

**TOLEDO CITY COUNCIL
REGULAR MEETING**

May 6, 2020

6:00 p.m.

1. CALL TO ORDER AND ROLL CALL

Mayor Rod Cross called the meeting to order at 6:00 p.m.

Present	Absent	
<u>X</u>		<u>Mayor Rod Cross</u>
	<u>X</u>	<u>Council President Joshua Smith</u>
	<u>X</u>	<u>Councilor Jackie Kauffman</u>
<u>X</u>		<u>Councilor Heather Jukich</u>
<u>X</u>		<u>Councilor Bill Dalbey</u>
<u>X</u>		<u>Councilor Stu Strom</u>
<u>X</u>		<u>Councilor Betty Kamikawa</u>

Staff present: City Manager (CM) Judy Richter, City Recorder (CR) Lisa Figueroa, Police Chief (PC) Michael Pace, Public Works Supervisor (PWS) Bill Zuspan, City Attorney (CA) David Robinson, Co-Fire Chief (FC) Joe Ammons

2. VISITORS/PUBLIC COMMENT

There were no comments.

3. CONSENT AGENDA

Minutes from the Work Session held April 22, 2020

Motion – It was moved and seconded (Strom/Jukich) to adopt the Consent Agenda as presented and the motion carried unanimously.

4. DISCUSSION ITEMS

Municipal Court presentation

Municipal Court Judge Heidi Sternhagen said she assumed the position in September of 2019 and has tried to follow the same philosophy as former Judge Demarest. She reviewed the information included in the packet and indicated there were 316 total violations in 2019. She said she is excited for the new case management system because in the future, they will be able to provide more detailed data to the Council such as how many citations turn into convictions, what is dismissed or deferred, etc. She reviewed the Court process and indicated she tries to be lenient to allow people time to pay off fines and/or obtain necessary documentation such as a license and/or insurance. She said she requires them to provide proof to her before any final action is made on the case. She stated there is currently a statute that requires courts to notify the Department of Motor Vehicles to suspend a defendant’s license if they do not pay their fine but there is push to remove the suspension for nonpayment. She said COVID-19 has impacted court and they have not had a session since March 12 but will resume on May 28 and staff will need to consider how to reinstate court while ensuring the safety of the public and staff. There was discussion of the truck route and the signage required along the truck route.

Committee updates

Mayor Cross indicated he spoke with Dave Price of Oregon Coast Community College Small Business Development Center. He said Mr. Price indicated at least one bank in the County has provided several million dollar loans.

5. DECISION ITEMS

Property Abatement consideration

FC Ammons provided an update to the Council. He said the deck has deteriorated enough to be considered dangerous for the residents. He said the Fire Department contacted the property owner, who has not shown interest in repairing the stairs. CA Robinson noted the owner responded by letter stating he cannot fix the stairs due to a medical condition that prevents him from traveling to Toledo from Portland. He stated the City never indicated the owner must fix it but rather the stairs just needed to be repaired. FC Ammons said the Fire Department has had to transport one of the residents from that location and they limit the number of personnel and weight on the stairs for their own safety. The Council reviewed the information and there was a consensus to schedule a Public Hearing.

Motion – It was moved and seconded (Dalbey/Strom) to schedule a hearing to hear evidence for a property abatement under TMC 15.12. The Council discussed when to hold the hearing and decided to hold it on June 3, 2020. Following discussion the motion carried unanimously.

Resolution No. 1438, A resolution increasing the water and sewer rates, amending Resolution 1318 section 3 and repealing Resolution no. 1421

CM Richter summarized the Council report and said the rates adjust annually on May 21. She said in 2019, the Council voted to adjust the sewer rate by 2%, but did not increase the water rate. She said the rate increase for water is currently 1.25%, and the rate increase for sewer is 2%. She said recently, Council requested staff present a resolution with a 3% increase for both water and sewer rates. She said this does not include Seal Rock because their rate was adjusted in January. There was discussion about infrastructure needs, the H2O process and the impact of COVID-19 on residents and businesses.

Motion – It was moved and seconded (Dalbey/Strom) to adopt Resolution No. 1438, a Resolution of the Toledo City Council increasing the water and sewer rates, amending Resolution 1318 Section 3 and repealing Resolution No. 1421 and the motion carried four to one with Councilor Jukich opposed.

Draft Ordinance Chronic Nuisance Property

CA Robinson summarized the Council report. He said this ordinance would serve as a tool to address properties that are chronic nuisances or have frequent criminal activities. He said there have been amendments based on the previous discussion. The Council discussed the ordinance and expressed concern for victims of domestic violence being evicted. CA Robinson noted Oregon Statutes prohibit landlords from evicting victims of domestic violence and include other protections as well. There was discussion about adding a mediation component and CA Robinson said it is included in the proposed ordinance between the police and property owner before it is referred to Court. Chief Pace indicated he favors having it go before the Municipal Court so that both sides can argue their case. A consensus of the Council determined to have a

workgroup of stakeholders and not more than two Councilors to review the ordinance before it comes back to the Council for consideration and adoption.

Ratification of Amending Resolution No. 1436, declaring a state of emergency

CM Richter indicated the Council took a vote at the Joint Meeting with the Lincoln County Board of Commissioners on April 27 and staff felt the vote should be ratified by the Council for transparency.

Motion – It was moved and seconded (Strom/Jukich) to ratify the Council’s vote amending Resolution No. 1436 extending the state of emergency to May 31, 2020 and the motion carried unanimously.

6. REPORTS AND COMMUNICATION

Chief Pace summarized the department report included in the Council packet. He said he compared the statistics from this year to [the same time] last year to see if there are any impacts from COVID-19 and noted person crimes have increased, societal crimes increased by 21% and property crimes stayed the same.

PWS Zuspan said the flower baskets will go up this week and the crew is working on several tasks including the projects in the Mutual Agreement and Order for the Department of Environmental Quality.

CM Richter said staff completed interviews for the Public Works Director position today. She reported FC Ammons, FC Inman and Captain Musil spoke with Mr. Krause [property owner] about his property on Main Street and they came to an agreement in regards to implementing safety mechanisms for the resident in that space.

Councilor Kamikawa noted the City needs a plan to re-open and suggested the City move forward with the Strategic Plan. There was discussion about the process to reopen and whether it will be managed at the County level or the municipal level.

Councilor Dalbey noted he would like to see some funds added back to the unallocated funds and would like to see the City prepared to provide assistance where the Council sees the need. There was discussion in regards to reopening and both Mayor Cross and Councilor Kamikawa expressed interest in working with staff to develop a reopening process/strategy.

7. ADJOURNMENT

The meeting adjourned at 7:58 p.m.

ATTEST:

APPROVE:

/s/City Recorder Lisa Figueroa

/s/Mayor Rod Cross