



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

TOLEDO CITY COUNCIL
Work Session – also via Zoom Meeting Platform
August 23, 2023

The meeting will begin at 6:30 p.m. or immediately following the Urban Renewal Agency meeting, whichever is earlier.

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**
There are no items for consideration
- 4. Discussion Items**
 - Can the City afford to pay Council members a stipend – Mayor Rod Cross
- 5. Decision Items**
 - Approve purchase of new vehicle for Public Works and surplus of trade in vehicle
 - Permit application, consideration to extend alcohol services to outdoor seating area; Elks Lodge
 - Approve a Contract with C-More Pipe Services for \$43,000
- 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.

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**CITY OF TOLEDO
REQUEST FOR COUNCIL ACTION**

	Meeting Date:	Agenda Topic:
	August 23, 2023	Approve purchase of new vehicle for Public Works and surplus of trade in vehicle
Council Goal:	Agenda Type:	
Not Applicable	Decision Items	
Prepared by:	Reviewed by:	Approved by:
City Manager J. Richter	City Manager Judy Richter	City Manager Judy Richter

Recommendation:

Motion to approve purchase of 2023 Ford F150 SuperCab Pickup Truck and approve the surplus of a 2006 Ford F250 as a trade in vehicle.

Background:

It has been a number of years since any of the everyday work vehicles used by Public Works have been replaced or updated. The approximate cost of two new vehicles was included in the budget for fiscal 2023-2024 to be purchased out of the Public Works Reserve Fund. The trade in vehicle is the oldest vehicle currently in the fleet. The intent is to upgrade the fleet gradually to avoid the need for large unexpected expenditures.

Fiscal Impact:	Fiscal Year:	GL Number:
\$41,000	2023-2024	040-400-620500

Attachment:

1. Updated City of Toledo Buyers Order
2. F150 vs F250

VEHICLE BUYER'S ORDER

Date: 08/31/2023

Buyer Name and Address (Including County and Zip Code)	Co-Buyer Name and Address (Including County and Zip Code)	Dealer Name and Address
CITY OF TOLEDO 206 N MAIN ST TOLEDO OR 97391	N/A	POWER MOTORS, INC. 1107 N COAST HIGHWAY NEWPORT OR 97365
Email: PWSUPERBCCITYOFTOLEDO.ORG Phone: (541) 961-7712 Cell:	Email: N/A Phone: N/A Cell: N/A	Salesperson: RYAN P CHURCH Deal Number: 140293

