeanors in the city code.

Zack Dahl of Dahl Disposal Service expressed his concern of economic distress for his company because they deliver hog fuel to Georgia Pacific and the law requires them to use the east junction truck route. He said that route sends the trucks through two school zones and it adds an additional one-half hour travel time for the drivers to get to Georgia Pacific. He would like to see a change so that his drivers can use the west entrance into Toledo. He is in agreement to a permit process and stated there is a state form for trucking companies to acquire permits for many municipalities within the state.

CM Amberg stated that this issue came up at the Port of Toledo meeting regarding trucks that might want to access the Fred Wahl Ship Yard. There may be additional truck companies wanting use the west junction route.

Councilor Emmett stated that he would not be able to make a decision without specific information regarding how many trucking companies and the number of trucks that are using the routes.

PWD Denlinger stated that he and PC Fandrey have been working together to improve the truck route. He has applied for a Transportation Growth Management Grant through Oregon Department of Transportation for the development of a Transportation System Plan and that will now include a truck route assessment with recommendations.

Council directed staff to talk to City County Insurance Services and move forward with the oversize truck permit and ordinance process.

Decision Items:

Lincoln Community Land Trust Capacity Building Funding Request

Clay Martin provided council with information regarding the Lincoln Community Land Trust (LCLT) organization and how they help people in the community become homeowners. He said the definition of a land trust is any owner-occupied housing where the land and improvements are

separately owned (land by the trust and improvements by an individual) and where long-term affordability is achieved through the ground lease for the land. The LCLT goals are to provide a long-term balanced approach to homeownership, preserve and increase the supply of affordable ownership housing, provide for efficient use of public resources by retaining public subsidies in each unit making them continuously available to future owners, and promote homeownership to realize the individual and community benefits. He said the LCLT has a number of projects under consideration and they are building the capacity to start those projects. LCLT is seeking support through memberships as well as creating partnerships with other organizations like Habitat for Humanity. They are also requesting a three year commitment of support from local government.

In answer to Council questions Mr. Martin stated the following:

- There are a number of funding sources that the land trust taps into including federal and state grants.
- The land trust is a resource to the buyer. Most people will be a first time home buyers and are required to go through a land purchase class. LCLT will stay in contact with the home buyer during the life of the ownership.
- The home buyer would utilize a lending agency for the purchase and could build equity in the home.
- LCLT is focused on providing housing for people in the workforce as well as those who have a job in the community and want to move here.

CM Amberg stated one attraction to the land trust is that it adds another housing option that is affordable for working families.

Public Comment:
There was none.

Motion-It was moved and seconded (Camara/Emmett) to approve the expenditure of \$807 annually, for three years, to fund capacity building for the Lincoln Community Land Trust.
Motion passed 6-0 noting the absence of Councilor Chadwick.

Mayor Cross called for a brief recess at 8:45pm.

The meeting resumed at 8:49pm.

Proposed Resolution exempting from competitive bidding consultant services to complete engineering and design for relocation of water distribution system along South Bay Road

PWD Denlinger explained that staff has been working closely with Lincoln County staff evaluating the replacement of two bridges on the South Bay Road. Lincoln County has retained an engineering consultant to design the two single-span replacement bridges on South Bay Road. The department currently has a 12-inch transmission waterline located on the down stream side of the bridge and adjacent to both structures; however, they are not attached directly to either bridge. Although the waterline is not attached, it is in direct impact of the South Bay Road bridge relocation project and will need to be relocated. This is Seal Rock Water District's primary supply

line. The City's cost for the new waterline design is \$30,000. Essentially the engineering firm would undertake in a relatively parallel time frame planning efforts for both agencies. Public Works staff will work with the consultant to develop a schedule that take these efficiencies into account and allow the City to appreciate the savings.

Council and staff discussed the cost for design as well as relocation of the waterline.

Councilor Emmett noted that this issue highlights the need for funding to cover the cost of maintenance and replacement of Toledo's waterlines. He said the fees collected are not adequate.

PWD Denlinger said it is difficult to work on any capital improvement projects without the water master plan in place.

Public comment

There was none.

Motion-It was moved and seconded (Emmett/Lyons) to authorize the Public Works Director to negotiate a Per-Hour professional services contract with a sole qualified professional engineering firm to complete engineering and design to relocate two sections of a 12-inch distribution line located on South Bay Road and to adopt **Resolution No. 1247**, exempting from competitive bidding consultant services to complete engineering and design for relocation of water distribution system along South Bay Road. **Motion passed 6-0** noting the absence of Councilor Chadwick.

Proposed Resolution authorizing the City of Toledo to apply for a local government grant from the Oregon Parks and Recreation Department for infrastructure improvements at Memorial Field and delegating authority to the City Manager to sign the application

PWD Denlinger stated this year matching requirements for the Local Government Grant Program have been reduced from 40-percent to 20-percent for municipalities with a population of less than 5,000. Improvements are estimated to be \$200,000. Grant match for this project will be \$40,000 from the general reserve fund, parks plans and improvements accounts. The department will use a combination of agency labor and equipment, along with inmate labor as soft cost to satisfy the requirements for the grant match. The project scopes includes replacing the existing sidewalk extending and upgrading it to ADA compliance on all three sides of the park, replace/relocate fencing around the park, and re-establish the drainage structure.

