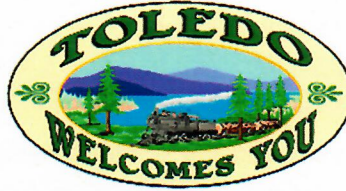


City Hall
206 N. Main St.
Toledo, Oregon 97391
6:00 p.m.



TOLEDO CITY COUNCIL
Regular City Council Meeting
December 4, 2024

1. Call to Order

- a. Mayor Rod Cross called the meeting to order at 6:04 p.m.; also via Zoom in Toledo, Oregon and lead the Pledge of Allegiance.

2. Roll Call

- a. The Mayor took roll call and determined a quorum is present.

Council Member	Present	Absent	Via Zoom
Mayor Cross	X		
Council President Bush	X		
Councilor Kauffman	X		
Councilor Silvia	X		
Councilor Burns	X		
Councilor Strom		X	
Councilor Mix	X		

- b. Staff Present: Interim City Manager Amanda Carey, City Attorney Mike Adams, and City Recorder Lisa Figueroa

3. Visitors/Public Comment

- a. John Mix addressed the Council regarding several concerns:
- the status of the old bank building being converted to a police station, noting weather damage to the vapor barrier; two neglected properties (one across from the bowling alley and another across from the Olalla Center); and a damaged tire swing structure at the park near the pool that needs repair and rope barriers for safety.
 - Mayor Cross acknowledged these concerns, noting that the city is aware of some of these issues and has been citing property owners. The police station renovation was clarified as being handled by a construction company that the city is actively pursuing to address the issues.
- b. Jim Chambers spoke about the pool project steering committee, expressing frustration that it has become nearly nonexistent with no one stepping forward to schedule meetings. Mayor Cross agreed to make calls the next day to arrange a meeting, noting they would need a short Urban Renewal Agency (URA) meeting on the 18th.

4. Consent Agenda

- a. The consent agenda included minutes from meetings held on June 5, 2024, July 17, 2024, August 7, 2024, the town hall held October 23, 2024, and executive sessions held on September 10, 2024, September 25, 2024, and November 6, 2024.
- b. **Motion** to approve the consent agenda as presented.

Council member	M	S	Yay	Nay	Abstained	Absent
Mayor Cross			X			
Council President Bush			X			
Councilor Mix			X			
Councilor Kauffman			X			
Councilor Silvia		X	X			
Councilor Strom						X
Councilor Burns	X		X			

5. Discussion and Information Items

- a. Interim City Manager Amanda Carey reported that after discussions with Councilor Burns, they were looking specifically at a potential bonus for the Police Chief position. She explained that the Chief's salary is significantly below market rate, and unlike other police staff who receive overtime, the Chief does not.
- b. Ms. Carey provided salary comparisons from surrounding agencies, showing that Toledo's Police Chief is at the bottom of the pay scale. She noted that while they had initially considered bonuses for all police staff, this would require evaluating the entire union, including fire department employees.
- c. Councilor Burns advocated for a significant bonus to compensate Chief Pace for his service and low pay, as well as a salary adjustment starting next year. The discussion revealed that an attempt to increase the Chief's salary had been made earlier but was not implemented due to the City Manager being placed on leave.
- d. Council members expressed strong support for compensating Chief Pace appropriately, noting that Toledo's police department is understaffed, which has led to budget savings that could fund the bonus. The Council agreed to move this item to the decision section of the agenda.

6. Decision Items

- a. Consideration of bonus for the Police Chief
 - i. Following the previous discussion, the Council formally considered awarding a one-time bonus to Police Chief Mike Pace.
 - ii. **Motion** to a one-time bonus for Chief Pace of \$22,688, payable immediately.

