

**TOLEDO CITY COUNCIL
REGULAR MEETING**

May 5, 2021

6:00 p.m.

1. CALL TO ORDER

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

Present	Absent	
<u>X</u>	<u> </u>	<u>Mayor Rod Cross</u>
<u>X</u>	<u> </u>	<u>Council President Joshua Smith</u>
<u>X</u>	<u> </u>	<u>Councilor Jackie Kauffman</u>
<u>X</u>	<u> </u>	<u>Councilor Heather Jukich</u>
<u>X</u>	<u> </u>	<u>Councilor Todd Michels</u>
<u>X</u>	<u> </u>	<u>Councilor Betty Kamikawa</u>
<u>X</u>	<u> </u>	<u>Councilor Robert Duprau</u>

Staff present: City Manager (CM) Judy Richter, City Recorder (CR) Lisa Figueroa, Police Chief (PC) Michael Pace, Public Works Director (PWD) Bill Zuspan, Fire Chief (FC) Larry Robeson, City Attorney (CA) David Robinson, Library Director (LD) Deborah Trusty, Contract Planner (CP) Justin Peterson

Visitors present: Matthew Brock, Kathy Crane, Lorna Davis

2. VISITORS/PUBLIC COMMENT

It was noted, the Toledo Chamber of Commerce Director Kathy Crane wanted to speak during public comment but was not in the meeting at this time. Mayor Cross indicated to let him know when she arrived so as to provide her time to speak to the City Council.

3. CONSENT AGENDA

Resolution No. 1464, A Resolution extending the state of emergency declaration to June 23, 2021

CR Figueroa noted Section 1 in the Resolution has a typographical error and should read, "...is hereby extended to May 5, 2021" and requested the Council approve the consent agenda with an amendment to extend it to June 23, 2021.

Motion – It was moved and seconded (Smith/Kamikawa) to approve the Consent Agenda as amended to June 23, 2021.

Mayor Cross clarified the purpose of the consent agenda for Councilor Duprau and indicated items within the consent agenda are typically items that need little discussion and/or are housekeeping items. Following discussion, the motion carried six to one with Councilor Duprau opposed.

CR Figueroa interjected and noted Ms. Crane has joined the meeting. Mayor Cross opened the floor for public comment.

Ms. Crane commented on the fee charged for the use of Memorial Field. She indicated the Chamber of Commerce is a nonprofit organization run by a volunteer Board of Directors, its goal is to have events in Toledo to bring money into town. She requested the Council reconsider the fee to the Chamber. There was a consensus of the Council to add a discussion item on the next meeting agenda.

4. DISCUSSION

There were no items for consideration.

5. DECISION ITEMS

Public Hearing – Continue March 3, 2021 Public Hearing; consideration regarding the disposition and sale of City property

Mayor Cross opened the 6:13 p.m.

CM Richter provided the council report and indicated it is a continuance from March 3, 2021. She said since then it has been determined the properties do not have to be sold but would be leased instead. She indicated the Council would open the public hearing and receive public comments, if any and said that no formal action is needed by the City Council.

Mayor Cross opened the floor for public comments and after hearing none, closed the public hearing at 6:15 p.m.

CP Smith moved based on the staff report and attachments, testimony and evidence presented to the City Council at the public hearing on May 5, 2021, the Toledo City Council approves the annexation and rezone request as meeting the applicable criteria including ORS 222.111(1) and (2) and ORS 222.125, The 2000 Toledo Comprehensive Land Use Plan, and Toledo Municipal Code Section 17.80.050 and the Council adopts the proposed facts and findings presented in the staff report, allowing for the correction of typographical and grammatical errors. CR Figueroa called point of order and indicated the proposed motion is for the next item on the agenda, but that no action is needed for this item.

CP Smith withdrew his motion.

Public Hearing – Ordinance No. 1393, Consider Annexation and Rezone Proposal (AX-1-21/RZ-2-21)

Mayor Cross opened the public hearing at 6:20 p.m. and asked if any Councilors wish to declare ex parte contact or conflicts of interest. He declared he visited section 9H. Councilor Duprau declared he visited both locations. Councilor Kauffman declared she sees both locations regularly. Mayor Cross reviewed the process and rights of the public hearing before receiving the council report.