Council and staff discussed the possibility of raising the ground level of the field, dredge material from the Port of Toledo dredging project, ADA compliance, installing drainage, and the City storage building at Memorial Field.

Public comment:

There were none

Motion-It was moved and seconded (Young/Camara) to adopt Resolution No. 1248 authorizing the City of Toledo to apply for a Local Government Grant from the Oregon Parks and Recreation

Department for infrastructure improvements at Memorial Field and delegating authority to the city manager to sign the application. **Motion passed 6-0** noting the absence of Councilor Chadwick.

Toledo Municipal Judge Contract

CM Amberg provided Council with a proposed agreement for Municipal Judge. She said the City has utilized the services of a Council appointed Municipal Judge but there has not been a contract in place which formalizes this relationship. The proposed agreement describes the City's expectations of the Municipal Judge as well as the remuneration for services.

Council expressed appreciation for the document.

Mayor Cross volunteered to speak with the Toledo Municipal Court Judge Bruce Parsons regarding his agreement of the proposed contract.

Public comment:
There was none.

Motion-It was moved and seconded (Camara/Lynne) to authorize the Mayor to discuss the proposed contract with the Toledo Municipal Court Judge Bruce Parsons and return to council for final document approval. **Motion passed 6-0** noting the absence of Councilor Chadwick.

Contribution Committee Recommendation

CM Amberg stated the Contribution Committee met March 10, 2009 to review the various funding requests from non-profit organizations. The Contribution Committee respectfully recommends the City County approve the following for funding during the FY 2009/2010:

Samaritan House, Inc.	\$1,000
Senior Meals/Meals on Wheels	\$1,200
Samaritan Senior Companion Program	\$ 600
My Sisters' Place	\$ 800
Lincoln County CASA	\$ 500
Progressive Options	\$ 200
Assoc. for Family and Comm. Edu.	\$ 450
RSVP of Lincoln County	\$ 250
Subtotal	\$5,000
Additional Discretionary Grant Funds	\$1,000
Total	\$6,000

The Committee members are Peter Rayment, Charles Springer, Nita Rose, Charlotte Miller, Mayor Rod Cross and CM Michelle Amberg.

The funding is a portion of the City's tax receipts from tobacco and alcohol. Mayor Cross noted that the amount has increased and is within the City's contribution guidelines. The additional discretionary grant funds will give council the flexibility for additional donations throughout the fiscal year.

Public comment:

Teresa Denlinger Director of Association for Family and Community Education/Toledo thanked Council for the donations.

Motion-It was moved and seconded (Lyons/Emmett) to approve the Contribution Committee's Recommendations and direct staff to budget \$6,000 for FY 2009/2010.

Motion passed 6-0 noting the absence of Councilor Chadwick.

City Attorney Recruitment

CM Amberg stated by request of council the City Attorney Search Committee met and has provided council with a draft Request for Proposal as recommendation for council to approve.

Public Comment:

There was none

Motion-It was moved and seconded (Young/Lyons) to approve the draft Request for Proposals (RFP) for City Attorney services and direct the City Manager to conduct the RFP process.

Motion passed 6-0 noting the absence of Councilor Chadwick.

Reports and Comments:

Department Reports

There were none

City Manager's Report

CM Amberg reported the following:

- The Wienert vs. City of Toledo lawsuit has been rescheduled to July 28, 2009.
- The Writ of Mandamus has been rescheduled to March 30, 2009 at 1:30pm.
- She received an email from Councilor Wes Chadwick today. He said everyday he is doing better and he sent his hello to all.
- Next week is spring break for Lincoln County Schools.

Council Comments

Councilor Lyons said she is looking forward to the Main Street program coming to town in a few weeks. She hopes everyone will come to see what they have to say

Councilor Emmett noted because of a recent incident on Arcadia Drive and he has called Oregon Department of Transportation regarding signage but it is hard to get through. He will keep trying.

Councilor Camara reminded all that he will be out of town next week. He and others met with the Ford Family Foundation representatives regarding the Leadership Training Program. It was an interesting meeting and he believes it is a good program.

CM Amberg noted that those who attend the Ford Family Foundation training will be eligible for future funding. The Leadership program will provide a \$5,000 grant to do some kind of project

selected by the group. Leadership Development training consists of 48 class hours held over four Friday–Saturday sessions.

Council and staff discussed the generosity of the Ford Family Foundation.

Mayor Comments

Mayor Cross commented on the following;

- He will attend a meeting on the March 31st regarding Toledo’s truck route issue.
- He will be out of town next week and there will be no Coffee with the Mayor on Tuesday March 24th.

Executive Session:

There was no executive session.

Adjournment:

The meeting adjourned at 9:46pm.

ATTEST:

APPROVE:

Assistant City Recorder

Mayor