THIS BUYER'S ORDER IS FOR THE FOLLOWING ☒ NEW ☐ USED ☐ CARRY ☒ TRUCKTO BE DELIVERED
ON OR ABOUT 08/31/2023

Year	Make	Model	Type	Trim	Color	Mileage	Stock #
2023	FORD	F150	SUPERCAB P	GREY VINYL	OXFORD WHI		F15009
TRADE IN RECORD 1				VIN			
YR.	MAKE	MODEL	TYPE		VIN		
2006	FORD	F250	REGULAR CA		1FTFX1E88PKE76781		
COLOR	TRIM	MILEAGE					
WHITE	GREY	76029					
VIN				ITEMIZATION OF PURCHASE			
1FTNF20596ED14835				Cash Price of Vehicle \$ 46642.72			
TITLE NO.				DELIVER AS FLEET #QW408			
PLATE NO.				\$3000 REBATE AS CASH DOWN			
EXP. DATE							
OWNER							
CITY OF TOLEDO							
LIENHOLDER							
PHONE							
ADDRESS				SPOKE WITH			
AMOUNT				VERIFIED BY			
N/A							
TRADE IN RECORD 2							
YR.	MAKE	MODEL	TYPE				
N/A	N/A	N/A	N/A				
COLOR	TRIM	MILEAGE					
N/A	N/A	N/A					
VIN							
N/A							
TITLE NO.							
N/A							
PLATE NO.							
N/A							
EXP. DATE							
N/A							
OWNER							
N/A							
LIENHOLDER							
N/A							
PHONE							
N/A							
ADDRESS				SPOKE WITH			
N/A				N/A			
AMOUNT				VERIFIED BY			
N/A				N/A			
COLLISION COVERAGE							
NAME OF AGENT				PHONE			
ADDRESS							
POLICY NUMBER				COLLISION DEDUCTIBLE			
INSURANCE CO.				SPOKE WITH			
EFFECTIVE DATE				VERIFIED BY			
EXP. DATE							
WARRANTY INFORMATION							
ALL WARRANTIES, IF ANY, BY A MANUFACTURER OR SUPPLIER OTHER THAN DEALER ARE THEIRS, NOT DEALER'S. ONLY SUCH MANUFACTURER OR OTHER SUPPLIER SHALL BE LIABLE FOR PERFORMANCE UNDER SUCH WARRANTIES, UNLESS DEALER FURNISHES BUYER WITH A SEPARATE WRITTEN WARRANTY OR SERVICE CONTRACT MADE BY DEALER ON ITS OWN BEHALF. DEALER NEITHER ASSUMES NOR AUTHORIZES ANY PERSON TO ASSUME FOR IT ANY LIABILITY IN CONNECTION WITH THE SALE OF ANY PRODUCTS.							
UNLESS THE DEALER MAKES A WRITTEN WARRANTY ON ITS OWN BEHALF, OR ENTERS INTO A SERVICE CONTRACT WITHIN 90 DAYS FROM THE DATE OF THIS CONTRACT, THIS VEHICLE IS SOLD "AS-IS" AND "WITH ALL FAULTS." THE DEALER MAKES NO WARRANTIES, EXPRESS OR IMPLIED, ON THE VEHICLE, AND THERE WILL BE NO IMPLIED WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE. THERE ARE NO WARRANTIES WHICH EXTEND BEYOND THE DESCRIPTION ON THE FACE HEREOF. THIS PROVISION DOES NOT AFFECT ANY WARRANTIES COVERING THE VEHICLE THAT THE MANUFACTURER OR SUPPLIER MAY PROVIDE. THE ENTIRE RISK AS TO THE QUALITY AND PERFORMANCE OF THE VEHICLE IS WITH THE BUYER. BUYER ACKNOWLEDGES THAT IF THE VEHICLE PROVES DEFECTIVE AFTER PURCHASE, THE BUYER AND NOT THE MANUFACTURER, DISTRIBUTOR OR RETAILER ASSUMES THE ENTIRE COST OF ALL NECESSARY SERVICING OR REPAIR.							
LIMITATION OF DAMAGES: DEALER SHALL NOT BE LIABLE TO BUYER FOR LOSS OF USE, LOSS OF TIME, LOSS OF PROFITS, LOSS OF INCOME OR OTHER CONSEQUENTIAL OR INCIDENTAL DAMAGES, OR PUNITIVE DAMAGES. DEALER SHALL NOT BE RESPONSIBLE FOR THE LOSS OF OR DAMAGE TO BUYER'S PERSONAL PROPERTY LEFT IN THE VEHICLE OR IN BUYER'S TRADE-IN.							
OPTIONAL ELECTRONIC FILING FEE							
For a fee of \$ N/A, paid by you to the Dealer, this dealership will electronically file your vehicle title application, vehicle registration and other Oregon DMV documentation required to transfer ownership of the vehicle identified in this Buyers Order. The receipt of non-customized Oregon license plates may be expedited if you opt for the dealer to apply electronically. This is an optional service that you can decline.							
ACCEPTS X N/A (INITIAL) DECLINES X (INITIAL)							

EST. CORPORATE ACTIVITY TAX 186.57
PRIVILEGE TAX 218.21

1. Total Price \$ 44047.50

2. Other Charges

a. License/Registration Fee	\$	N/A
b. Title Fee	\$	N/A
c. DEQ Certification Fee	\$	N/A
d. Electronic Filing Fee	\$	N/A
e. Title & Registration Processing Fee	\$	N/A
f. Service Contract Fee	\$	N/A
g.	\$	
h.	\$	
Total Other Charges (Add 2a through 2h)	\$	N/A

3. Downpayment:

a. Cash Downpayment	\$	N/A
b. One deferred downpayment (pickup pymt)		
due N/A	\$	N/A
c. Trade In:	\$ 4000.00	
Less Payoff \$ N/A	Net \$ 4000.00	
Total Down (a + b + c)	\$	4000.00
d. Trade In:	\$ N/A	
Less Payoff \$ N/A	Net \$ N/A	
Total Down (a + b + c + d)	\$	4000.00

4. Unpaid balance of cash

sale price (1 + 2 minus 3)	\$	40047.50
To be paid		

For your protection, request a receipt for all payments you make.

