

**TOLEDO CITY COUNCIL
REGULAR MEETING
January 15, 2025**

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 Kim Bush
	X	Councilor Jackie Kauffman
X		Councilor Tracy Mix
X		Councilor Frank Silvia
X		Councilor Jackie Burns
X		Councilor Andrew Keating

Staff present: City Manager Pro-Tem (CM) Amanda Carey, City Recorder (CR) Lisa Figueroa, City Attorney (CA) Mike Adams, Police Chief (PC) Michael Pace, Fire Chief (FC) Larry Robeson, Interim Library Director (LD) Harrison Baker

Mayor Cross – I would like to make a note that we have an added item to the agenda, which will be put in after the consideration to ratify city manager Pro Tem's signature of user agreement with Toledo dispatch center. We are adding a request to hire on call/casual employees to supplement critical staffing and dispatch.

2. PROCLAMATIONS/PRESENTATIONS

Oaths of office for City Council and Mayor

It was noted the oaths of office were performed for the Mayor and Councilors before the start of the meeting. However, CR Figueroa performed the oath of office for Councilor Keating again for the audience.

Purple Heart presentation, Police Chief Michael Pace

CP Pace presented a Purple Heart award to the daughter of Patrol Officer Gary Sumpter, who killed in the line of duty in 1969.

Item #4 – (Authorize the City Manager Pro-Tem to remove a specific employee if warranted, as required by City Charter, Chapter V, Section 20, Subsection 7) to the end of the discussion items. We will be meeting in Executive Session before this discussion item.

3. VISITORS/PUBLIC COMMENT

Barry Bruster, a Toledo business owner updated the Council on the thyme gardens project, noting that while some gardens were struggling, they were still being maintained. He also mentioned the Main Street Association was working on nonprofit status and planning to develop a media center through grants.

Cynthia George, expressed concerns about East County Fire District being locked out of their fire department and having to use bus barns for meetings. He also raised questions about a housing development on wetlands and water supply issues related to the Seal Rock Water District.

Shannon, a Toledo fire captain with 30 years of experience in fire service, spoke on behalf of volunteers who are concerned about speaking for themselves. She noted that volunteers are disappointed that the city has not released a statement regarding the fire department situation. She emphasized that there has been no decrease in response - in fact, response has increased since the investigation started, with volunteers answering 1,020 calls in 2024, including 294 calls after the leadership investigation began.

Dawn Davis, a Toledo resident and volunteer with the fire department for 5.5 years, expressed frustration about negative treatment of fire volunteers. She thanked those who have supported the department and announced her resignation and planned departure from Toledo.

Katie Pimentel, communications supervisor for Toledo dispatch, spoke in support of the fire department, commending them for maintaining communication with dispatch and continuing to serve the community despite ongoing challenges.

Miranda Bowers, a former Toledo Fire volunteer, expressed sadness about divisions within the department, emphasizing the importance of brotherhood and sisterhood in emergency services.

Brenda Brown spoke about the importance of preserving institutional knowledge, particularly in the fire department. She expressed concern about any potential loss of experienced leadership.

Nicole, a former Toledo Fire member, expressed support for Chief Larry Robeson, describing him as someone who protected his responders and stood up against bullying.

Chief David Lapof, Siletz Fire District. Voiced concern about dysfunction in Toledo Fire and East Lincoln County Fire District. With 38 years in the fire service, he emphasized the importance of leadership and spoke in support of Chief Robeson.

Haley McGoy shared how Toledo fire department saved her child who is in heart failure and her father. She emphasized the importance of experienced leadership and community support.

Charles Fisher followed up on his request from two months ago regarding speed signs on Lincoln Way, noting that promised 20 mph signs had not been installed.

Sally asked why employment places of those under investigation were contacted, expressing concern about the appropriateness of such actions.

Daniel Ammons stated that his employer had been contacted, which he felt was inappropriate. He also questioned why people on leave of absence were fired and offered to share his investigation results with the public.

Russell Heyner, a volunteer with Toledo Fire since 2010, thanked all volunteers and expressed hope that the current situation would be resolved so they could return to focusing on community support.

