

TOLEDO CITY COUNCIL MINUTES
REGULAR SESSION
June 15, 2016

Mayor Billie Jo Smith called the meeting to order at 6:45pm. Councilors present: Terri Strom, Julie Rockwell and Council President Jill Lyon.
Councilor Alma Baxter arrived at 6:49pm and Councilor Michelle Johnson arrived at 6:51pm.
Councilors excused: Jackie Kauffman.

Staff present: City Manager (CM) Jay Baughman, Finance Director (FD) Polly Chavarria, Police Chief (PC) Dave Enyeart, Public Works Director (PWD) Lee Ritzman, and City Recorder (CR) Nancy Bryant.

Visitors present: Penny Ryerson, Jerry Seth, and Geoffrey Wilkins.

Visitors/Public Comment

There were no visitor comments.

Planning Commission Interview

City Council interviewed Penny Ryerson, an applicant for the vacant position on the City Planning Commission.

Consent Calendar

Motion- It was moved and seconded (Strom/Rockwell) to approve the consent calendar consisting of City Council minutes dated June 1, 2016 and Budget Committee minutes of May 10th & May 17th, 2016. **Motion passed 6-0**, noting the absence of Councilor Kauffman.

Discussion and Information Items

Committee Updates

CM Baughman reported that he attended the quarterly meeting of the Lincoln County Solid Waste Consortium. He was informed that the Agate Beach Landfill closure program has a 30 year sunset but it is believed that Oregon's Environmental Protection Agency and Department of Environmental Quality will require ongoing monitoring of the landfill which may prolong the financial obligation.

PUBLIC HEARING

Mayor Smith opened the public hearing regarding adoption of the 2016/2017 fiscal year budget and declaring the City's election to receive state revenue at 7:00pm. No conflicts of interest, biases, ex parte communication, or objections to jurisdiction were noted.

Staff Report:

CM Baughman reported that according to the Oregon Revised Statute, City Council is mandated to conduct this public hearing to solicit input from the citizens of Toledo regarding the budget that was approved by the Budget Committee on May 17, 2016. In addition the hearing affords the opportunity to solicit citizen input in the receipt of state revenue funds for fiscal year 2016/17. Upon receipt of citizen input and the ensuing deliberations of City Council, the governing body of

the city may take action for the proposed resolution adopting the budget and receipt of state revenue sharing funds after this public hearing is closed.

Public Testimony: There was no public testimony.

Council Questions: There were no Council questions.

PUBLIC HEARING CLOSED: Mayor Smith closed the public hearing at 7:03pm.

Council Deliberation: Council agreed that the budget document is in good order.

Decision Items

Appointment to Fill a Planning Commission Vacancy

Motion-it was moved and seconded (Strom/ Baxter) to suspend Council rules, voting by show of hands, to appoint Penny Ryerson to the Planning Commission for an unexpired four year term ending December 31, 2019.

Public comment: There was no public comment.

Motion passed 6-0, noting the absence of Councilor Kauffman.

Proposed Budget Resolutions

CM Baughman noted that the proposed resolution adopts the recommended budget approval by the Budget Committee at its public hearing on May 17, 2016.

Motion-It was moved and seconded (Lyon/Baxter) to adopt **Resolution No. 1375**, a Resolution Adopting the Budget, Appropriating Funds, and Levying Taxes for the Fiscal Year 2016/17.

Public Comment: There was no public comment.

Motion passed 6-0, noting the absence of Councilor Kauffman.

CM Baughman reported that the State Revenue Sharing is anticipated to be \$300,950 in revenue to the City in the next Fiscal Year 2016/2017. Approval of the proposed resolution is required prior to receiving state revenues.

Motion-It was moved and seconded (Baxter/Johnson) to adopt **Resolution No. 1376**, a Resolution declaring the City's election to receive State Revenues for the Fiscal Year 2016/2017.

Public Comment: There was no public comment.

