

**TOLEDO CITY COUNCIL
REGULAR MEETING
January 4, 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 Betty Kamikawa
	X	Councilor Jackie Kauffman
X		Councilor Tracy Mix
X		Councilor Kim Bush
X		Councilor Wade Carey
		Vacant

Staff present: City Manager (CM) Judy Richter, Assistant City Manager/Human Resources Specialist (ACM) Sherry Meek, City Recorder (CR) Lisa Figueroa, Public Works Director (PWD) Bill Zuspan, Police Chief (PC) Michael Pace, Fire Chief (FC) Larry Robeson, Library Director, Deborah Trusty, City Attorney (CA) Mike Adams

2. PROCLAMATIONS/PRESENTATIONS

Swear in Mayor and Council members for new terms

CR Figueroa performed the oath of office for Rod Cross as Mayor and the oaths of office for Betty Kamikawa, Kim Bush and Wade Carey as City Council members for their new terms.

Presentation – Community Outreach Specialist Katy Keuter

Mayor Cross indicated this presentation would be rescheduled for a future meeting.

Presentation – Oregon State University Cooperative Extension Community Garden

Lincoln County 4-H Program Coordinator Heather Tower addressed the City Council and provided an update on the status of the community garden program. She indicated she is new to the position but the garden is maintained, she showed pictures of the harvest from last year and said there have been improvements made to the garden. She noted the University requires an updated Memorandum of Understanding for insurance purposes.

Interview individuals for planning commission

The only applications received for the Planning Commission were by the incumbent members and the City Council opted not to interview them. The Council noted there is a decision item on the Agenda to re-appoint them later in the meeting.

3. VISITORS/PUBLIC COMMENT

Jim Chambers, citizen addressed the City Council and noted the City of Toledo continues to trespass on Toledo Cemetery Association property.

4. CONSENT AGENDA

Minutes from the regular meeting held November 16, 2022

Councilor Kamikawa noted page 3, line 26 should read as, "...versus corridors." Councilor Bush noted Todd Michels was listed in the minutes as a Council Member.

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

5. DISCUSSION ITEMS

Draft animal ordinance

CA Adams noted the Council previously reviewed the proposed ordinance, Chapter 6.08 and requested it be brought back to this meeting for possible approval. He said copies of the draft ordinance have been distributed as per the Municipal Code. He summarized the council report, which noted several changes in the proposed ordinance. There were no questions from the Council and Mayor Cross noted it would be moved to the decision items for adoption.

Review of interview questions for the position of City Council

CR Figueroa provided the council report and noted the interview questions have not been updated in five years. She said the Council may review and update the questions if they desire. The Council reviewed the questions and there was a consensus to keep the questions as is.

6. DECISION ITEMS

Review amendment to Agreement with the Oregon State University Cooperative Extension Community Garden

Councilor Carey asked how long the garden has been in operation and it was noted since approximately 2003.

Motion – It was moved and seconded (Carey/Bush) to approve the amendment to the agreement as presented and the motion carried unanimously.

Draft animal ordinance

Mayor Cross opened the floor for public comment. After hearing no comments he prompted the Council for any questions or comments.

Motion – It was moved and seconded (Kamikawa/Mix) to adopt an ordinance of the Toledo City Council by reading the title twice creating an animal ordinance, Chapter 6.08, and declaring an emergency and the motion carried unanimously.

Consideration of re-appointments to the Planning Commission

Councilor Mix abstained from the vote because her spouse is one of the applicants for the Planning Commission.

Motion – It was moved and seconded (Cross/Carey) to re-appoint Brian Lundgren and Jonathan Mix to the Planning Commission and the motion carried with four in favor and the abstention of Councilor Tracy Mix.

Draft ordinance revising Toledo Municipal Code Chapter 1.16, Right of Entry for Inspections

CA Adams updated the Council and said he used the Livability Code from the City of Corvallis as a template. He indicated as he continued through the ordinance it was easier to create separate ordinances, which are presented at this meeting. He said this is a rewrite of current Municipal Code Chapter 1.16. He said the draft ordinance includes procedures to issue warrants, how they are administered as well as other provisions. He said it will amend the existing Code. The Council reviewed the proposed ordinance but had no additional amendments.