Jonathan Garrison (online) asked about funds that were supposed to go to the East Lane County Volunteer Association, questioning if volunteers were still receiving their stipends.

Crystal Swindstrom, a Toledo volunteer for 6.5 years, stated that she and seven other volunteers received discharge letters despite being on leave of absence. She clarified that they did not leave to join East Lincoln County Fire but were responding with a group of 15 volunteers who started the week of Christmas.

4. CONSENT AGENDA

- a. City Council minutes held October 2, 2024
- b. Executive Session minutes held November 13, 2024
- c. Special Meeting minutes held November 15, 2024
- d. Executive Session minutes held December 4, 2024
- e. Executive Session minutes held December 18, 2024

Motion to approve the consent agenda as presented (Burns/Bush). Motion passed 6-0-1-0

Council member	In Favor	Opposed	Abstained	Absent
Mayor Cross	X			
Councilor Bush	X			
Councilor Kauffman	X			
Councilor Mix	X			
Councilor Silvia	X			
Councilor Burns	X			
Councilor Keating			X	

5. DISCUSSION ITEMS

- a. Decision to appoint a Council President
 - i. Councilor Bush is nominated

Motion to reappoint Council Bush as Council President (Silvia/Kaufman). Motion passed 7-0-0-0.

Council member	In Favor	Opposed	Abstained	Absent
Mayor Cross	X			
Council President Bush	X			
Councilor Kauffman	X			
Councilor Mix	X			
Councilor Silvia	X			
Councilor Burns	X			
Councilor Keating	X			

- b. Decision to assign a member to the Solid Waste Consortium Board

Councilor Keating was nominated.

Motion to appoint a council member Keating to the Solid Waste Consortium Board (Burns/Mix). Motion passed 7-0-0-0.

Council member	In Favor	Opposed	Abstained	Absent
Mayor Cross	X			
Council President Bush	X			
Councilor Kauffman	X			
Councilor Mix	X			
Councilor Silvia	X			
Councilor Burns	X			
Councilor Keating	X			

- c. Approve Resolution No. 1566, a resolution recognizing grant revenue and making appropriations for spending for fiscal year 2024-2025

Library Director Harrison Baker presented information about two donations to the library. The first was a \$10,000 donation from the family of JD Wade to create a display area near the western section of the library that would rotate museum exhibits and art, while also commemorating JD Wade. Baker explained that Wade was known for putting his initials on the stamp pad of books he read to keep track of his extensive reading.

The second donation was \$1,000 from Margie and Bill Bars to support the library's manga collection. Director Baker explained that manga (Japanese graphic works) is considered one of the most grueling jobs in creative fields, with works being published rapidly and sometimes spanning decades, making complete collections difficult to budget for.

Motion to approve Resolution No. 1566, a resolution recognizing grant revenue and making appropriations for spending for fiscal year 2024-2025 (Burns/Bush). Motion carried 7-0-0-0.

Council member	In Favor	Opposed	Abstained	Absent
Mayor Cross	X			
Council President Bush	X			
Councilor Kauffman	X			
Councilor Mix	X			
Councilor Silvia	X			
Councilor Burns	X			
Councilor Keating	X			

- d. Moved to the last decision item.
- e. Department of Environmental Quality report on tests conducted at City Hall

Interim City Manager Amanda Carey reported on environmental testing conducted at City Hall. In July, the Department of Environmental Quality (DEQ) tested the former Texaco site, which is currently the parking lot adjacent to City Hall. The findings discovered potential human health risks, prompting additional testing.

Results showed soil levels with gasoline and diesel contamination remaining in the vicinity of former underground fuel storage tanks at the south end of the property. The concentrations in soil and groundwater were found to be below risk-based concentration levels. However, the main concern was soil vapor, where gasoline, benzene, ethyl benzene, and TCE were found in vapor form at concentrations exceeding risk-based concentrations for vapor intrusion in commercial buildings.

