

**TOLEDO CITY COUNCIL
REGULAR MEETING
December 21, 2022**

1. CALL TO ORDER

Mayor Rod Cross called the meeting to order at 6:05 p.m. also via Zoom in Toledo, Oregon.

Present	Absent	
X		Mayor Rod Cross
X		Council President Betty Kamikawa
X		Councilor Jackie Kauffman
	X	Councilor Tracy Mix
X		Councilor Kim Bush
X		Councilor Wade Carey
X		Councilor Rob Duprau

Staff present: City Manager (CM) Judy Richter, Assistant City Manager/Human Resources Specialist (ACM) Sherry Meek, City Recorder (CR) Lisa Figueroa, City Attorney (CA) Mike Adams, Public Works Director (PWD) Bill Zuspan, Library Director (LD) Deborah Trusty, Community Outreach Specialist Katy Keuter

2. VISITORS/PUBLIC COMMENT

There were no comments.

3. CONSENT AGENDA

Minutes from the working session held October 26, 2022 and regular meeting held November 2, 2022

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

4. DISCUSSION ITEMS

Consider the Proposed Draft of an Animal Ordinance

CA Adams presented the council report and indicated the proposed ordinance was reviewed by the Council. He summarized the amendments to the draft ordinance, which included omitting roosters, peacocks and turkeys. He said “unless not warranted for specific commercial purposes” was deleted from TMC 6.08.070 (B)(2). He listed other amendments:

- Exotic animals are allowed in the city, per TMC 6.08.080 (H), but only if permitted by the State of Oregon
- Exotic animals are also allowed, per TMC 6.08.080 (B), which excludes a carnival, circus or special event, and, per subsection (C), which excludes the School District, animal shelters, veterinarian offices, private businesses, and personal temporary transport in the city, provided they comply with all applicable laws and regulations
- Wild animals consisting of non-venomous snakes, fish, lizards and other reptiles are permitted as an exception to the prohibition of wild animals, per TMC 6.08.080 (A)
- The commercial production of animals was declared a nuisance in TMC 6.08.120(A)(11)

- The definitions in TMC 6.08.020, excludes from the prohibition of commercial production on a commercial farm, the storing, caring for, raising or selling an animal for personal or household purposes, even if making money

There was discussion in regards to Section 6.08.120, Animal Nuisances and why domestic cats were excluded. It was noted of all domestic animals, cats roam freely and it would be challenging to manage them as a nuisance. There was deliberation on Section 12 (D)(1) and whether the language “owned by that person” should be included. It was suggested to omit “without the permission of the owner” to allow for mercy killings in emergency situations. After further discussion, the sentence would read as, “No person shall knowingly or recklessly kill an animal.” The Council requested Section 6.08.120(A)(1)(9) read as, “Once an animal has been declared dangerous; any dangerous animal which...” There were comments about not being able to make a structure rodent proof and instead include language stating that containers were rodent proof. After no further comments, the Council requested it be brought back in January.

5. DECISION ITEMS

Consider approval of agreement between the City and the Toledo Public Safety Association

CM Richter provided the council report and indicated after months of negotiation and one mediation session the collective bargaining agreement has been approved by both parties. She said it has been ratified by the Toledo Public Safety Association (TPSA). Pierre Robert, Lane Council of Governments Principal Attorney provided an update to the City Council. It was noted the agreement was changed to be gender neutral and there was a specific gender referenced in Article 10. Mr. Robert said he would fix that error.

Councilor Bush recused herself from the discussion because she is married to the Code Enforcement Officer. There was no discussion by the Council.

Motion – It was moved and seconded (Kamikawa/Carey) to ratify the Toledo Public Safety Association (TPSA) Collective Bargaining Agreement retroactive to July 1, 2022 and the motion carried with five in favor and the abstention of Councilor Bush.

Approve Architectural Design Proposal by Scott Edwards Architecture for Exterior repairs to new Public Safety Building

CM Richter presented the report and said the Council has been setting funds aside the last couple of years for repairs to the public safety building, which is now at \$550,000. She said that should be enough to complete the exterior and seismic renovations needed on the building. She said the City hired Sid Scott to manage that project, including the posting the bid. She indicated at the same time the renovation is done, staff plans to place the windows in the right place for the new construction.

Motion – It was moved and seconded (Kauffman/Bush) to approve the Scott Edwards Architecture proposal of approximately \$50,000 for exterior repairs to the new Public Safety Building and authorize City Manager to sign the contract and the motion carried unanimously.

Approve expenditure of approximately \$85,000 to repair/replace portions of Clarifier unit at Wastewater Treatment Plant

PWD Zuspan provided the Council report. He indicated the Public Works staff was able to repair most of the unit however, once that was repaired the bottom bearings broke. He said it was a challenge to find someone who could repair the current machine. He said repairing the machine is important and if there are any heavy rains while it is inoperable there is a risk of overflow. He said the request is to repair/replace parts on the Clarifier unit.

Motion – It was moved and seconded (Carey/Kamikawa) to approve an expenditure of approximately \$85,000 to repair/replace portions of Clarifier unit at Wastewater Treatment Plant and the motion carried unanimously.

6. REPORTS AND COMMENTS

LD Trusty updated the Council on department activities. She said she is applying for two grants, one that is provided to rural libraries for community programs. She said they intend to host a series of foraging classes. She said the other grant is provided by the state for \$10,000. She said it is a three year program which evaluates the library's inventory and determines whether the collection is relevant to the community. She said if it finds books that are not readily used, the program will buy books back from the library.

PWD Zuspan said the generator at the Siletz pump station was installed, tested and is ready for operation. He said the French Street project was completed. Mayor Cross said he was in contact with the state in regards to water sample testing and indicated in the event of an emergency the City should be able to send samples to the lab available on the coast instead of to Salem or Portland.

Community Outreach Specialist Katy Keuter said she and CM Richter submitted a grant to Cycle Oregon and received funding to install bicycle racks within the City. She said if there is enough funding the City could consider a self-service bicycle maintenance rack.

CA Adams said he has continued on the ordinances including the Livability Code, which will go before the Council in January.

CM Richter commended the Police and Dispatch departments for their service to the community in spite of being short-staffed. She said she is working with the auditor to ensure the audit is completed before the end of the year.

Councilor Bush commented on the boil water notice and said she thought staff handled it as best as they could. She said handing out flyers took a lot of staff time and inquired whether the City send notifications to cell phones instead. There was discussion about possible options on how to provide notifications. There was a comment on the availability of text and e-mail notifications but people will not sign up for those notifications. There was discussion about the boil water issue and PWD Zuspan clarified the water supply was not shut off.

Councilor Kamikawa noted the earthquake in California reminded her of a phone app called 'My Shake' she said it sent a notification 10 seconds before the earthquake occurred. She said Grace Wins Haven had 40 rooms available for homeless this evening.

The Council wished a Merry Christmas and Happy New Year to staff and the public.

7. **ADJOURNMENT**

The meeting adjourned at 7:35 p.m.

Approve:

Attest:

/s/Mayor Rod Cross

/s/City Recorder Lisa Figueroa