

Council Chambers

TOLEDO CITY COUNCIL  
WORK SESSION MINUTES  
February 9, 2016

Mayor Billie Jo Smith called the Toledo City Council work session to order at 6:16pm.  
Councilors present: Michele Johnson, Julie Rockwell, Jackie Kauffman, and Council President Jill Lyon. Councilors excused: Terri Strom and Alma Baxter.

City Staff present: City Manager (CM) Jay Baughman, Police Chief (PC) Dave Enyeart, City Attorney/Planner (CA) Michael Adams, Public Works Director (PWD) Lee Ritzman, and City Recorder (CR) Nancy Bryant.

Visitors present: No visitors present.

**Visitor Comments:**

No visitor comment.

**Discussion and Information Items**

**Committee Updates**

CP Lyon reported that the Economic Development Alliance of Lincoln County has launched its membership campaign. She is hoping that the City of Toledo will submit its membership application soon.

CP Lyon noted that she and Councilors Kauffman and Rockwell have not met to develop a municipal court procedures manual. CA Adams noted that the interim municipal judge has some ideas that may help the committee with developing a procedures manual. Council agreed that input from the interim judge will be beneficial to the committee. Mayor Smith suggested that the City purchase a judge robe. Council agreed and set a limit of \$500 for the expense of purchasing a judge robe.

CR Bryant reminded Council that a job description for the municipal judge position is set by Council resolution. CP Lyon noted that the committee will work on the policy manual as well as create the job description.

**CoastCom Franchise Agreement Update**

CA Adams reported that he has continued contact with Matt Updenkelder of CoastCom. He is waiting for information from Mr. Updenkelder before moving forward with a new franchise agreement.

**Toledo Municipal Code-Tree Plan Review**

CA Adams reported that historically the Tree Board was established by Ordinance in 1992. He noted that there is a requirement of annual reports to City Council and he is plans to make a report for the Tree Board in March or April.

CA Adams reviewed TMC Chapter 2.16 regarding the City Tree Board and ask if there were specific questions from Council. CR Bryant noted that this item is brought before Council because Councilor Strom previously reported a tree in her neighborhood that appears to be dead and may be a danger to close neighbors. CP Lyon noted that TMC Chapter 2.16.080 (D) requires persons

responsible to remove all dead, diseased or dangerous trees which constitute a hazard to the public. Councilor Johnson noted her concern that the municipal code requires removal of dead trees within fifteen days after receipt of notice of violation. CM Baughman stated that code enforcement would deliver at least three notices before the fifteen day requirement so the time frame for removal would be more than fifteen days. Mayor Smith suggested changing the requirement to sixty days. She also suggested adding a mitigation plan to address when trees are cut on private property. Councilor Johnson and CP Lyon disagreed with Mayor Smith regarding a mitigation plan for trees cut on private property. CP Lyon suggested that, since Code Enforcement monitors dead trees on private property, notices and action requirements be made consistent with Code Enforcement authority in other Toledo Municipal Code sections.

Council discussed fulfilling the requirements for the annual Tree City USA award. CP Lyon asked if the City has planted a tree this year. Councilor Johnson suggested planting small leafy trees around the fence line of the dog park.

Council agreed to discuss the topic again in April.

#### **Police Contract Settlement Update**

CM Baughman reported that he and Chief Enyeart met with Brenda Bremner and Bonnie Peterson of the Confederated Tribes of Siletz Indians (CTSI) reaffirming the city's interest in providing police service in Siletz. Staff also discussed the final invoice to CTSI that has not been paid. Chief Enyeart noted that the previous contract was based on the number of hours of service and that any new contract should have a base fee.

Council directed staff to send a letter to CTSI regarding the unpaid invoice.

#### **Proposed Resolution Regarding the Library Board**

CM Baughman reported that Resolution 464 establishing the responsibilities of the Toledo Library Board was adopted by City Council in 1976 and is far removed from the present responsibilities of the Toledo Library Board. Staff provided a proposed resolution and ask that Council provide input regarding what it wants from the library board.

Council agreed on the following library board responsibilities:

1. Function as an advisory board for the library director.
2. Promote awareness of and advocate for the library and its activities in the community.
3. Help secure adequate financial support for library functions.

Staff agreed to provide a resolution establishing the responsibilities of the library board for Council consideration at its next regular session.

#### **Annexation Update**

CA Adams reported that he is developing a survey for public comment regarding annexation of property within the urban growth boundary into the city limits. He has also drafted a letter to specific property owners asking if they are interested in annexation of each specific property. He identified parcels on Arcadia Drive NE and Sturdevant Road as potential sites for annexation.

Council agreed that CA Adams should move forward with the annexation survey and letters to property owners.

#### **Oregon Government Ethics Commission-2016 Statement of Economic Interest Filing**

CR Bryant reported that the Oregon Government Ethics Commission (OGEC) has adopted an electronic process for filing the annual Statement of Economic Interest (SEI) forms. This process eliminates all paper correspondence with the OGEC for filing purposes. She stated that she will be providing contact information to OGEC for each of the city's elected officials, planning commission members, Municipal Judge, and City Manager. This will generate an email to each of the officials that are required to file. Council members will have 30 days to respond to the initial email from OGEC. She also noted that the information required of each official in the SEI form has not changed.

**Additional Council Comments**

There were none.

**City Manager Comments**

CM Baughman reported the following:

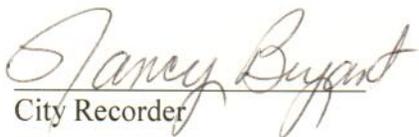
- The City has received an application for the Street Market which includes a request for partial closure of Main Street beginning at 8am to 5pm from 1<sup>st</sup> to 2<sup>nd</sup> Street each Thursday. Staff is concerned about blocking access to City hall and the Cascades West Council of Governments building as well as access for delivery trucks. He noted that he will contact Main Street business owners of the request for the partial closure.
- The contact person for the Celtic Festival has notified him that she recently discovered the "no dog" policy at Memorial Field.
- Staff recently attended a Citycounty Insurance Services (CIS) sponsored webinar regarding liability. The CIS pre-loss attorney has recommended that the City staff and officials use caution when speaking about current and former employees.
- The Swimming Pool is closed during the repair of a failed pump.
- Georgia-Pacific Toledo is hosting a number of out town contractors. He has personally found some to be rude and unlawful and has asked that the police patrol be increased.
- He and the City Attorney are sending a letter of inquiry regarding the vacant bank building.
- Staff has asked that council consider revising the mission statement. Council agreed that it would like staff to recommend mission statements for its consideration.

PWD Ritzman reported that street patching will begin tomorrow.

**Adjournment:**

Mayor Smith adjourned the meeting at 8:09pm.

ATTEST:

  
City Recorder

APPROVE:

  
Mayor