

REGULAR SESSION
March 15, 2017

Mayor Billie Jo Smith called the meeting to order at 7:00pm. Councilors present: Jerry Seth, Jackie Kauffman, Josh Smith, Deanne Dunlap, Michele Johnson and Council President (CP) Terri Strom.

Staff present: City Manager (CM) Craig Martin, Police Chief (PC) Dave Enyeart, Finance Director (FD) Polly Chavarria, City Recorder (CR) Nancy Bryant and City Attorney/Planner (CA) Mike Adams.

Visitors present: Zach Dahl, Chuck Lerwick, Sheila Greenawald, Jim Chambers, and Calley Hair.

Mayor Smith announced an additional decision item added to this meeting agenda regarding the sole source purchase of three radar speed display signs.

Visitors/Public Comment

There was no public comment.

Consent Calendar

Motion-It was moved and seconded (Strom/Dunlap) to approve the consent calendar consisting of the City Council meeting minutes of February 15, 2017 and March 1, 2017.

Motion passed 7-0.

Discussion and Information Items

Committee Updates

Mayor Smith announced that the Toledo Contribution Committee will meet on March 21, 2017.

Decision Items

Resolution Approving an Interim Rate for Solid Waste Disposal Services Provided By Dahl Disposal

CM Martin reported that Dahl Disposal is the exclusive franchisee for solid waste collection, transportation and disposal within the City of Toledo. Dahl has identified the need for an additional service and rate tier for a Large Quantity Generator (LGQ) solid waste service rate class within the City. Provisions of the franchise agreement in Toledo Municipal Code Section 8.16.140 1(3)(a) allow for the establishment of an interim or emergency rate for new, special or different service to which this rate request qualifies for same.

In order to not adversely impact other disposal rates within the City, Dahl is requesting that this tier of service be excluded from the other classes of rates during the rate review with the City at this time, subject to Council modification during the next overall rate adjustment. Dahl is also requesting consideration that the rate be effective for three years from the date of approval, subject to council modification during the next overall rate adjustment. It would not impact the residential rates.

Public Comment:

There was no public comment.

Motion- it was moved and seconded (JSmith/Johnson) to adopt **Resolution No. 1390**, a resolution approving an interim rate for solid waste disposal services provided by Dahl Disposal.

Motion passed 7-0.

Oregon Liquor Control Commission Liquor License Application

CM Martin reported that Sheila Greenawald (dba Holy Toledo Tavern) has applied to the Oregon Liquor Control Commission for a full on-premises liquor license on behalf of new ownership of the Holy Toledo Tavern, located at 155 & 163 N. Main Street, Toledo. Toledo Police Chief Dave Enyeart has reviewed the application and has no objection to recommending approval. The required City of Toledo Beverage License fee is paid in full.

Sheila Greenawald thanked Council and announced that she is placing cameras both inside and outside of the premises.

Motion- it was moved and seconded (Strom/Kauffman) to recommend approval of the application for an OLCC Liquor License made by Sheila Greenawald for the business name of Holy Toledo.

Motion passed 7-0.

Public Works Director Salary Reclassification

CM Martin explained that the City has been without a Public Works Director since August 2016. Recruitment efforts have failed to secure a suitable and qualified Public Works Director in part due to the wage scale of the position and the competitiveness in the public employment sector for these positions. The most recent wage adjustment approved by City Council did not include retaining the Public Works Director in Grade 43, the highest Grade of the city for department head staff. Given the complexity of managing the Public Works Department including staffing, operational diversity, budgetary authority and agency risk, it is desired that the position be reclassified to the highest range for an appointed Department Director within the city as it had been classified in the past. CM Martin added, reinstating the public works director salary to range 43 of the non-represented salary schedule will assist in current efforts to secure a suitable and well-qualified public works director for the City of Toledo.

Motion- it was moved and seconded (Seth/JSmith) to reclassify the Public Works Director Salary range from Grade 42 to Grade 43 in the current non-represented salary schedule previously approved August 17, 2016. **Motion passed 7-0.**

Memorandum of Agreement for Operational Transition of the Toledo Public Swimming Pool

CM Martin reported that the City of Toledo has previously determined that it can no longer afford to improve, operate and maintain the Toledo Municipal Swimming Pool. Since that time, the Keep Our Pool Open Community Committee (KOPO) has undertaken efforts to establish a recreational service district to provide funding for the renovation and continued operation of the facility. KOPO has requested the City of Toledo enter into a nonbinding Memorandum of Agreement which identifies potential terms and stipulations that the City would consider in transferring the pool facility and operations to the yet to be formed "Greater Toledo Swimming Pool Recreation District". Should the formation of the district be approved by voters in May of 2017, the City and the District would use the provisions of the MOA as a basis for negotiation of an IGA with the District. The IGA would stipulate terms and conditions of transfer of the swimming pool

operations and assets to the successor District. The proposed MOA was developed with input of the KOPO, City staff, and members of City Council over a series of workgroup and Council meetings in January and February of 2017. Approval of the MOA is requested at this time by KOPO in order to support fundraising and related district formation efforts.

Public Comment:

Jim Chambers thanked Councilors Seth and Smith for sitting on the committee. He believes it is a good agreement that will help KOPO move forward. The proposed MOU shows that Council is in support of continuing the use of the swimming pool.