Council member	M	S	Yay	Nay	Abstained	Absent
Mayor Cross			X			
Council President Bush			X			
Councilor Mix	X		X			
Councilor Kauffman			X			
Councilor Silvia			X			
Councilor Strom						X
Councilor Burns		X	X			

b. Ordinance No. 1424, an ordinance amending the 2023 Toledo Comprehensive Land Use Plan and Zoning Maps

- i. Contract Planner Justin Peterson presented a zone change application for the Eagles building property. The proposal was to change zoning from Residential General (RG) to Commercial for the eastern half of the Eagles building tax lot (which is currently split-zoned) and an adjacent parking lot area.
- ii. Peterson explained that the property had historically been used as the Eagles building for commercial purposes, even though part of it was zoned residential. The findings indicated an inconsistency in the original zoning map from the 1970s. The city's buildable lands inventory shows Toledo has a surplus of residential land, so the loss of this small amount of acreage would not significantly impact housing capacity.
- iii. Mayor Cross noted that historically, traffic counts when the Eagles was fully operational were much higher than what would be projected for future use, and the area had handled it well.
- iv. No public testimony was provided either in favor or against the proposal.
- v. **Motion** Based on the staff report and testimony, and evidence presented to the City Council at the public hearing on December 4, 2024 and the Planning Commission recommendation, the Toledo City Council approves the comprehensive plan amendment rezone request (RZ-1-24 and PA-1-24) as meeting the applicable criteria, including the 2023 Toledo Comprehensive Land Use Plan, Toledo Municipal Code section 17.80.050, and the statewide planning goals, and the Council adopts proposed facts and findings presented in the staff report allowing for the correction of typographical and grammatical errors.

Council member	M	S	Yay	Nay	Abstained	Absent
Mayor Cross			X			
Council President Bush			X			
Councilor Mix			X			
Councilor Kauffman		X	X			
Councilor Silvia			X			
Councilor Strom						X
Councilor Burns	X		X			

- vi. **Motion** To adopt Ordinance Number 1424 by reading the title only twice:
"An ordinance of the Toledo City Council amending the 2023 Toledo Comprehensive Land Use Plan and Zoning Maps as adopted by Ordinance Number 1417."

Council member	M	S	Yay	Nay	Abstained	Absent
Mayor Cross			X			
Council President Bush			X			
Councilor Mix			X			
Councilor Kauffman		X	X			
Councilor Silvia			X			
Councilor Strom						X
Councilor Burns	X		X			

- c. Ordinance No. 1425 an Ordinance amending the Toledo Municipal Code, Title 17; relating to the regulation of psilocybin services and psilocybin manufacturing
- i. Justin Peterson presented an ordinance establishing regulations for psilocybin services and manufacturing within the city limits. He explained that this stemmed from Oregon Ballot Measure 109, with Toledo having previously opted out temporarily. As this opt-out period ends at the end of the year, the city needed to adopt time, place, and manner restrictions.
 - ii. The proposed ordinance would allow psilocybin service centers in commercial zones and both service centers and product manufacturing in light industrial zones, both as conditional uses requiring Planning Commission approval. The ordinance would prohibit home occupation use, require 1,000 feet separation from schools, and could include a 1,000-foot separation between facilities.
 - iii. Peterson noted that unlike marijuana dispensaries, psilocybin can only be used in certified therapeutic settings under Oregon law.
 - iv. Jonathan Mix spoke in favor of the ordinance but suggested removing the restriction about abutting residential zones since Toledo's commercial and industrial areas are limited and likely to abut residential areas. He supported keeping the 1,000-foot distance between facilities.
 - v. Council members discussed the current state of psilocybin services in Oregon, noting they are extremely limited and expensive, with possibly only three facilities in Portland. The therapeutic approach initially promised has been limited by high certification costs and lack of required psychiatric involvement.
 - vi. **Motion** To approve the proposed amendment to the Toledo Municipal Code based on the testimony received, the findings within the staff report, Planning Commission recommendation, and the evidence and arguments before the City Council at the public hearing on December 4, 2024. The City Council determines that the request by the City of Toledo (ZOA-1-24) to amend sections 17.04.020, 17.16.030, 17.20.030, 17.46.080, 17.64.050, and create subsection 5 of 17.64.050(b) of the Toledo Municipal Code complies with criteria identified in TMC 19.2.07(a-d) as

stated in the findings contained in the staff report. The City Council hereby adopts the staff report as findings and the other evidence in the record as findings supporting its decision and approves application ZOA-1-24.

Council member	M	S	Yay	Nay	Abstained	Absent
Mayor Cross			X			
Council President Bush			X			
Councilor Mix			X			
Councilor Kauffman	X		X			
Councilor Silvia			X			
Councilor Strom						X
Councilor Burns		X	X			

- vii. **Motion** To adopt Ordinance Number 1425 by reading the title only twice: "An ordinance of the Toledo City Council amending the Toledo Municipal Code Title 17, sections 17.04.020, 17.16.030, 17.20.030, 17.46.080, 17.64.050, and creating subsection 5 of 17.64.050(b) relating to the regulation of psilocybin services and psilocybin manufacturing."

