

**TOLEDO CITY COUNCIL
REGULAR MEETING
November 1, 2023**

1. CALL TO ORDER

Mayor Rod Cross called the meeting to order at 6:00 p.m. also via Zoom in Toledo, Oregon.

Present	Absent	
X		Mayor Rod Cross
X		Council President Kim Bush
X		Councilor Jackie Kauffman
X		Councilor Tracy Mix
X		Councilor Frank Silvia
X		Councilor Stu Strom
		Councilor Jackie Burns

Staff present: City Manager (CM) Doug Wiggins, City Recorder (CR) Lisa Figueroa, City Attorney (CA) Mike Adams, Finance Director/Assistant City Manager (ACM) Amanda Carey, Police Chief (PC) Michael Pace, Code Enforcement Officer (CO) Ron Bush

2. PROCLAMATIONS/PRESENTATIONS

Presentation – Homelessness Strategic Plan; Ernest Stephens, CEO of Morant McLeod

The presentation was delayed to later in the meeting while the Council waited for Mr. Stephens to arrive.

3. VISITORS/PUBLIC COMMENT

There were no comments.

4. CONSENT AGENDA

Minutes from the work session held May 24, 2023

Motion – It was moved and seconded (Strom/Mix) to approve the consent agenda as presented and the motion carried unanimously.

5. DISCUSSION ITEMS

Draft Ordinance; amending the Toledo Municipal Code and creating a Toledo Livability Code

CA Adams presented the council report. He indicated this is a follow up discussion and the ordinance regulates exterior conditions of all residential and non-residential structures as well as interior conditions of landlord/rental structures. He said it also incorporates recreational vehicles (RV). He reviewed the definitions and noted RVs are excluded from City owned properties but can park on other areas, with the requirement they must move every 24 hours. He referenced the list of applicable regulated areas in the council report. The Council commented on the likelihood of individuals complaining about neighbors [civil matters] and questioned whether there could be a way to mitigate those kind of complaints or require an initial conversation between neighbors prior to City involvement. For the sake of the new Council members, there was discussion in

regards to how the ordinance was developed and came before the Council. CA Adams indicated the original ordinance was copied from the City of Corvallis. The Council debated about how the regulations would impact both the renter and the landlord. It was noted there are examples in town currently where a landlord raises the tenant's rent but refuses to repair amenities such as heat or leaky buildings that make a unit habitable. The Council reviewed the ordinance and discussion included the following:

- There was discussion in regards to 'decorative features' and it was noted that was included because it could become a safety hazard.
- Reference to page 23 of the packet Section 21, 8.24.240(B) and the Council asked for clarification of that statement because it could be misinterpreted.
- Section 28, 8.24.270(F) on page 27 of the packet and the Council suggested it include a statement to indicate unless weather conditions necessitate using the tarp for a longer duration to keep the structure dry.
- Section 29, 8.24.280(F) regarding thickets; the Council preferred it be addressed as defensible space instead of a livability issue.
- Section 29, 8.24.280(G)(5) it was suggested to limit this restriction to a health and safety issue such as if the materials becomes a nuisance.
- Section 39, 8.24.380(C) The Council inquired if 9% as referenced is the standard rate and CA Adams replied the master fees adopted by resolution of the Council includes that catch-all percentage.

The Council expressed concern that the ordinance would not be weaponized in any way. There was discussion to add a better definition for the term "junk". The Council discussed various scenarios to understand at what point in the process a landlord or tenant would be able to submit a complaint to the City as outlined in the proposed ordinance. CM Wiggins noted the proposed ordinance does include a section identifying tenant and landlord responsibilities.

The Council discussed how penalties should be imposed and considered liens against the property and deliberated on the unfairness of property owners receiving the penalties for the acts of the tenants.

CO Bush said many of the problematic properties are owned by individuals who live out of state or banks who show no interest in resolving the issues/nuisances. He said the livability code is needed in the City.

CM Wiggins encouraged the Council to not pass the ordinance in one sitting so as to allow more public participation.