This Agreement is not binding upon either Dealer or Buyer until signed by an authorized Dealer representative.

If Buyer is buying this Vehicle in a credit sale transaction evidenced by a retail installment sale contract, this Agreement is binding when the retail installment contract is signed, but will not remain binding if a third party finance source does not agree to purchase the retail installment contract executed by Buyer and Dealer based on this Agreement on the terms as submitted. See paragraph 10 on the other side of this Agreement, which shall survive the termination of this agreement for any reason.

Buyer agrees that this Agreement includes all of the terms and conditions on the front and back side hereof, that this Agreement cancels and supersedes any prior agreement including oral agreements, and as of the date below comprises; together with any retail installment sale contract the complete and exclusive statement of the terms of the agreement relating to the subject matters covered by this Agreement. Buyer, by signing this Agreement, acknowledges that Buyer has read and agrees to its terms and has received a true copy of this Agreement.

Agreement to Arbitrate: By signing below, you agree that, pursuant to the Arbitration Provision on the reverse side of this contract, you or we may elect to resolve any dispute by neutral, binding arbitration and not by a court action. See the Arbitration Provision for additional information concerning the agreement to arbitrate.

Buyer Signs X Co-Buyer Signs X

☐ BUYER ACKNOWLEDGES THAT IF THIS BOX IS CHECKED, THIS AGREEMENT CONTAINS A HOLD CHECK AGREEMENT.
Insert terms and conditions of Hold Check Agreement below (For dealer use only):

BUYER SIGNS X DATE 08/31/2023

CO-BUYER SIGNS X N/A DATE N/A

MANAGER'S APPROVAL
(Must Be Accepted By An Authorized Representative of the Dealer)

X DATE 08/31/2023

2023-2024

Fiscal Budget

Budget Line # 040-400-620500

Cost of Items - Approximately \$150,000

Why an F150?

The truck being replaced.

- The existing truck that is being replaced is being used by our facilities/parks personnel.
- It is a 2006 F250 with 75,000+ miles.
- It is the oldest in the utility truck fleet.
- Since 2018, it has experienced various engine and alignment issues, such as stalling multiple times, variable cam timing issues, brakes shudder, starter issues, front brake shudder, poor acceleration and interior deterioration of upholstery and automatic shifter linkage.
- It is not 4 wheel drive.

Why an F150 vs. F250?

- The personnel assigned to facilities and parks do not need an F250.
- Their day to day operations do not require the towing & payload capacity of an F250.
- Even though not needed, replacement truck has greater towing and comparable payload capacity than the existing vehicle.
- Replacement truck offers better gas mileage than the existing F250 or a new F250.
- Replacement truck has bigger cab.
- The replacement truck is 4 wheel drive.

- Comparably they are of the same;

2006 - F250 2WD, XL, 5.4L V8 Single Valve OHC

HP: 300HP Torque: 365 ft/lbs.

Payload Capacity - 3200 lbs.

Towing Capacity - 8900 lbs.

Gas Mileage: 13 City 18 HWY

2023 - F150, 4WD, SuperCab, 3.5 V6 GTDI

HP:400HP Torque: 500 ft/lbs.

Payload Capacity - 3315 lbs.

Gas Mileage: 18 City, 23 HWY

Towing Capacity - 14,000 lbs.

Warranty?