Councilor Seth thanked Mr. Chambers for his cooperation in the process.

Councilor Kauffman noted that she has concerns regarding the agreement but since it isn't binding she will hold her comment until Council discusses a binding agreement. She then questioned if Paragraph No. 2 of the "Whereas" section is necessary. CA Adams responded that he created the referred section in the agreement. Councilors Smith and Johnson stated that they understand that it is in there to show the condition of the facility and the difficulty in funding maintenance.

Jim Chambers stated that he believes that people recognize that the City has had tight budgets for many years making it difficult to maintain the swimming pool facility.

Motion- it was moved and seconded (Strom/Dunlap) to approve the Memorandum of Agreement (MOU) between the City of Toledo and the Keep Our Pool Open Community Committee KOPO), an non-binding agreement stipulating terms and conditions to be considered for the transition of the Toledo Community Pool to the Greater Toledo Pool Recreation District.

Motion passed 7-0.

Sole Source Purchase of Vehicle Speed Radar Equipment

PC Enyeart explained that the purchase of radar equipment started with a potential donation of an older radar trailer unit from Georgia Pacific-Toledo (GP). That equipment turned out to be nonoperational so GP offered to purchase a new speed radar sign. During that same period of time, a Toledo Officer successfully wrote a grant for a radar speed sign while training at DPPST and then GP notified the City that they were willing to purchase two radar speed signs. Thus, the City will receive three radar speed signs. There is no cost to the City because one of the purchases will be reimbursed by DPSST and GP has already donated the funding for the additional two purchases.

PC Enyeart also explained that during the research with other radar traffic sign companies and law enforcement agencies in our area staff came to the conclusion that this company "All Traffic Solutions" provides the exact model with specification that are needed for this City's traffic solutions. The data exchange feature is something that makes this model the best fit for the City's needs; the software is compatible with other agencies for the ease of exchanging information. The cost is \$18,000 for all three with no financial obligation to the City.

There was some discussion regarding placement of the speed signs. PC Enyeart noted that the units are mobile and will be placed in various areas of the city on a rotating basis.

Public Comment:

Jim Chambers stated that Butler Bridge Road was previously zoned a 35 mph speed limit but was changed to 25mph. The 35mph speed limit was established by the Oregon State Speed Board.

Recognizing that the City has the right to change the speed limit; when it was changed he asked if there was a resolution passed to hold the 25mph speed limit and the answer was no.

He also noted that Business Highway 20 on the West end of town went from 35mph to 25mph and there is a 15mph speed sign on Arcadia near the Fire Station that is outdated. He doesn't think that it needs to be changed back to 35 but he believes the 25 mph speed zones should be made legal.

Motion- it was moved and seconded (JSmith/Johnson) to authorize the Sole Source purchase of three Radar speed display signs from "All Traffic Solutions". **Motion passed 7-0.**

Reports and Comments

Department Reports

CA Adams stated that he will be away on Military Leave from April 3rd through April 7th, 2017. He has been selected to report to Mildenhall, Suffolk England.

CA Adams reported that the Planning Commission approved a minor partition with conditions and a set of recommendations to the City Council to approve a rezone and comp plan map amendment. That item will come to Council on May 17th. April 28th is Toledo Arbor Day and the City has received notification of its 23rd Tree City USA award.

CM Martin noted a recent Newport News Times article regarding the City's wastewater infrastructure issues and challenges.

CM Martin then reported that the public works crew has been working on storm drain issues and low hanging branches in the City right-of-way. The newly hired Water Treatment Plant Junior Operator will be on board March 24th and Andy Applegate of the public works department has left employment with the City.

CM Martin also reported that the Assistant to City Recorder position has been filled.

City Manager Report

CM Martin reported the following:

- Oregon Government Ethics Commission's Statement of Economic Interest filings are due by April 15th.
- Staff continues to recruit for two Planning Commission vacancies.

Council Comments

Councilor Dunlap stated that she attended the Toledo Summer Festival Annual Auction and Dinner.

Mayor Comments

Mayor Smith commented the following:

- The Lincoln County Volunteer Fair is scheduled for March 25th.

Mayor Smith called for a brief recess at 7:59pm and announced an executive session will follow according to ORS 192.660(2) (e) to conduct deliberations with persons designated by the governing body to negotiate real property transactions.

She then made the following statement: “Representatives of the news media and designated staff shall be allowed to attend the executive session. All other members of the audience are not permitted to attend. Representatives of the news media are specifically directed not to report on any of the deliberations of the executive session except to state the general subject session as previously announced. No final decisions may be made in executive session. At the end of executive session Council will return to open session and welcome the audience into the room.”

Executive Session:

Council resumed the meeting in executive session at 8:00pm. In attendance: Mayor Smith, Councilors Johnson, Smith, Strom, Kauffman, Seth, and Dunlap; PC Enyeart, CM Martin, CA Adams, and CR Bryant.

CM Martin provided Council with an update on a potential purchase of real estate by the City of Toledo. CA Adams provided Council with information regarding an offer to purchase City owned real estate.

Adjournment:

Council returned to regular session and Mayor Smith adjourned the meeting at 8:22pm.

ATTEST:

APPROVE:

City Recorder

Mayor