Motion passed 6-0, noting the absence of Councilor Kauffman

Resolution Adopting the 2016/2017 City Fee Schedule

CM Baughman reported that there are no proposed changes to the fee schedule for the 2016/2017 fiscal year when compared to the 2015/2016 fiscal year. He clarified that the City's Fee Schedule does not include water or sewer rates.

Motion- It was moved and seconded (Lyon/Johnson) to adopt **Resolution No. 1377**, a Resolution establishing fees for services provided by the City of Toledo and repealing Resolution No. 1358.

Public Comment: There was no public comment.

Motion passed 6-0, noting the absence of Councilor Kauffman.

Resolution Transferring Funds

CM Baughman explained that during the summer and fall of 2015, the Fire Department assisted the State of Oregon with wild land firefighting. The State of Oregon reimbursed the City for all payroll expenses incurred by the City, and in addition “rented” City fire equipment used during the conflagrations. On June 8, 2016 the City was called upon again to provide firefighter services. The expenses from June of 2016 will require an additional appropriation for the 2015/2016 fiscal year. The proposed resolution makes a transfer from the contingency line item to provide enough appropriation to cover these expenses.

Motion-It was moved and seconded (Lyon/Baxter) to adopt **Resolution No.1378**, a Resolution transferring funds.

Public Comment: There was no public comment.

Motion passed 6-0, noting the absence of Councilor Kauffman.

Recommendation to Oregon Liquor Control Commission for a Temporary Use Permit made by Toledo Elks Lodge #1664

CM Baughman reported that The Toledo Elks Lodge #1664 has applied to the Oregon Liquor Control Commission (OLCC) for a temporary use of its annual license to facilitate a beer garden during the Toledo Summer Festival event. The event is to take place at Memorial Field on July 22nd – 24th. The Toledo Police Department has no objection to recommending approval of the application and the required City of Toledo Beverage License fee is paid in full.

Motion- It was moved and seconded (Strom/Rockwell) to recommend approval of the application for an OLCC Temporary Use of an Annual License made by the Toledo Elks Lodge #1664.

Public Comment: There was no public comment.

Motion passed 6-0, noting the absence of Councilor Kauffman.

Recommendation to Oregon Liquor Control Commission for a Temporary Use Permit made by Erik Zakariassen

CM Baughman reported that Erik Zakariassen (dba Holy Toledo Tavern) has applied to the Oregon Liquor Control Commission (OLCC) for a temporary use of its annual license to facilitate a beer garden during the Car Show event on Main Street. The event is to take place at 155 N. Main Street, Toledo on June 25, 2016. The Toledo Police Department has no objection to recommending approval of the application and the required City of Toledo Beverage License fee is paid in full.

CP Lyon noted her appreciation that the applicant has asked for permission to use part of the sidewalk.

Motion- It was moved and seconded (Strom/Lyon) to recommend approval of the application for an OLCC Temporary Use of an Annual License made by Erik Zakarassen for the business name of Holy Toledo Tavern.

Public Comment: There was no public comment.

Motion passed 6-0, noting the absence of Councilor Kauffman.

Authorizing Sole Source Rebuild of the Helisieve in-channel Screen

CM Baughman explained that the Helisieve in-channel Screen is the first element in the wastewater treatment process. It consists of a circular perforated plate that allows water to flow

through, but catches objects greater than about 1/8" diameter. The screen and its component parts are exclusively manufactured by Parkinson Corporation. They only sell replacement parts and recognize repair work done through their authorized distributors. The City's purchasing ordinances require formal quotes for purchases in this price range unless the service is from a sole source. In that case, ORS 279B.075 requires a determination by the City Council that it is a sole source. Staff has provided Council with a letter from Parkinson Corporation dated June 1, 2016 stating that "William H. Reilly & Company is the sole source or exclusive representative for Parkinson within the State of Oregon for the purchase of new products, OEM repair parts, repairs and maintenance." The cost for repair/rebuild of the Helisieve screen is \$17,966 and will be expended from the Sewer Reserve Fund.

Motion- It was moved and seconded (Lyon/Strom) to authorize the sole source rebuild of the Helisieve in-channel screen at the wastewater treatment plant from Wm. H. Reilly & Co.