Motion – It was moved and seconded (Carey/Mix) to bring back on January 18, 2023, with the suggested revisions and the motion carried unanimously.

Draft ordinance revising Toledo Municipal Code Chapter 1.20, General Penalty

CA Adams indicated the proposed draft will revise the existing Toledo Municipal Code Chapter 1.20 and noted it will be renamed to ‘civil enforcement’ to match similar terminology in other municipalities. He referred to Section 1.20.110 and said it clarifies the penalties as well as the nuisance abatement recovery costs of the city. There was discussion in regards to flagging buildings as a yellow-flag or red-flag following an emergency such as a fire and whether that needed to be included in the Code. It was noted that the City may need to consult to see what other cities would do in that instance.

Motion – It was moved and seconded (Mix/Kamikawa) to bring back on January 18, 2023 with the suggested revisions and the motion carried unanimously.

Draft ordinance amending the Toledo Municipal Code and creating Chapter 1.24, Legislative Subpoenas

CA Adams provided a report and indicated this is not currently in the Municipal Code. He said a draft Code for legislative subpoenas was available on the League of Oregon Cities website. He said it would allow the City Council to subpoena to require someone to come before the City Council [with or without documents] in a legislative hearing. He noted the person subpoenaed must be paid mileage.

Motion – It was moved and seconded (Mix/Bush) to bring back on January 18, 2023, for possible adoption and the motion carried unanimously.

Elect a Council President

Motion – It was moved and seconded (Cross/Carey) to elect Betty Kamikawa as the Council President and the motion carried unanimously.

7. REPORTS AND COMMENTS

FC Robeson reported to the Council the department now has a new command vehicle. He indicated the department has searched for nearly three years, then this opportunity came up and everything fell into place very quickly. He said the department received 850 calls in 2022.

PWD Zuspan updated the Council on a recent break at the Mill Creek line over the weekend, which was repaired within four hours.

PC Pace said the department will receive a new patrol vehicle soon. He noted he will be working a modified shift now until March to help cover dispatch. He indicated the newest dispatcher will attend the Academy later this month.

LD Trusty said the weather has affected attendance at the library but the department is still busy with regular tasks. She said the department received several new books recently and encouraged the Council to stop by. She said she finished applying for one grant and plans to pursue another grant.

CA Adams said there will be an executive session on February 18 as well as a Land Use public hearing in regards to the Port of Toledo floodway. He reminded the Council any discussions or information they receive outside of staff would be declared as ex parte contact. He indicated there was a survey rejected by the Lincoln County Assessor's office in regards to a property line adjustment for Northwest Coastal Housing. He said he looked into and the issue may have been the Surveyor's reference point was paved over on Sturdevant Road, but staff has a difficult time reaching the Surveyor for confirmation.

PWD Zuspan interjected and said the Wastewater Treatment Plant had to conduct a bypass for a few days due to the recent strong rains. He said the Plant is designed to process 1.9 million gallons a day, it can handle up to 2.5 million. He said during the last storms the Plant reached over 5 million.

CM Richter noted to the Council the audit was not filed by the deadline. She indicated it was completed but she found several items that were not presented properly and wanted to correct those issues before it was filed. She said an extension was requested and staff is waiting on a response. She said there is another mural in progress that will be installed on the public deck across from City Hall.

Councilor Kamikawa said the 'Save our Siletz' group inquired if the Council would like to talk about air quality monitoring systems and partnering with the schools or Lincoln County. She said the group is concerned about the air quality in Toledo especially in the areas near the schools. She asked the Council if they would like to have someone present about air monitoring systems and then the Council could consider funding for a system. She noted the Point in Time count for the homeless will be held at the end of the month for ten days.

Councilor Bush announced an 'Overcoming the Darkness' event for suicide prevention support, which will be held at the Toledo Foursquare Church this Saturday.

Mayor Cross reminded the Council that City Day at the Capital, is vital for cities to meet with Representatives and discuss concerns and encouraged the Council to attend. He said the Urban Renewal District will be very important as the City moves forward and commented there is a lot of work ahead for the Council.

8. ADJOURNMENT

The meeting adjourned at 7:35 p.m.

Approve:

Attest:

/s/Mayor Rod Cross

/s/City Recorder Lisa Figueroa