

**TOLEDO CITY COUNCIL
REGULAR MEETING
January 17, 2024**

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 Jackie Burns
X		Councilor Stu Strom

Staff present: City Manager (CM) Doug Wiggins, City Recorder (CR) Lisa Figueroa, Finance Director/Assistant City Manager (ACM) Amanda Carey, City Attorney (CA) Mike Adams, Police Chief (PC) Michael Pace, Fire Chief (FC) Larry Robeson, Library Director (LD) Deborah Trusty

2. **Resolution No. 1541, a resolution a resolution of the Toledo City Council ratifying the State of Emergency declared by the City Manager on January 14, 2024

CM Wiggins presented the resolution, which was added to the agenda. He said the recent ice storm caused significant damage in the City. He said a meeting was held with several department directors and the Mayor, which led to a State of emergency declaration. He indicated the Council must ratify the declaration but they can extend it if they desire. There was deliberation on how long to extend the declaration and after further discussion they agreed to extend it to January 26.

Motion – It was moved and seconded to (Bush/Mix) approve Resolution No. 1541, a resolution of the Toledo City Council ratifying the State of Emergency declared by the City Manager on January 14, 2024 and extending the state of emergency through January 26, 2024 and the motion carried unanimously.

3. VISITORS/PUBLIC COMMENT

Barry Bruster, resident addressed the Council. He questioned whether the City has any groups similar to the CERT team. The Council indicated there were several services offered in the city from various groups as needed such as a warming shelter, etc.

4. CONSENT AGENDA

Minutes from the executive session held October 18, 2023 and the meetings held October 18 and October 25, 2023

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

5. DISCUSSION ITEMS

Discussion and consideration to pursue a ballot measure to the voters in the May primary election

CM Wiggins presented the council report. He indicated the previous bond failed in November of 2023 and staff was seeking direction from the Council as to whether they would like to pursue the bond again. He asked whether the Council wanted to seek the same bond or split the bond and make two separate requests; one for the Ammon Tank replacement and one for improvements to the Public Safety Building. He noted Jonas Biery is available to provide information and answer questions regarding the bond.

Mr. Biery addressed the Council. He said the bond in November would requested \$3.5 million to fund two projects, the Ammon Tank replacement and upgrades to the Public Safety Building. He said the tax levy rate would have been approximately \$.50. He said if the projects were separate bond requests, the Ammon Tank levy rate would be approximately \$.35 and the Public Safety Building would cost approximately \$.15. He said the Council could seek both bonds at the same time or pursue one first and then the other one at a later date. The Council deliberated whether they should pursue both projects or one and it was noted there were several comments/discussions on social media that indicated the public would have preferred individual bond requests. Mr. Biery indicated the difference in cost is not significant from the current bond, which will expire this year. He said if the City does not get on the May election, there will not be a consistent levy rate and there will be a gap year. After further discussion, there was a consensus of the Council to seek a bond for the replacement of Ammon Tank in the May primary election.

Resolution No. 1540, a resolution supporting the Lincoln County Homeless Strategic Plan and granting the Lincoln County Homeless Response Advisory Board authority to execute the continued project administration for this strategy

Morant McLeod Partner, Ernest Stephens presented to the Council and referenced the Administrative draft on page 63 of the packet. He indicated Lincoln County is seeking support of the Plan by the Council through a resolution. CM Wiggins noted page 6 indicated there are some elements of the report missing and inquired whether it is available now. Mayor Cross indicated it was accepted and he would contact the Homeless Advisory Board so the City has a copy of the final report. Mr. Stephens said there are no significant differences between the report included in the packet and the final report. The Council questioned whether the Advisory Board is seeking financial support at this time and Mr. Stephens responded not at this time.

Motion – It was moved and seconded (Mix/Bush) to approve Resolution No. 1540, a resolution of the Toledo City Council supporting the Lincoln County Homeless Strategic Plan and granting the Lincoln County Homeless Response Advisory Board Authority to execute the continued project administration for this strategy and the motion carried unanimously.