Immediate testing in City Hall found no detectable levels in the air, indicating no current safety concerns for building occupants. However, additional testing is needed to determine the size of the contamination plume and whether it extends under the building.

DEQ secured \$60,000 through the Environmental Protection Agency's site-specific assessment funding to help cover further testing costs. If the plume is small and isolated, the parking lot could continue to be used with a deed restriction to prevent future construction. If TCE is found beneath City Hall, more extensive testing and potential mitigation would be required.

f. Update regarding the Toledo Dispatch Center

Interim City Manager Amanda Carey provided an update on the Toledo Dispatch Center crisis. A dispatcher went out on emergency medical leave the week of January 6th, putting the already understaffed center in a difficult position. Chief Pace and CM Carey worked with state agencies to request assistance through the Telecommunicator Emergency Response Task Force (TERT).

Astoria offered four dispatchers to help cover weekends, and Willamette Valley Communications Center (WBCC) also offered personnel support. Additionally, Chief Pace identified two trained dispatchers in the area who could work part-time on an emergency basis.

The city is in the process of transitioning dispatch services to WVCC, as Toledo can no longer staff a full-time dispatch center. Carey signed a user agreement with WVCC to expedite the transition process, which normally takes 7-8 months but is being fast-tracked due to the emergency.

The transition will incur additional costs, including hourly wages, per diem, mileage, and hotel accommodations for responders from other agencies. The initial cost estimate from WVCC is preliminary, as the state Office of Emergency Management may provide funds to offset some costs, and final figures depend on whether additional equipment and staff will be needed.

- g. Consideration to ratify City Manager Pro-Tem's signature of a user agreement for the Toledo Dispatch Center

Motion to approve allowing Interim City Manager Amanda Carey the ability to hire on-call casual dispatchers to sustain telecommunicator services in Toledo until they are consolidated (Mix/Keating) Motion carried 7-0-0-0.

Council member	In Favor	Opposed	Abstained	Absent
Mayor Cross	X			
Council President Bush	X			
Councilor Kauffman	X			
Councilor Mix	X			
Councilor Silvia	X			
Councilor Burns	X			
Councilor Keating	X			

Motion to ratify Interim City Manager Amanda Carey's signature on a user agreement with the City of Salem's Willamette Valley Communications Center (WVCC) for the City of Toledo's dispatch center operation (Mix/Kaufman). Motion carried 7-0-0-0.

Council member	In Favor	Opposed	Abstained	Absent
Mayor Cross	X			
Council President Bush	X			
Councilor Kauffman	X			
Councilor Mix	X			
Councilor Silvia	X			
Councilor Burns	X			
Councilor Keating	X			

- h. Consideration of bonuses for police and fire staff – Councilor Tracy Mix

Due to conflicts of interest, Mayor Cross and Council President Bush recused themselves from this agenda item. Councilor Mix was appointed to preside over this portion of the meeting.

Councilor Mix presented a proposal to provide bonuses to police, fire, and dispatch staff. She noted that while public works and other city employees received cost of living adjustments in July, the police, fire department, and dispatchers had not received adjustments despite facing an unreasonable workload and stress. She explained these departments were understaffed and underpaid compared to similar-sized cities.

Councilor Mix noted that the city had budgeted \$1,055,500 for police and dispatch positions, but the projected actual expenditure was approximately \$716,443, leaving almost \$340,000 in unspent salary funds that could be used for bonuses. She initially proposed a 5% bonus but later suggested 10% would be more appropriate.

Multiple public comments were heard on this matter:

Katie Pimentel, dispatch supervisor, expressed frustration about years of understaffing and stress, stating that while she appreciated the bonus consideration, it felt like too little too late. She noted that dispatcher positions were being eliminated, with staff being reassigned to other roles as the city transitions to WVCC.

Captain Shannon from the fire department requested that volunteers also receive compensation, emphasizing that the paid staff could not perform their duties without the 22 volunteers (approximately 18 responders).

Perry Rooster, a former patrol deputy, specifically advocated for increasing dispatcher compensation, praising their exceptional service.