- 2006 F250 - NO WARRANTY
- 2023 F150 - WARRANTY □
 - 3YR/36,000 BUMPER / BUMPER □
 - 5YR/60,000 POWERTRAIN □
 - 5YR/60,000 ROADSIDE ASSIST

Fleet Manager Notes

- The proposed replacement Ford F150 truck has better gas mileage, more power, comparable payload capacity and better towing capacity.
- For the duties of parks/facilities employees it more than meets the needs of the City of Toledo.
- There is a warranty which the City of Toledo Public Works has used on past equipment with great success.
- It is the responsibility of the City of Toledo Public Works to be good stewards of Public Trust. Public Works believes this replacement meets that requirement.

**CITY OF TOLEDO
REQUEST FOR COUNCIL ACTION**

	Meeting Date:	Agenda Topic:
	August 23, 2023	Permit application, consideration to extend alcohol services to outdoor seating area; Elks Lodge
Council Goal:	Agenda Type:	
Not Applicable	Decision Items	
Prepared by:	Reviewed by:	Approved by:
City Recorder L. Figueroa	City Manager Judy Richter	City Manager Judy Richter

Recommendation:

Staff makes no recommendation. Council may vote to approve or deny the application.

Background:

The Elks Lodge located at 123 SE Alder Street submitted an Oregon Liquor and Cannabis Commission (OLCC) permit application to the City to extend their alcohol services to an outside patio on their premises during the regular business hours.

The applicant proposes installing an outdoor patio, adding 25 seats to the area and it will not prohibit access to the residents on SE 1st Street. There will be some outdoor music during their regular business times. Staff met with Barry Bruster of the Elks Lodge to review the application and decided the design will not need a building permit.

Contract Planner Justin Peterson had the following comments:

- A non-covered patio does not require a building permit; however, a covered patio would require a building permit if it were built in the future.
- The small patio on the south side is more of a walkway. From the planning perspective the final walkway must not block the travel lane.

Fiscal Impact:	Fiscal Year:	GL Number:
N/A	2023-2024	N/A

Attachment:

1. OLCC application

TO APPLY FOR AN EXTENSION OF YOUR LICENSED PREMISES TO AN OUTDOOR AREA



Please submit completed documents to your OLCC.LiquorLicenseApplication@Oregon.Gov

DATE OF REQUEST: 6/19/2023 TYPE OF LICENSE(S): Full on Premises

LICENSEE: Toledo Elks Lodge 1664

TRADENAME (dba) OF BUSINESS: _____

PREMISES ADDRESS: 123 SE. Alder ST

CITY: Toledo ZIP: 97391

CONTACT PERSON: Barry Brwter ("ODL"-5973651)

CONTACT PERSON'S PHONE: (541) 272 2134

CONTACT PERSON'S EMAIL: BBrwter@hatteru2.com

Include all items below as they apply to your business. Items in **Bold** are attached OLCC forms.

- ☐ Letter of request for an extension of your licensed premises, describing where you are extending the premises to and what the purpose for the new area will be (to create an outdoor dining area, to create a smoking area, etc.). Please specifically describe what the boundaries of the outdoor area will be (cinderblock wall, fence, rope & stanchion, potted shrubs, etc).
- ☐ **Business Information** form – Please fill the form out completely. If a section does not apply to your business, please write in "N/A" for that section, do not leave it blank.
- ☐ **Floor Plan** form – Include the entire licensed premises (indoor/outdoor) and label each room or area, show all entrances/exits, tables/chairs, bars/bar seating, and food counters/counter seating.
- ☐ Real Property Attestation/Landlord Approval – If you are expanding into an outdoor area of private property that was **not** included in your previously leased space submit documents showing landlord approval for exclusive use of the private outdoor area. n/a
- ☐ Liquor Liability Insurance – If you are extending to a new suite or address. n/a

Additional documents may be requested by the OLCC to investigate/document the changes.



OREGON LIQUOR & CANNABIS COMMISSION BUSINESS INFORMATION

Please Print or Type

Applicant Name: ELKS Lodge 1664 - Toledo Phone: 541/336 2276

Trade Name (dba): 123 SE Alder Toledo ELKS Lodge 1664

Business Location Address: 123 SE Alder St.