CP Peterson presented the council report and indicated the request is for a zoning map amendment from Lincoln County Timber Conservation (TC) to the City of Toledo General Residential (R-G)

zone, concurrent with annexation. He said the property is SE 16th Place, off of SE Sturdevant Road, is adjacent to City Limits and is located within the Urban Growth Boundary (UGB). He said the application was reviewed by the Planning Commission on April 14, 2021 and they recommended approval with a condition that the site was reviewed for buildability. He indicated there was public comment received before and during the Planning Commission meeting from Leon Secrist, who expressed concerns about future access and the steep slopes on the property. He reviewed the Comprehensive Plan criteria and noted development in the future would go through a separate process. There was discussion as to whether the land is buildable and it was noted that issue is not specific to the criteria required for the annexation and cannot be a factor at this time.

Mayor Cross opened the floor for public comment and after hearing no comments he closed the public hearing at 6:37 p.m.

The Council reviewed the annexation application and asked clarification questions in regards to the services that exist on the property.

Motion – It was moved and seconded (Smith/Kamikawa) based on the staff report and attachments, testimony and evidence presented to the City Council at the public hearing on May 5, 2021, the Toledo City Council approves the annexation and rezone request as meeting the applicable criteria including ORS 222.111(1) and (2) and ORS 222.125, The 2000 Toledo Comprehensive Land Use Plan, and Toledo Municipal Code Section 17.80.050 and the Council adopts the proposed facts and findings presented in the staff report, allowing for the correction of typographical and grammatical errors and the motion carried unanimously.

Motion – It was moved and seconded (Smith/Kamikawa) to adopt Ordinance No.1393, by title only an Ordinance Proclaiming the Annexation and Rezone of Real Property, the Withdrawal from Toledo Rural Fire Protection District and the Lincoln County Library District certain real property being annexed to the City of Toledo, Oregon, and declaring an emergency and the motion carried unanimously [ordinance was read twice].

Ordinance No. 1394, An Ordinance establishing the need for an Urban Renewal Agency and authorizing a Professional Services Agreement with Elaine Howard Consulting

CM Richter provided the council report and noted the Council voted at the last meeting to proceed with the Urban Renewal Agency. She said she reached out to Elaine Howard, who has provided a personal services agreement as well as an ordinance for Council approval. She said the program can run up to 30 years and encouraged the Council to review the Water Master Plan before they move onto the project plan in the future.

Motion – It was moved and seconded (Smith/Kauffman) to authorize City Manager to execute the Professional Services Agreement for Elaine Howard Consulting and the motion carried unanimously.

Motion – It was moved and seconded (Smith/Michels) to adopt Ordinance No. 1394 An Ordinance of The Toledo City Council declaring that blighted areas exist in the City of Toledo establishing the need for an Urban Renewal Agency in the city and electing a method for exercising of the

power of an Urban Renewal Agency within the city and creating Sections: 2.50.010– 2.50.070 within the Toledo Municipal Code by title only [ordinance was read twice].

Request for a six month renewal of the temporary structure for research and development purposes for Dahl Disposal (5441 West Hwy 20)

CP Peterson provided the council report and indicated the City Council approved a temporary research and development for Dahl Disposal and this request is to renew that approval. He noted the timing of the renewal did not allow for the Planning Commission to review it before the Council, but they will review it later this month.

Motion – It was moved and seconded (Kauffman/Jukich) to approve the temporary structure extension for Dahl Disposal to house the baler/wrapper equipment in conjunction with the Georgia-Pacific Juno project until August 28, 2021 and the motion carried unanimously.

6. REPORTS AND COMMENTS

CP Peterson provided an update on current land use projects and indicated there were three public hearings last month.

PWD Zuspan reported on recent activities and indicated the City learned of some City Allotment Grants that are available now.

PC Pace updated the City Council and said one of the officers was injured their shoulder recently during a traffic stop and will be out for several weeks. He said there is a new officer in the department and will be a great asset to the community.

Mayor Cross reminded everyone to be mindful of the spaces around their houses and to clear up any debris that could be potential fire hazards. He commented on having youth involved in the community.

7. ADJOURNMENT

The meeting adjourned at 7:20 p.m.

ATTEST:

APPROVE:

/s/City Recorder Lisa Figueroa

/s/Mayor Rod Cross