Public Comment: There was no public comment.

Motion passed 6-0, noting the absence of Councilor Kauffman.

Reports and Comments

Department Reports

PWD Ritzman reported that Road and Driveway completed the paving on "A" Street in front of the Post Office within six days. He will be meeting with the contractor tomorrow regarding the Heritage Plaza improvements and the railing on the corner of "A" Street and Business Hwy 20 will be complete by the end of the month.

PC Enyeart reported that the "Safety Town" event is scheduled for this weekend at Head Start. The "National Night Out" is scheduled for August 2nd.

City Manager's Report

CM Baughman reported the following:

- He and CR Bryant met with representatives of SAIF, the City's workers compensation insurance provider for the annual policy renewal meeting. He noted that the City now has a MOD rate under 1% and he appreciates that City employees are safety minded. He also noted that employees Melodi McGee and Caleb Stokes are Co-Chairs of the Safety Committee and that the committee has made great strides in promoting health and safety.
- The Bamboo has been removed from Fort Nye Park at the cost of \$2,000 to the City. A barrier will be placed between the park and the neighboring property to keep the plant away from the park. There will be preventative measures to be taken by the neighboring property owner who will be notified of the recent cost to remove the bamboo from the park and that they will be held responsible if the plant grows into the park again.
- A study of the water loss at the pool was recently performed. The estimated water loss is 220,000 gal per month. The water was turned off at the main supply for 24 hours with a loss of zero. This indicates that water loss is coming from the pool system but it could be a combination of several issues.
Councilor Johnson asked at what point the City will stop repairing the system and subsidizing the pool. CM Baughman noted that the 2016/17 budget amount for pool maintenance is \$12,000. Mayor Smith noted that the Keep Our Pool Open (KOPO) committee is looking at the issue.
- He completed the "Leadership Lincoln" program and thanked Columbia Bank for the course scholarship.

Councilor Kauffman arrived at 7:32pm.

Council Comments

CP Lyon announced that Saturday is international “Knit in Public Day”. She congratulated the Toledo High School Student group who won 1st and 2nd place with Wind Energy projects at the regional STEM renewable energy competition.

Councilor Rockwell noted that there are some code violation issues at NW 9th to Main Street including abandoned vehicles and abandoned homes. Chief Enyeart noted that the code enforcement officer is working on those issues.

Councilor Strom stated that the Street Market is going well.

Councilor Baxter announced the Car Show and a City-wide garage sale are scheduled for June 25th.

Councilor Kauffman reported that Summer Festival buttons are available.

Mayor Comments

Mayor Smith commented on the following:

She asked if Council is interested in participating in the Summer Festival Parade. Council agreed to discuss its participation in the parade at a later date.

Mayor Smith then called for a recess at 7:48pm and announced that an executive session will follow.

She then made the following statement: “Representatives of the news media and designated staff shall be allowed to attend the executive session. All other members of the audience are not permitted to attend. Representatives of the news media are specifically directed not to report on any of the deliberations of the executive session except to state the general subject session as previously announced. No final decisions may be made in executive session. At the end of executive session Council will return to open session and welcome the audience into the room.”

Executive Session

The meeting resumed at 7:52pm in executive session according to ORS 192.660(2), (d) To conduct deliberations with persons designated by the governing body to carry on labor negotiations.

Regular Session

The group returned to regular session at 8:15pm.

Council discussed the following:

- Council agreed to discuss its participation in the Summer Festival Parade at its next regular session on July 6th.
- Mayor Smith read, aloud, a letter from C.J. Drake of Georgia-Pacific Toledo commending the City Manager and Staff for the exemplary professionalism they have demonstrated since last year on issues of mutual interest between the City and Georgia-

Pacific. He also thanked the Mayor and City Council for supporting Georgia-Pacific Toledo.

Adjournment:

Mayor Smith adjourned the meeting at 819pm

ATTEST:


City Recorder

APPROVE:


Mayor