City: Toledo ZIP Code: 97391

DAYS AND HOURS OF OPERATION

Business Hours:

Outdoor Area Hours:

The outdoor area is used for:

Sunday _____ to _____
Monday _____ to _____
Tuesday 5pm to 9pm
Wednesday _____ to _____
Thursday _____ to _____
Friday 5pm to 12pm
Saturday 3pm to 12pm

Sunday _____ to _____
Monday _____ to _____
Tuesday _____ to _____
Wednesday _____ to _____
Thursday _____ to _____
Friday 6 to 11:30pm
Saturday 3 to 11:30pm

☒ Food service Hours: _____ to _____
☒ Alcohol service Hours: _____ to _____
☐ Enclosed, how _____
The exterior area is adequately viewed and/or supervised by Service Permittees.

(Investigator's Initials)

Seasonal Variations: ☐ Yes ☐ No If yes, explain: _____

ENTERTAINMENT

Check ALL that apply:

- | | |
|---|---|
| ☒ Live Music | ☐ Karaoke |
| ☒ Recorded Music | ☐ Coin-operated Games |
| ☐ DJ Music | ☐ Video Lottery Machines |
| ☒ Dancing ☐ Nude Dancing | ☐ Social Gaming |
| ☐ Live Entertainment | ☐ Pool Tables |
| ☐ Minor Entertainers | ☐ Other: _____ |

DAYS & HOURS OF LIVE OR DJ MUSIC

Sunday _____ to _____
Monday _____ to _____
Tuesday _____ to _____
Wednesday _____ to _____
Thursday _____ to _____
Friday _____ to _____
Saturday _____ to _____

*Minor Entertainers in an area prohibited to minors need prior approval from the OLCC

SEATING COUNT

Restaurant: _____ Outdoor: 25 Lounge: 75
Banquet: _____ Other (explain): _____ Total Seating: 300

OLCC USE ONLY

Investigator Verified Seating: _____(Y) _____(N)
Investigator Initials: _____
Date: _____

I understand if my answers are not true and complete, the OLCC may deny my license application.

Applicant Signature: _____ Date: _____



OREGON LIQUOR & CANNABIS COMMISSION FLOOR PLAN

INSTRUCTIONS

1. Your floor plan **MUST** be submitted on the Floor Plan Form below
2. Use a separate Floor Plan Form for each level or floor of the building. The floor plan(s) must show the specific areas of your premises.
3. Label areas i.e. dining area, bar, lounge, lottery, outside patio and sidewalk cafe areas.
4. Food Counters should be labeled as such, and not as a Bar. At a Food Counter, food service/consumption is the predominant activity. At a Bar, alcohol service/consumption is the predominant activity. Please label Food Counters and Bars accordingly.
5. Include all tables and chairs. (See Example below)
6. If you have an outdoor area, please show it in reference to the licensed building.
7. If you have sidewalk seating please contact your local government to see if a permit is required for use.
8. If this is a Food Cart Pod please label the floor plan where the alcohol will be served from, where food will be served, where the seating will be and any other food carts that are in the pod.

Please do not use complex architect drawings as your floor plan, unless they are clearly readable and show all the tables and chairs.

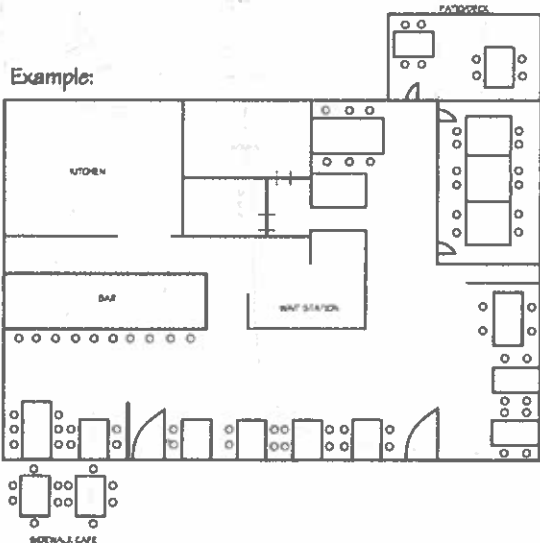
RESTAURANT EXAMPLE

**OREGON LIQUOR & CANNABIS COMMISSION
FLOOR PLAN FORM**

Your floor plan must be submitted on this form
My Restaurant LLC
Applicant Name

My Restaurant
Trade Name (Optional)

