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City Hall  
Council Chambers  
6:30 PM

TOLEDO CITY COUNCIL MEETING  
February 6, 2008

**WORKSESSION**

A City Council work session began at 6:30pm.

Present: Mayor Jim Chambers, Council President (CP) Rod Cross, Councilors, Mark Camara, Bob Emmett, Ron Beckham and Wes Chadwick.

Absent: Councilor Sarah Cole.

Staff present: City Manager (CM) Pete Wall and Utility/Recording Clerk Nancy Bryant.

Visitors: Linda Brodeur, Steve Mayes and Sherri Mayes.

The Council interviewed Planning Commission vacancy applicant Linda Brodeur.

The work session ended at 6:45pm.

**TOLEDO CITY COUNCIL MINUTES**

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

Absent: Councilors Sarah Cole.

Staff present: City Manager (CM) Pete Wall, Public Works Director (PWD) Adam Denlinger, Police Chief (PC) Mark Fandrey, Treasurer Polly Chavarria and Utility/Recording Clerk Nancy Bryant.

Visitors present: Teresa Methvin, Teresa Denlinger, Lowell Neal, Barbara Frederic, Sherri Mayes, Steve Mayes, Angela Hoak, Linda Brodeur, Tom Rinearson, Terry Dillman and Audrey Pierce. (Tom Rinearson left at 7:26 pm)

**Visitor Comments:**

There were none.

**Consent Calendar:**

**Motion**-It was moved and seconded (Emmett/Camara) to approve the Consent Calendar consisting of the invoice list dated February 1, 2008 and Council minutes dated January 2, 2008.

**Motion passed 6-0.**

## **Discussion and Information Items:**

### **Presentation by Lincoln County School District regarding Construction Excise Tax**

Tom Rinearson, Lincoln County School District Superintendent provided Council with the School District's Facilities Improvement Plan for 2007/08 as well as an overview of the draft Construction Excise Tax Intergovernmental Agreement to collect and remit tax between Lincoln County School District and the "Jurisdiction". He explained that the entity that collects the tax is considered the Jurisdiction. The City of Newport, City of Lincoln City and Lincoln County have approved the agreement. Because Lincoln County collects the construction taxes for multiple cities, Toledo included, the agreement includes an endorsement for the cities to sign. The estimated revenue, of over \$1 million a year, will allow the School District to acquire land, construction, re-construction or improvement of School facilities, acquisition or installation of school equipment, furnishings or other property, architectural engineering as well as reduce the current facilities bond. The School District would not be allowed to use the revenue for operating costs or routine maintenance.

The Facilities Improvement Plan includes moving Waldport High School out of the Tsunami zone, phase out the use of portable buildings, remodel the band room at Newport High to conform to ADA requirements and continue working with boosters clubs and communities to further develop athletic/recreational facilities. The School District will form groups in each community to develop plans for their respective area in regard to the project priorities, including cost analysis and project priorities by region. These committees will be activated by February 28, 2008.

Council and Mr. Rinearson discussed the possibility of replacing local schools with multiple portables and Mr. Rinearson stated that there are no plans to close Toledo schools.

### **2<sup>nd</sup> Quarter Financial Report**

Treasurer Chavarria reported as follows:

- Two grants were closed out.
- Although several expenditure line items are over-extended at the end of the second quarter, we are within our appropriations for each category of appropriations as required by budget law.
- Fund balances in both the General and Debt Service Fund are up with the influx of tax receipts.
- The City made the two regularly scheduled debt service payments during the quarter for the Sewer Revenue Bonds as well as the 2005 General Obligation Bonds for the fire station construction.
- The City received a SAIF dividend from 2006 for \$6,097. This is the largest dividend received in a number of years.

## **Decision Items:**

### **Appoint Planning Commissioner**

**Motion**-It was moved and seconded (Emmett/Cross) to suspend the Council rules and vote by hand to appoint Linda Brodeur to the Planning Commission.

**Motion passed 6-0.**

**Extend timeline for Budget Committee opening**

(CM) Wall reported that there is a vacancy in the budget committee. The position has been advertised but no applications have been received to date. He recommended that Council change the dead line to open until filled.

**Motion**-It was moved and seconded (Camara/Chadwick) to extend the timeline for the Budget Committee opening to open until filled. **Motion passed 6-0**

**Proposed- An Ordinance Establishing Criminal History Record Check Policies Concerning Applicants For Employment And Appointed Volunteers And Declaring An Emergency.**

(PC) Fandrey explained that the proposed ordinance allows the Chief of Police to conduct criminal offender information checks on city applicants. The ordinance will provide Toledo city department heads the ability to obtain criminal history information when considering hiring an applicant for employment or volunteer positions. The Toledo Police Department is recommending that the Council adopt the proposed ordinance.

