



City Hall – Council Chambers
206 N. Main Street
Toledo, Oregon 97391

6:00 p.m.

TOLEDO CITY COUNCIL
Regular Meeting – also via Zoom Meeting Platform
April 3, 2024

Virtual Meeting: The City Council will hold the meeting for the City Council and staff in person as well as through the Zoom video meeting platform. The public is encouraged to attend the meeting electronically. Visit the meetings page on the city website for details including meeting login information.

Public Comments: The City Council may take limited verbal comments during the meeting. Written comments may be submitted by email to lisa.figueroa@cityoftoledo.org 3:00 p.m. the day of the meeting to be included in the record. Comments received will be shared with the City Council and included in the record.

1. **Call to Order, Pledge of Allegiance and roll call**
2. **Visitors/Public Comment**
(The public comment period provides the public with an opportunity to address the City Council regarding items not on the agenda. Please limit your comments to three (3) minutes).
3. **Consent Agenda**
 - Minutes from the meeting held December 20, 2023
4. **Discussion Items**
 - Discussion and consideration of City Council budget appropriations for fiscal year 2024-2025
5. **Decision Items**
 - Request to hang sign on City owned sign structures
6. **Reports and Comments**
 - Committee updates
7. **Adjournment**

Comments submitted in advance are preferable. Comments may be submitted by e-mail at lisa.figueroa@cityoftoledo.org. The meeting is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, or for other accommodations for persons with disabilities, should be made at least 48 hours in advance of the meeting by calling city offices at (541) 336-2247.

**TOLEDO CITY COUNCIL
REGULAR MEETING
December 20, 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 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, Interim Library Director (LD) Harrison Baker

2. PROCLAMATIONS/PRESENTATIONS

Presentation – Employee recognition

PC Pace recognized employees for their years of service in the Police Department. He said certification from the Department of Public Safety Standards and Training (DPSST) follows the officer wherever they go.

Aaron Pitcher, 12 years in law enforcement

Dalynn Shinholster, 8 years in law enforcement and 10 years as a dispatcher

Wendy Pickell, 5 years as a dispatcher

Molly Vaughn, 5 years as a dispatcher

Katie Pimentel, 15 years as a dispatcher

He noted he provides a gift of service to employees for their 5 year anniversary.

CM Wiggins recognized PC Pace for his 18 years of service. The Council thanked them all for the service.

CM Wiggins introduced Brian Lorimor as the Public Works Director.

Interview(s) – Planning Commission applicants

The Council interviewed a new applicant, Dennis Sutherland to serve on the Planning Commission.

3. VISITORS/PUBLIC COMMENT

There were no comments.

1 **4. CONSENT AGENDA**

2 **Minutes from the work session held August 23, 2023**

3
4 Motion – It was moved and seconded (Kauffman/Strom) to approve the consent agenda as
5 presented and the motion carried unanimously.
6

7 **5. DISCUSSION ITEMS**

8 **Discussion of an Ordinance creating a Toledo Livability Code**

9 CM Wiggins updated the Council on the status of the draft ordinance. He indicated the ordinance
10 has been brought to the Council for review, he said there have been many comments from several
11 public members and the copy is not in the packet but available on the website.
12

13 CA Adams noted a clarification in the definition ‘receptacle trailer’ to make the tenant responsible
14 for trash due to the current franchise agreement. CM Wiggins indicated if a landlord removed trash
15 for the tenant, by definition, they become a hauler which is already established within the franchise
16 agreement. The Council asked what would happen if a tenant left without disposing their trash,
17 would the landlord be able to remove it from the property. CM Wiggins indicated that would
18 become abandoned property, and could be removed by the landlord at that time.
19

20 CA Adams referenced Section 8.24.180 (residential interior conditions), and said a standard has
21 been added for common/reasonable efforts. He said Section 8.24.550(B)(3) was clarified to
22 stipulate a civil penalty on a person who is not an owner of the property can be referred to a
23 collection company to seek payment. He said Section 8.24550(B)(2) addresses the same matter
24 with the landlord. Staff answered clarification questions in regards to the changes mentioned.
25 There was a consensus of the Council in agreement to include an emergency clause on the
26 ordinance so it could be adopted immediately.
27

28 **6. DECISION ITEMS**

29 **Consideration of applicants for Planning Commission vacancies**

30 CR Figueroa presented the council report. She noted there are two seats that will expire at the end
31 of the year. She said one application was submitted by incumbent Ruthanne Morris and said Dennis
32 Sutherland was a new applicant, whom they interviewed earlier in the meeting.
33

34 **Motion** – It was moved and seconded (Strom/Silvia) to appoint Ruthanne Morris and Dennis
35 Sutherland to the Planning Commission and the motion carried unanimously.
36

37 **Resolution No. 1537, a resolution authorizing the city to participate in a Polyfluoroalkyl
38 substance class action litigation**

39 CA Adams provided the council report. He said there have been a number of lawsuits dealing with
40 Polyfluoroalkyl (PFAS) chemicals. He said three defendants have agreed to settle for payments to
41 water systems that were impacted. He said there were hundreds of cities and counties listed as
42 claimants and recommended the Council direct staff to participate in the claims process. He said
43 it would allow staff to test the water and fill out the necessary forms. Council inquired what would
44 happen if it were determine there were PFAS in the water. CM Wiggins replied it would move the
45 city into a different category in the litigation n, which may result in a larger settlement claim. CA
46 Adams indicated the City would have to meet the criteria for any settlement.