Consideration to schedule discussions or appoint a task force committee to recommend updates to the Toledo City Charter for the 2024 general election

CR Figueroa presented the council report. She indicated the Council has held several brief discussions in regards to amending the City Charter, which must be submitted to voters of the City to approve any changes. She suggested the Council consider a charter review committee. She said charter review committees have been successful in other cities because it includes public

participation and referenced the packet, which included an outline for possible charter review and amendments. Following discussion by the City Council, there was a consensus to bring back information to establish a committee to review the City Charter.

Begin review of City Council rules

CR Figueroa summarized the council report and indicated the rules were last reviewed in 2020, before the pandemic. She indicated she would like to begin reviewing them again and could bring back one or two sections at a time to review and the Council agreed.

6. DECISION ITEMS

Resolution No. 1538, a resolution authorizing an Intergovernmental Agreement with the Toledo Urban Renewal Agency for the Provision of Administrative and Development Services

CM Wiggins summarized the council report and indicated the Urban Renewal District/Agency (URA) has to be a separate entity from the City, including its own bank accounts. He indicated the intergovernmental agreement with the City would allow staff to provide administrative services to the URA.

Motion – It was moved and seconded (Bush/Kauffman) to approve Resolution No. 1538, a resolution of the Toledo City Council authorizing an intergovernmental agreement with the Toledo Urban Renewal Agency for the provision of administrative and development services and the motion carried unanimously.

Resolution No 1539, A resolution recognizing grant revenue and making appropriations for spending for Fiscal Year 2023-2024

ACM Carey provided the council report. She said Library Department was able to secure \$3,000 in grant and donation revenue, which was not included in the budget. She indicated state budget law allows Cities to accept and appropriate unforeseen revenue by resolution.

Motion – It was moved and seconded (Mix/Kauffman) to adopt Resolution No. 1539, a resolution of the Toledo City Council recognizing grant revenue and making appropriations for spending for Fiscal Year 2023-2024 and the motion carried unanimously.

Intergovernmental Agreement with the Greater Toledo Pool and Recreation District for planning of a Recreation Center

CA Adams presented the council report and indicated the City has a Memorandum of understanding with the Greater Toledo Pool and Recreation District (GTPD) for the planning of a community recreation center. He said the Intergovernmental Agreement (IGA) would stipulate conditions for an initial Request for Proposals and how the organizations will pay for the costs of the engineering services. He said staff recommends approval of the IGA. Staff answered clarification questions in regards to the IGA.

Motion – It was moved and seconded (Mix/Burns) to approve an Intergovernmental agreement with the Greater Toledo Pool and Recreation District for the planning and bidding for a recreation center using the construction manager general contractor process and the motion carried unanimously.

Ordinance No. 1416, an ordinance of the Toledo City Council amending the Toledo Municipal Code, Title 8, Health and Safety; creating Chapter 8.24, The Toledo Livability Code, repealing Chapter 15.12 and declaring an emergency

CM Wiggins provided the council report. He indicated this discussion began several months ago and staff received lots of public input. He said the version before the Council is version 22 from the initial draft that was presented previously.

Mr. Bruster thanked staff for listening to the concerns and comment from landlords. He commented implanting regulations against landlords will result in rent increases in Toledo. The Council deliberated with Mr. Bruster regarding the regulations and the Council clarified landlords would be required to make improvements/upgrades if the issue does not meet code and after a complaint is made. The Council indicted this ordinance will protect both landlords and tenants.

Jerry Howe, landlord addressed the Council. He said the Council cannot dictate the livability of people and cannot see how the ordinance will help landlords with irresponsible tenants. CA Adams indicated having the ordinance in place would provide a means for the City to cite them before the Municipal Court Judge.

John Robinson, contractor and landlord commented and thanked the staff for the ordinance. He said he read the proposed ordinance and saw it as a livable needs document that ensures basic needs such as running water and heat are provided for people. He responded to a comment earlier regarding increased rent and noted there is a shortage of apartments and single-family housing in the United States.