Council and staff discussed disqualifying crimes and how the criminal information would be used when hiring for employment or volunteer positions. (CM) Wall stated that the City does not have a current policy written regarding what crimes would be allowable or to set the criteria. Councilor Camara stated his concern that there are no criteria listed before the ordinance is approved. (CM) Wall recommended Council seek legal advice before setting policy on how to use the proposed ordinance. (PC) Fandrey explained that Oregon State law would allow the City to use LEDS information to follow up on an adopted city ordinance.

Council requested that a new ordinance be brought back with the Council recommended changes as discussed at this meeting.

**Public Comments**

Angela Hoak asked Council if the ordinance would be retroactive. (CM) Wall explained that an ordinance could not be retroactive. He said this would only apply to volunteers who are appointed after this ordinance is adopted.

Audrey Pierce complemented Fire Chief Will Ewing on his awesome skill for training CERT members. She also asked Council if a policy regarding this ordinance has been directed and if so will it direct criteria. Mayor Chambers stated that the need for a policy would need to be addressed further. (CM) Wall stated that criminal background checks are a part of current City policies.

Barb Fredric expressed her respect for (PC) Fandrey and the Toledo Police Department.

Lowell Neal complemented (PC) Fandrey for his visibility in the community and his leadership of the Police Department. He also expressed his opinion that background checks performed by the City will not include volunteer CERT members.

Sherri Mayes provided Council with a handout regarding DPSST regulations. She believes that the Fire Department has volunteers with questionable backgrounds in the department and those volunteers have assisted in CERT trainings where personal information was exchanged.

**Motion**-It was moved and seconded (Cross/Chadwick) to table the proposed Ordinance to the February 20, 2008 regular Council meeting. **Motion passed 6-0**

## **Reports and Comments:**

### **Department Reports**

#### **Public Works**

(PWD) Denlinger announced that there would be an unveiling of one of the Sharon Branstiter Memorial signs on February 11, 2008 at 3pm. It will be at the intersection of Lincoln Way and Business Hwy 20. The second sign on the east side of town will go up the following day.

### **City Manager's Report**

(CM) Wall reported the following:

1. February 23<sup>rd</sup> at noon a representative from Congress Woman Darlene Hooley's office will be in Toledo to meet with community people. More detailed information will follow at a future date.
2. Staff will have the Council Goal Implementation plan to present at the next Council meeting.
3. (PC) Wall met with Kurt Olsen, the Lincoln City Urban Renewal Director and President of the Oregon Association of Redevelopment Agencies in the State. He has agreed to do a community information meeting for Toledo. Staff will be scheduling a date soon.

### **Council Comments**

(CP) Cross expressed kudos to the Public Works Department; he is impressed with the way the streets are looking. Public input regarding the Police Department is always good. He encouraged all to attend the wrestling tournament on Friday and Saturday evening at the Toledo High School.

Councilor Camara announced that Toledo was chosen as one of the four communities to receive the one-year downtown revitalization project from the Oregon Cascades West Council of Governments and the non-profit Oregon Downtown Development Association. He said Toledo was chosen because of the good things that are happening and they want to help us move forward. He also thanked the visitors for attending this meeting and sharing their concerns.

Councilor Beckham congratulated Councilor Camara and the Toledo Downtown Association (TDA) for their work and involvement in the good things that are happening in Toledo. He likes the new member of the Planning Commission and he is looking forward to removing school portables in Toledo.

### **Mayor Comments**

Mayor Chambers had the following comments:

1. Welcome Linda Brodeur to the Planning Commission.
2. Congratulations to Councilor Camara and the TDA on their work and perseverance.

3. The City of Toledo was awarded a Siletz Indian Tribal Contribution grant for the ceramic art tile project located on the corner of "A" Street and Business Hwy 20. They also funded a bench art project to be placed on the corner of Beech Street and Business Hwy 20. Sam Briseno will build the bench. This grant does not fund the entire art tile project so he will talk to staff regarding possible available funds.
4. He met with a group of people representing small cities and the League of Oregon Cities. He asked for their support in increasing the funding of the City Allotment Grants.
5. Reminder to Council that the City Attorney performance evaluation forms are due February 14<sup>th</sup>. The forms will then be tabulated and ready for the evaluation scheduled on February 20<sup>th</sup>.

**Adjournment:**

The Council meeting adjourned at 8:49 pm.