Example:



Labels: KITCHEN, RESTROOM, BAR, DINING AREA, PATIO/DECK, WASH STATION, SIDEWALK CAFE

OLCC USE ONLY
MAJOR POSTING ASSIGNMENT 4/1/21

Date: _____ Initials: _____

Rev. 03/22

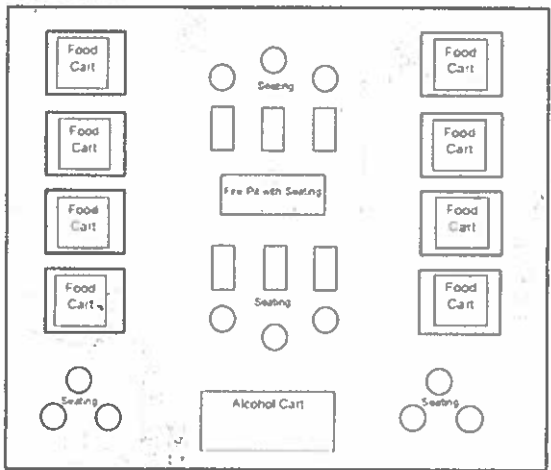
FOOD CART POD EXAMPLE

**OREGON LIQUOR & CANNABIS COMMISSION
FLOOR PLAN FORM**

Your floor plan must be submitted on this form
Food Carts LLC
Applicant Name

Everyday Food Cart Pod
Trade Name (Optional)