Council member	M	S	Yay	Nay	Abstained	Absent
Mayor Cross			X			
Council President Bush			X			
Councilor Mix	X		X			
Councilor Kauffman		X	X			
Councilor Silvia			X			
Councilor Strom						X
Councilor Burns			X			

- d. Certification of the November 5, 2024 General Election results.
- City Recorder Lisa Figueroa presented the certified results from the November 5, 2024 general election. The election resulted in Rod Pace being elected Mayor for a 2-year term, and Tracy Mix, Jackie Kauffman, and Andrew Keating being elected as Councilors for 4-year terms. The ballot measure to amend the city charter was approved by voters with a margin of 25 votes (783 to 758).
 - Motion** To accept the certified results from the November 5, 2024 general election.

Council member	M	S	Yay	Nay	Abstained	Absent
Mayor Cross			X			
Council President Bush			X			
Councilor Mix	X		X			
Councilor Kauffman		X	X			
Councilor Silvia			X			
Councilor Strom						X
Councilor Burns			X			

- e. Resolution No. 1564, a resolution recognizing grant revenue and making appropriations in fiscal year 2024-2025 for the Library Department.
- i. **Motion** To adopt Resolution Number 1564, a resolution of the Toledo City Council to recognize grant revenue and make appropriations for spending in the fiscal year 2024-2025.

Council member	M	S	Yay	Nay	Abstained	Absent
Mayor Cross			X			
Council President Bush			X			
Councilor Mix	X		X			
Councilor Kauffman		X	X			
Councilor Silvia			X			
Councilor Strom						X
Councilor Burns			X			

- f. Resolution No. 1565, a recognizing grant revenue and making appropriations for spending in fiscal year 2024-2025 for the Fire Department
- i. **Motion** To adopt Resolution Number 1565, a resolution of the Toledo City Council to recognize grant revenue and make appropriations for spending in fiscal year 2024-2025.

Council member	M	S	Yay	Nay	Abstained	Absent
Mayor Cross			X			
Council President Bush			X			
Councilor Mix		X	X			
Councilor Kauffman	X		X			
Councilor Silvia			X			
Councilor Strom						X
Councilor Burns			X			

7. Reports and Comments

- a. Chief Pace thanked the Council for approving the bonus. He announced that Gary Sumter's memorial sign and service would be held the following Tuesday at noon. The family would be presented with a shadow box containing a folded flag and a personalized badge. Chief Pace noted the department would be down to three

- officers soon, as one is in the background check process with Newport, and asked the Council to keep the department in mind as they would be stretched thin.
- b. City Attorney Mike Adams reported on his communication with FEMA regarding the city's decision not to adopt any of the three Pickens options for floodplain management. He stated the city would continue to request biologist sign-off on floodplain permits to ensure compliance with existing environmental requirements while resisting FEMA's new requirements.
 - c. Interim City Manager Amanda Carey provided updates on:
 - i. The city audit, which she hopes will be ready by December 18 but may require an extension until January
 - ii. Fire inspections of a Main Street business that resulted in 14 violations, including illegal residential use in a commercially zoned building
 - iii. Ongoing rumors and misinformation circulating in the community
 - iv. Plans to work with business owners to address safety concerns, particularly in light of the Ghost Ship fire in Oakland in 2016 where officials faced legal consequences for failing to address known safety issues

8. Council Comments

- a. Concerns about misinformation in the community affecting council members and their families
- b. Appreciation for the recent training session and pride in Toledo's council working well together
- c. Discussion of abandoned "zombie houses" and the challenges with bank-owned properties
- d. The success of the umbrella parade and Christmas celebration, highlighting the community spirit of Toledo despite challenges

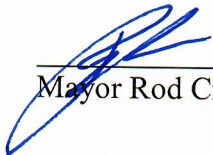
9. Mayor's Comments

- a. Mayor Cross' report that the state is seriously considering giving Oregon Department of Forestry property to the city for housing needs.

10. Adjournment

- a. The mayor adjourned the meeting at 8:27 p.m.

APPROVE:



Mayor Rod Cross

ATTEST:



City Recorder Paul Johnson