

**TOLEDO CITY COUNCIL
REGULAR MEETING**

November 17, 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 Betty Kamikawa</u>
<u>X</u>	<u> </u>	<u>Councilor Jackie Kauffman</u>
<u> </u>	<u>X</u>	<u>Councilor Rob Duprau</u>
<u>X</u>	<u> </u>	<u>Councilor Todd Michels</u>
<u>X</u>	<u> </u>	<u>Councilor Betty Kamikawa</u>
<u> </u>	<u> </u>	<u>Vacant</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, Assistant Library Director (ALD) Baker, Contract Planner (CP) Justin Peterson

2. PRESENTATIONS

Oath of Office – Officer David Boys

PC Pace introduced Officer David Boys and performed the Oath of Office.

Councilor Duprau arrived via Zoom at 6:06 p.m.

3. JOINT MEETING WITH THE TOLEDO CEMETERY ASSOCIATION BOARD OF DIRECTORS

Introductions were made and the Cemetery Board (Board) Members present were: Margaret Epperson, Anthony Molina, Mary Leech, Dave Cole, Larry Davis (attended via Zoom), Phyllis Steenkolk, Merrick Kriz

Jim Chambers, supporter of the Board provided some history on the Cemetery Association and the property of the cemetery. CA Robinson asked for clarification whether the Board would like to recognize Jim Chambers [who is in attendance] as a spokesperson for the Board and whether he would be able to negotiate on behalf of the Board. No members of the Board spoke up, but Mr. Chambers stated anything he said, would be taken back to the Board for approval.

Mr. Chambers and Mr. Davis presented an aerial picture of the cemetery property and talked about some rocks that were placed on the area by the City, which they believe is an encroachment and trespassing on the cemetery property.

**Due to technical difficulties, Councilor Duprau could not be heard, but his vote was recorded visually via Zoom by the City Recorder.*

CA Robinson indicated the City intends to seek a resolution, but the Council cannot arbitrarily enter into an agreement without an appraisal. He said the City would pay for the appraisal and the survey of the property. He said once the appraisal is complete, both organizations can reconvene to negotiate terms and if the Board is not satisfied with the appraisal, they can obtain their own appraisal. The Board did not make any objections to CA Robinson's comments. There was discussion in relation to finding an appraiser qualified to appraise the property.

The Council recessed at 6:39 p.m. and reconvened at 6:44 p.m.

4. VISITORS/PUBLIC COMMENT

There were no comments.

5. CONSENT AGENDA

Resolution No. 1476, a resolution to declare June 19 'Juneteenth' as an annual holiday for the City of Toledo Minutes from the meetings/work sessions held September 1, September 15, September 22, October 6 and October 20, 2021

Motion – It was moved and seconded (Kauffman/Michels) to approve the Consent Agenda as presented and the motion carried unanimously.*

6. DISCUSSION

There were no items for consideration.

7. DECISION ITEMS

Approve Contract for Drinking Water Protection Plan Development with GSI Water Solutions, Inc.

CM Richter presented the council report and indicated the City applied for a grant through Business Oregon for a drinking water protection plan. She stated the City was awarded the grant for \$30,000. She said GSI Water Solutions, Inc. has worked with other municipalities along the coast and their proposal [included in the packet] is for \$31,000 to provide the plan. She said the City would pay \$1,000 of the cost and noted she was ready to sign the contract but realized the cost exceeds her purchasing authority and that is why it is before the Council.

Motion – It was moved and seconded (Kauffman/Michels) to authorize the City Manager to execute the contract in the amount of \$31,000 with GSI Water Solutions, Inc. and the motion carried unanimously.*

Resolution No. 1477, a resolution setting city policy for the provision of providing City utility services beyond the City limits and repealing Resolution No. 1139

CP Peterson presented the council report. He noted the resolution came before the Council once before and they made some changes to the resolution. He reviewed the recommended changes, which included language in regards to adding hydrants, removing specific language to Bay Road amongst other minor amendments. There was discussion about staff's authority to instruct/negotiate contracts for the size of the line. CP Peterson clarified it could be included with future negotiations. He noted there is a typographical error in one paragraph where it says paragraph 3 and should read as, 'Section 3'.

**Due to technical difficulties, Councilor Duprau could not be heard, but his vote was recorded visually via Zoom by the City Recorder.*

Motion – It was moved and seconded (Kauffman/Carey) to approve Resolution No. 1477, a resolution setting city policy for the provision of providing City utility services beyond the City limits and repealing Resolution No. 1139 as amended and the motion carried unanimously.*

Ordinance No. 1399, an ordinance of the Toledo City Council amending Ordinance No. 1395 to correct a scrivener's error in the legal description

CP Peterson provided the council report. He noted this is an annexation and rezone that came before the Council recently. He said they have to supply the legal description to the Department of Revenue (DOR), which was denied by the DOR. He said the legal description has been updated and this is a housekeeping item. He noted Section 1 in the recitals should read, '150 SE Sturdevant' and page 2 should reflect 'Section 2' instead of 'Section 4'.