Entrance



Labels: Food Cart, Seating, Free Pa with Seating, Alcohol Cart

OLCC USE ONLY
MAJOR POSTING ASSIGNMENT 4/1/21

Date: _____ Initials: _____

Rev. 03/22

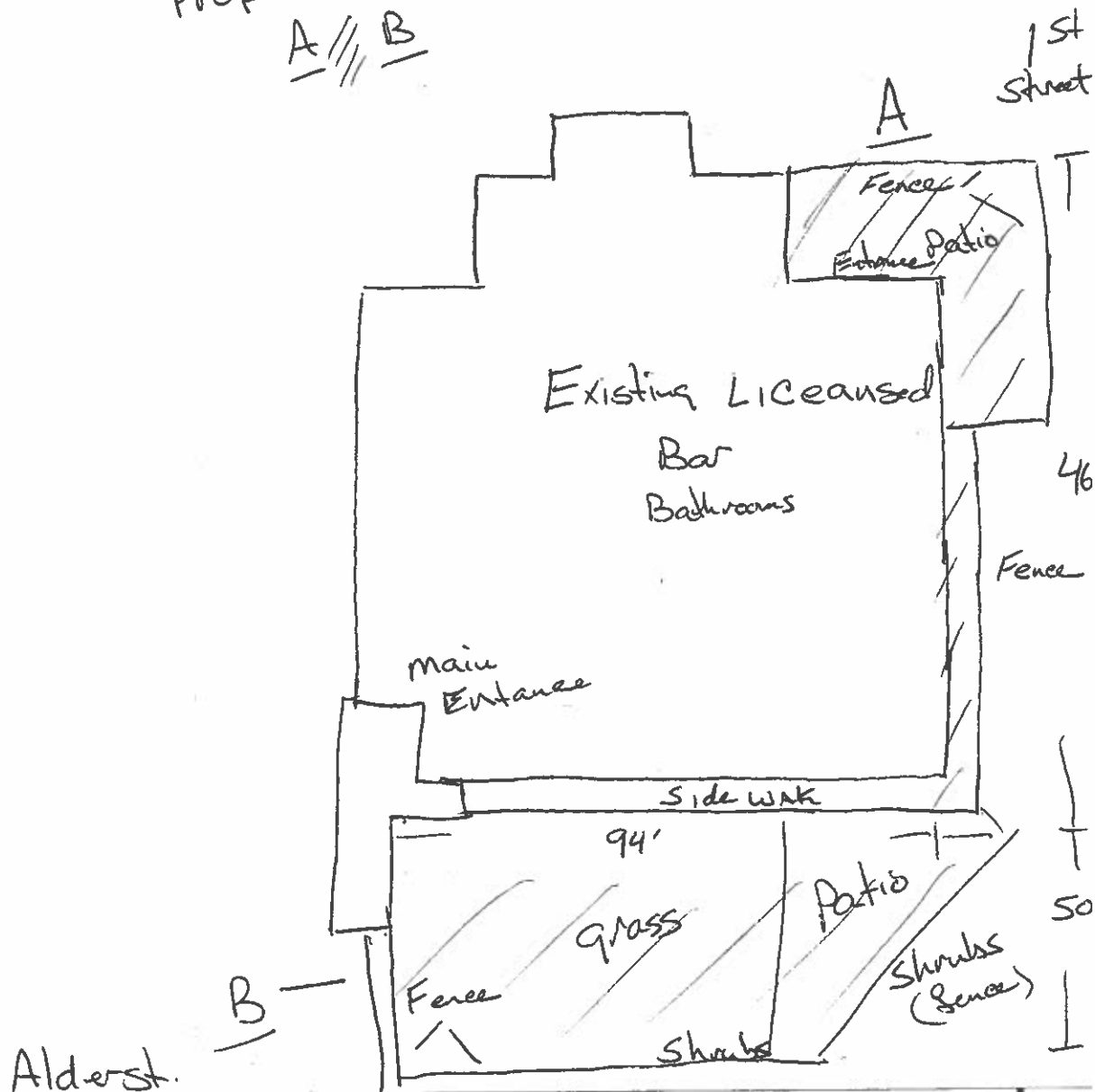


OREGON LIQUOR & CANNABIS COMMISSION
FLOOR PLAN FORM

Toledo Elks Lodge 1664
123 SE Alder St.

Proposed expansion
A // B

Parking
Lot



.....OLCC USE ONLY.....
MINOR POSTING ASSIGNMENT(S)

**CITY OF TOLEDO
REQUEST FOR COUNCIL ACTION**

	Meeting Date:	Agenda Topic:
	August 23, 2023	Approve a Contract with C-More Pipe Services for \$43,000
Council Goal:	Agenda Type:	
Maintain and improve public infrastructure and facilities	Decision Items	
Prepared by:	Reviewed by:	Approved by:
City Manager J. Richter	City Manager Judy Richter	City Manager Judy Richter

Recommendation:

Motion to approve a contract with C-More Pipe Services for \$43,000 and to authorize the City manager to sign the contract.

Background:

C-More Pipe Services contract is to install a 6” Cured In Place (CIPP) sewer pipe liner between SE Elder and SE Douglas. This is another project to reduce Inflow and Infiltration as required by the Memorandum of Understanding with the Department of Environmental Quality. This was approved in the adopted budget for Fiscal Year 2023-2024.

Fiscal Impact:	Fiscal Year:	GL Number:
\$43,000.00	2023-2024	042-420-620550

Attachment:

1. C-More Pipe Services Quote

C-More Pipe Services Co.
1717 Lexington St
Portland, OR 97202
(503) 871-6503
www.cmorepipe.com



Estimate

ADDRESS
City Of Toledo

ESTIMATE # Q-1079
DATE 07/10/2023

PURCHASE ORDER
6 Inch Liner

DATE	SERVICES	QTY	RATE	AMOUNT
	Mobilization Mobilization of CIPP Equipment	1	5,000.00	5,000.00
	Bypass no bypass top end	1	0.00	0.00
	CIPP LINER Labor and equipment to Install CIPP liner	335	75.00	25,125.00
	Services Prep work	500	4.00	2,000.00
	Lining - cut service lateral Cut open service lateral after lining	9	200.00	1,800.00
	Services Traffic control RWA and cones	1	500.00	500.00
	CIPP Robotic Cutting Services Robotic Cutting Services Special Cutter	1	8,500.00	8,500.00

TOTAL **\$42,925.00**

Accepted By

Accepted Date