Barry Richter cautioned the Council about making an immediate decision without further consideration of all implications.

Jim mentioned that historically, there was a fund to provide stipends to fire volunteers, suggesting that the Council look into current budget allocations for the volunteer program, which was noted to be \$61,000.

After extensive discussion, the Council determined they would address paid staff bonuses immediately while developing a separate plan for volunteer recognition at the next meeting.

Motion to approve a 10% one-time bonus for police, fire, and dispatch paid employees for this fiscal year, contingent on approval by the union that it is a nonbinding precedent. Motion carried 5-0-2-0.

Council member	In Favor	Opposed	Abstained	Absent
Mayor Cross			X	
Council President Bush			X	
Councilor Kauffman	X			
Councilor Mix	X			
Councilor Silvia	X			
Councilor Burns	X			
Councilor Keating	X			

Recess to re-enter the Executive session before the next item on the agenda.

- i. Authorize the City Manager Pro-Tem to remove a specific employee if warranted, as required by City Charter, Chapter V, Section 20, Subsection 7.

City Attorney Rob Bovett explained that per the City Charter, the Municipal Court Judge, City Attorney, and City Manager work for the City Council, while everyone else works for the City Manager. When there is an interim or pro tem City Manager, Chapter 5,

Section 20, Subsection 7 of the Charter stipulates that a Manager Pro Tem must have Council approval to remove personnel.

Bovett noted that the Council and Interim City Manager had received an executive summary of an investigation report related to a personnel matter. He emphasized that staff and Council had been cautioned not to mention, confirm, or acknowledge the identity of the person involved.

Motion to not authorize City Manager Pro Tem Carey to remove a specific employee if warranted as required by City Charter, Chapter 5, Section 20, Subsection 7. (Cross/Burns). Motion carried 7-0-0-0.

Council member	In Favor	Opposed	Abstained	Absent
Mayor Cross	X			
Council President Bush	X			
Councilor Kauffman	X			
Councilor Mix	X			
Councilor Silvia	X			
Councilor Burns	X			
Councilor Keating	X			

6. REPORTS AND COMMENTS

The Council voted to skip regular reports and comments but allowed brief final comments.

Mayor Cross opened comments for 1 minute to anyone who wanted to speak to the council.

Chief Robeson thanked the Council for their efforts and consideration of the report, expressing confidence that the department would move forward.

Councilor Mix expressed that it takes everyone to fix this and bring us all back together.

Councilor Kaufman – None

Councilor Keating – expressed his thoughtful process of accepting his position as a City Councilor.

Councilor Silvia – proposed a street being dedicated to Officer Sumpter.

Council President Bush shared the difficulty of being unable to address misinformation circulating in the community due to legal restrictions on discussing ongoing investigations and personnel matters. She emphasized that Council members could face fines or jail time for discussing certain matters and that the Council's silence was not due to secrecy but legal obligations.

Citizen – no name provided. What happens to the fire fighters on temporary leaves of absences? Decision is made by city staff and fire department.

Mayor Cross noted that his nearly 19 years on the Council had never been as difficult as the past three months, with the inability to address the "raging wildfire" of misinformation.

Daniels Ammons – Doesn't want to be treated like criminals with the installation of cameras and being locked out of the TFD. Indicated that he would not volunteer again while certain members were still employed by TFD. Given 35 years of his career.

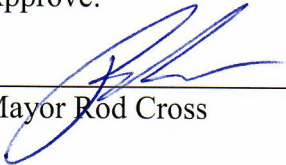
Councilor Kaufman – Believed that the decision to terminate was greater than the CM Pro-tem to make.

Mayor Cross – He called for community healing, reminding everyone that Toledo had weathered previous crises and would emerge stronger by working together.

7. ADJOURNMENT

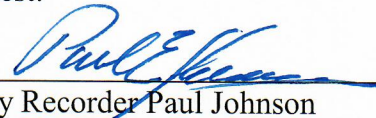
The meeting adjourned at 10:03 p.m.

Approve:



Mayor Rod Cross

Attest:



City Recorder Paul Johnson