CA Adams noted three changes:

- Section 8.24.180 - Interior Conditions of Tenant Occupied Residential Structures and Recreational Vehicles, (A) should read as “...*whether they are current on their rent or otherwise in violation of a written or unwritten agreement or regardless of ownership, rental status or vacancy.*”
- 8.24.290 – Solid Waste Removal, (C) Landlord Responsibilities should read as “*The landlord of any 1 and 2 family dwelling, except as otherwise provided by written agreement between the landlord and the tenant, shall:...*”
- (C)(2) shall read as, “...*or alternatively, upon agreement with tenant, the tenant can maintain the waste in a receptacle and the tenant can dispose of tenant’s waste at the landfill...*”

He recommended approval of the ordinance with those noted amendments.

Motion – It was moved and seconded (Silvia/Burns) to adopt an ordinance of the Toledo City Council amending the Toledo Municipal Code, Title 8, Health And Safety; creating Chapter 8.24, The Toledo Livability Code, regulating the exterior conditions of all residential and non-residential structures, interior conditions of residential tenant occupied structures, and recreational vehicles occupied for a temporary residential use; repealing Toledo Municipal Code Chapter 15.12; as amended and declaring an emergency and the motion carried unanimously.

Mayor Cross asked if any Councilor present request the ordinance be read in full and no one commented.

Motion – It was moved and seconded (Bush/Silvia) to adopt an ordinance of the Toledo City Council amending the Toledo Municipal Code, Title 8, Health And Safety; creating Chapter 8.24, The Toledo Livability Code, regulating the exterior conditions of all residential and non-residential structures, interior conditions of residential tenant occupied structures, and recreational vehicles occupied for a temporary residential use; repealing Toledo Municipal Code Chapter 15.12; as amended and declaring an emergency and the motion carried unanimously.

The Council recessed at 8:00 p.m. and reconvened at 8:08 p.m.

Appoint members to the Cascades West Area Commission on Transportation

CR Figueroa presented a report to the Council in regards to the position for the Cascades West Area Commission on Transportation. She indicated Councilor Burns took over the vacant position last calendar year but the term expired at the end of the calendar year. Councilor Burns indicated she does not want to serve in that position again. Councilor Silvia volunteered for the position.

There was a consensus of the Council to appoint Councilor Silvia as the primary member and Councilor Strom as the alternate member.

7. REPORTS AND COMMENTS

FC Robeson provided a department report and indicated the department had 41 calls during the ice storm.

PWD Lorimor updated the Council and thanked the public works crew and the public safety departments for their assistance during the ice storm. He said the City was able to continue water services from a generator.

PC Pace commented on the efforts of his department during the ice storm. He reported the dispatch center lost power for some time but was able to get back up and running. He said there were a couple of deaths during the storm but they could not be transported to Lincoln County because of the Highway closure and commented the City needs to consider the storage and transportation of dead bodies during such emergencies.

CR Figueroa indicated the videos of the Council meetings are now available on Youtube as of January this year.

ACM Carey said the department has been improving processes and exploring automated phone payments. She said the program she is considering will provide customer support and manage the personal confidential information (PCI) compliance.

LD Trusty provided an update to the Council. She said the department was able to loan out all of their hotspots during the ice storm.

CM Wiggins thanked the public works and public safety departments for their hard work during the ice storm. He said the department directors would evaluate staff's operations during the ice storm and assess whether they will need to improve any processes/procedures. He indicated he is also starting to look at the budget.

Councilor Mix commented on the recent ice storm and said she saw several community members sharing their resources with other members who lost power, etc. and she was thankful people were there for each other. Councilors Strom and Silvia concurred with Councilor Mix's comments.

Mayor Cross thanked staff for their work and indicated he heard several comments on how quickly the public safety and public works departments responded.

8. ADJOURNMENT

The meeting adjourned at 8:50 p.m.

Approve:

Attest:

/s/Mayor Rod Cross

/s/City Recorder Lisa Figueroa