Presentation – Homelessness Strategic Plan; Ernest Stephens, CEO of Morant McLeod

Ernest Stephens of Morant McLeod addressed the Council and provided a presentation. He reviewed the timeline of the Lincoln County Homelessness Advisory Board's process. He indicated they conducted a study that included data from the School district and surveyed several the residential communities and found there were approximately 2,090 unhoused individuals in the County in 2023. CM Wiggins questioned whether the estimate includes transient individuals and Mayor Cross responded the number could increase to 3,000 or higher during the summer.

Mr. Stephens said they interviewed people between the ages of 19 and 72. He said on average, people have been without fulltime/gainful employment for two years and eight months and on average have been without fulltime housing for three years and seven months. He said 66.8% of the unhoused community is aware of local support services, 40% of that population has received housing services and 48% had difficulty in receiving housing services. He said in comparison to the housed population, over 66% of the unhoused population have three or more serious health concerns. He said the education profiles were similar between the two populations. He reported the housing stock is down and housing prices have increased. He indicated one and two bedroom homes in Lincoln County are affordable compared to neighboring areas but three bedroom homes are not affordable. He said there are seven categories [of services] or a spectrum of phases that lead people from being completely unhoused to receiving emergency and transitional services all the way to full housing stability. He said the Advisory Board believes the cities, the County and Tribes should work across four fronts; housing, services economic development and transportation and organize all of the available services with common data. He reviewed the planning outline in identifying ways to reduce the unhoused population.

Mayor Cross, who serves on the Advisory Board noted the Board realized they cannot combat the issue completely but have realistic goals to decrease the population in five years. He commented on the short term rental market that exists in the County and its impact on affordable housing.

The Council recessed at 8:13 p.m. and reconvened at 8:18 p.m.

6. DECISION ITEMS

Notice of Intent to award; Public Safety Building – Phase 1 bids

CM Wiggins reported staff conducted a request for proposals in October for Phase 1 of the public safety building, which included the siding (with some seismic upgrades), roofing, windows and doors. He said the lowest responsible bid received was through Richards Remolding for \$1.28 million. He said the City does not have the budget for that proposal, however if the City announced the notice of intent it would allow him to negotiate the price. He said it if is unsuccessful, both parties can walk away without any penalties. There was discussion in regards to whether the project could be impacted by the General Obligation Bond that is currently on the ballot for the voters and staff could not provide any information since the Bond would depend on passage from the voters.

Motion – It was moved and seconded (Bush/Burns) to approve sending a notice of intent to award to the lowest responsible bid from Richards Remodeling and the motion carried unanimously.

Contract approval; Civil West – Fir Street Engineering Services

CM Wiggins said last month there was a major water line break on Fir Street and it is the second break in three years. He said staff intends to re-prioritize the Fir Street to repair the pipe properly as well as the areas of the road that has lifted. He said the City already has pipe in stock that can be allocated to the project and the city has the funds available for this type of improvement. He said the engineering costs will not exceed \$65,000.

Motion – It was moved and seconded (Bush/Silvia) to approve the contract/work order up to \$65,000 from Civil West for design, bidding, and construction engineering services and the motion carried unanimously.

Consideration to purchase a new 2023 F250 pickup

CM Wiggins provided the council report and said the vehicle is durable enough to haul heavy equipment. He said if the Council approves this item, they would also approve the surplus of the 2011 F350 as a trade in. Staff answered clarification questions in regards to the purchase of the vehicle.

Motion – It was moved and seconded (Bush/Strom) to approve the purchase of a new 2023 F250 pickup with a used 2011 F350 as a trade and the motion carried

7. REPORTS AND COMMENTS

PC Pace updated the Council on department activities and said two dispatchers will graduate from the Academy this month.

CM Wiggins noted he is working on updates for the employee handbook and the management compensation plan and hopes to bring that to the Council after the first of the year. He indicated negotiations with the Toledo Employee Association will begin after January 1 and staff is preparing for those meetings.

There was discussion about the street lighting fee in the City and who maintains them. It was noted Central Lincoln PUD maintains the street lights.

Mayor Cross commented on the upcoming holiday activities and expressed excitement on seeing community members out and about in town. He encouraged everyone to vote.

8. ADJOURNMENT

The meeting adjourned at 8:55 p.m.

Approve:

Attest:

/s/Mayor Rod Cross

/s/City Recorder Lisa Figueroa