Motion – It was moved and seconded (Kauffman/Kamikawa) to adopt Ordinance No. 1399, an ordinance of the Toledo City Council amending Ordinance No. 1395 to correct a scrivener's error in the legal description (AX-2-21/RZ-3-21) as amended by title only and the motion carried unanimously.*

SREUS Wastewater Treatment project; consideration to approve the letter of intent and authorization to seek grant funding to further the project

CA Robinson presented the council report and indicated SREUS representatives provided a presentation to the Council in August. Mayor Cross noted the letter of intent does not commit any dollars from the City of Toledo at this time.

Motion – It was moved and seconded (Kauffman/Kamikawa) to approve the letter of intent with SREUS and authorize designated Council Members and City staff to work on obtaining grant funding to finance the project and the motion carried unanimously.*

Mayor Cross added an item to the Agenda for the Council to consider authorizing the City Manager to procure a survey and appraisal for the left side of the Toledo Cemetery plot.

Councilor Carey recused himself from the discussion and vote because of his affiliation with Mr. Chambers through his employment.

Motion – It was moved and seconded (Kauffman/Kamikawa) to procure a survey and appraisal for the left side of the Toledo Cemetery plot and the motion carried with four in favor and Councilor Carey abstained.*

8. REPORTS AND COMMENTS

ALD Baker updated the Council on the Library activities, which included a story time hosted with the Fire Department this week. He listed upcoming events including Kids Art Day with the Oregon Coast Council for the Arts. He noted the Library will be closed through the holidays for interior painting and information will be shared with the public soon.

PWD Zuspan reported department projects to the Council. He said there have been issues at both pump stations recently such as losing power, which could have been because of condensation build up at the contact points. He said the City is running on Mill Creek line now.

**Due to technical difficulties, Councilor Duprau could not be heard, but his vote was recorded visually via Zoom by the City Recorder.*

FC Robeson thanked Public Works for keeping up on their work in keeping the storm drains clean. He said the department has not had to answer any calls recently due to flooding. He said they approached 900 service calls. He announced upcoming training opportunities.

PC Pace provided a department report. He noted recent hires such as the Code Enforcement Officer and dispatcher. He said the department renewed their state accreditation through the state for communications and law enforcement. He said Officer Dean recently completed combat medical school and will be able to train other officers in combat medical services. He said there were 2,539 stops, 48 driving while influenced (DUI) and they have seen an increase in DUIs. He said the department will continue to train personnel to be able to train in-house to reduce training expenses. Mayor Cross commended the department for their work.

CA Robinson reported he spoke with staff about the tiered fees for parking violations and it was noted that the tiered system would be difficult to track with the software the City has. He recommended a flat parking fee. He said he has sent out a copy of the proposed code changes to the Department Directors for review. He stated as of November 3, there is a new Zoning Code, which prohibits residential parking on Main Street 24 hours a day, seven (7) days a week. He said he conferred with CP Peterson and revised the code so it would be dependent on signage. The Council indicated they would have to discuss the issue.

CR Figueroa indicated she received one application for the City Council vacancy, which will come before the Council on December 1.

CM Richter said there were several flyers passed out to the Council and listed the upcoming events.

- There will be a retirement get-together on December 15 between 3:00 – 5:00 p.m. at the Fire Station for Assistant Fire Chief Dave Inman's retirement
- There is a toy drive put together by staff, which will continue through December 15. New and unwrapped toys will be collected at City Hall, the Library and Public Safety departments.
- The Community Appreciation Parade will be on December 21 starting from the Fire Department at 3:00 p.m.

CM Richter said there are several job openings and they are posted on the website.

Councilor Kamikawa reported she and Mayor Cross met with the Tribal Council in regards to the SREUS project and they expressed excitement in the concept. She said there is a possibility there will be a joint work session in the future with the Council and Tribal Council.

Mayor Cross indicated there is no work session next week. He said the schools will begin the winter sports seasons in the first week of December. He commented on the season and the upcoming holidays and encouraged everyone to spread kindness and be courteous of one another.

**Due to technical difficulties, Councilor Duprau could not be heard, but his vote was recorded visually via Zoom by the City Recorder.*

9. ADJOURNMENT

The meeting adjourned at 7:45 p.m.

Approve:

Attest:

/s/Council President Betty Kamikawa

/s/City Recorder Lisa Figueroa

**Due to technical difficulties, Councilor Duprau could not be heard, but his vote was recorded visually via Zoom by the City Recorder.*