1 The Council asked whether participation in the claim would be revoked if the tests come back
2 negative and CA Adams replied it would not. He said all active (non-impacted) water systems in
3 America could still receive some sort of [undetermined] settlement.
4

5 **Motion** – It was moved and seconded (Silvia/Bush) to approve Resolution No. 1537, a resolution
6 of the Toledo City Council authorizing the City to participate in a PFAS class action litigation and
7 the motion carried unanimously.
8

9 **Contract approval for Phase 1 of the Public Safety Building Remodel – Richards Remodeling**
10 CM Wiggins summarized the council report. He said when the original bid came in Council
11 directed staff to negotiate the price, which has been reduced the cost from \$1.2 million to
12 \$1,009,300.00 and there is a contingency budget of approximately \$150,000. He said there may
13 be some tasks that can be done by the public works staff. He noted two changes; 1. The doors will
14 have to be replaced at another time and 2. The entryway at front of the building will be delayed
15 and included in a future construction phase. He said the project is slightly behind the projected
16 schedule according to the contract, which may mean the project could proceed into another fiscal
17 year.
18

19 **Motion** – It was moved and seconded (Kauffman/Bush) approve a construction contract with
20 Richards Remodeling for Phase 1 of the Public Safety Building Remodel not to exceed \$1,009,300
21 and authorizing the City Manager to sign the contract and the motion carried unanimously.
22

23 **Authorize payment related to the Toledo Cemetery Association**

24 CA Adams presented the council report. He said in December of 2023 the City received approval
25 of the property line adjustment from Lincoln County. He said the City is taking a portion of the
26 rock buttress the City installed on the Toledo Cemetery Association's (TCA) property. He
27 indicated following mediation, the City agreed to pay \$30,000 to the TCA. He said the TCA
28 requested the second payment of \$10,000 be paid before the end of the year and staff felt it
29 necessary to bring the request to Council. He answered clarification questions in regards to the
30 history of the issue for Council members who were not on the Council when the agreement was
31 established.
32

33 **Motion** – It was moved and seconded (Silvia/Bush) to authorize a payment of \$10,000 per the
34 settlement agreement with the Toledo Cemetery Association, and the remaining \$10,000 upon
35 recording of the deeds at closing and the motion carried with five in favor and Councilor Kauffman
36 opposed.
37

38 **7. REPORTS AND COMMENTS**

39 The Council commented the reports provided by the Police and Fire Departments.
40

41 CM Wiggins indicated there will be new lighting installed at the library. He said there will be some
42 corrections to pipelines where bottlenecking has been identified. The roof at the Wastewater
43 Treatment Plant was re-roofed and is almost paid off.
44

45 CR Figueroa indicated she attended a recent training in regards to Council guidelines and would
46 like to bring the Council's guidelines back for review after the first of the year. She indicated the

1 last time the guidelines were reviewed was pre-pandemic and the procedures could use an update
2 to include procedures that address virtual attendance and processes. There was discussion in
3 regards to the goal setting for January 24.

4
5 Several Council members commented on the various projects/issues staff addressed and expressed
6 thanks.

7
8 **8. ADJOURNMENT**

9 The meeting adjourned at 7:35 p.m.

10
11 Approve:


Attest:

12
13
14 _____
15 Mayor Rod Cross

City Recorder Lisa Figueroa

DRAFT

**CITY OF TOLEDO
REQUEST FOR COUNCIL ACTION**

	Meeting Date:	Agenda Topic:
	April 6, 2023	Request to hang sign on City owned sign structures
Council Goal:	Agenda Type:	
Not Applicable	Decision Items	
Prepared by:	Reviewed by:	Approved by:
City Manager Doug Wiggins	City Manager Doug Wiggins	City Manager Doug Wiggins

Recommendation:

Staff has no recommendation, the motion is to either **approve or deny** the application from the TEA allowing placement of their sign on a City owned structure.

Background:

The City of Toledo placed poles and sign structures at the East and West entrances to Toledo years ago. These structures advertise our logo and have additional room to advertise City wide events and other goings within the City. A request came forward from the TEA (Toledo Employees Association) asking to place a sign or banner on the City owned structures. There are no regulations that have ever been passed on the structures for signage rules, so staff is reaching out to Council for their guidance as to whether the sign should be allowed or not.

When conversing with the City Attorney on the matter, an old resolution was found for the signage that was discussed in Council and never passed as Council wished to think it over for a while. As of this date, I cannot find where it has ever been brought back to Council.

Fiscal Impact:	Fiscal Year:	GL Number:
None	2023-2024	N/A

Attachment:

1. Letter from TEA

To: City of Toledo City Manager, Doug Wiggins

From: Toledo Employee Association

This is an official request to utilize the sign/banner space located at the East and West junctions of Toledo, Oregon (wooden posts erected recently for such requested use) from June 15, 2024 until August 30, 2024. We are a non-profit organization, and would ask that any fees associated with such a request be waived as they have been in the past for any city or non-city non-profit entities who have made such requests. Thank you, in advance, and please feel free to reach out to our association President with any questions you might have.



Signature

03-28-24

Date

Michael Barker

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