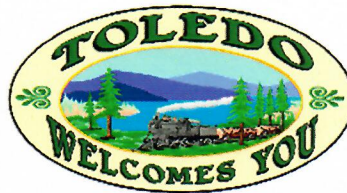


City Hall
206 N. Main St.
Toledo, Oregon 97391
6:00 p.m.



TOLEDO CITY COUNCIL
Regular City Council Meeting
May 7, 2025

1. Call to Order

- a. Mayor Rod Cross called the meeting to order at 6:00p.m.; also via Zoom in Toledo, Oregon and lead the Pledge of Allegiance.

2. Roll Call

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

- a. City Staff Present: City Manager David Clyne. City Attorney Mike Adams, City Recorder Lisa Figueroa.

3. Presentations/Proclamations

- a. Police Officer Swear in Ceremony
- Sergeant Pitcher introduced Officer Christian Bailey, who was born and raised in Toledo and graduated from Toledo High School in 2016. Officer Bailey began his public service career as a volunteer firefighter for the City of Toledo in 2020-2021 and worked as a corrections deputy with the Lincoln County Sheriff's Office from 2022 until May 6, 2025, his last day before joining the Toledo Police Department.
 - Sergeant Pitcher noted that Officer Bailey expressed his desire to switch from corrections to patrol to have daily connections with the community and make positive, proactive contacts. Officer Bailey will attend the DPSST Public Safety Academy in Salem starting May 19 for 16 weeks, followed by 14-16 weeks of field training.
 - Officer Bailey was sworn in, with Mayor Cross expressing his pleasure at seeing Officer Bailey in the Toledo uniform.

- b. Police Week Proclamation
 - i. Mayor Cross read a proclamation declaring May 12-18, 2025, as National Police Week in the City of Toledo, with May 15 as Peace Officers Memorial Day. The proclamation honored the dedicated law enforcement officers who have made the ultimate sacrifice in the line of duty and recognized the Toledo Police Department's commitment to protecting the community.

4. Visitors/Public Comment/Public Hearing

- a. Mayor Cross opened a public hearing concerning four land use ordinances:
 - i. An ordinance amending Ordinance 1417 (Toledo Municipal Code Chapter 1.08) to update the 2023 Toledo Comprehensive Land Use Plan and Policies
 - ii. An ordinance repealing Toledo Municipal Code Title 16 (Subdivisions) and Ordinances 1301 and 1355, replacing with new Toledo Municipal Code Title 16 chapters for land divisions regulations
 - iii. An ordinance amending the Toledo Municipal Code, Title 17 (Zoning) to revise zoning standard and regulations
 - iv. An ordinance amending the Toledo Municipal Code, Title 19 (Land Use procedures) relating to the regulation of land use procedures
- b. Mayor Cross explained the hearing procedures, read the statement of rights and relevance, and the right to appeal.
- c. Justin Peterson provided a staff report, explaining that the ordinances stemmed from a grant from the Department of Land Conservation and Development (DLCD). The updates build on previous housing work done by the city, including accessory dwelling unit updates in 2019, additional housing updates in 2021, a housing capacity analysis in 2022, and a comprehensive plan update in 2023.
 - i. Key updates included:
 - 1. Allowing duplexes on any lot that allows single-unit homes (already complete)
 - 2. Updated land use timelines based on state law
 - 3. Adoption by reference of ORS 197.445 regarding affordable housing
 - 4. Allowing single-room occupancy developments
 - 5. Simplified density standards for subdivisions
 - 6. Joint use driveway options
 - 7. Moving partition reviews from type 3 to type 2 (staff level approval)
 - 8. Simplified subdivision phasing and increased timelines
- d. John Robinson provided public testimony in support of the changes, commending the planning commission and Justin Peterson for their excellent work. He expressed support for the new method and threshold for transportation impact analysis requirements.
- e. No other public testimony was given, and the hearing was closed.
- f. During council deliberation, Councilor Burns pointed out a spelling error on page 386 of the packet. Mayor Cross and other councilors praised the clarity of the new definitions and the work done to streamline the development process.

- g. **Motion** to approve the proposed amendment to the Toledo Municipal Code based on the testimony received, the findings within the staff report, recommendation of the planning commission, and the evidence and arguments for the city council at the public hearing on May 7, 2025. The motion included the adoption of four ordinances by title, covering comprehensive plan updates, land divisions regulations, zoning standards, and land use procedures.

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

5. Visitor/Public Comment

- a. John Robinson spoke about the proposal on the agenda for hiring Jensen Strategies to perform an after-action review. He noted that most of the stakeholder interviews in the proposal were with city employees, with only an option for external stakeholder interviews. He volunteered to be interviewed to provide input on external communication from city management and suggested improvements for communications with external stakeholders.

6. Consent Agenda

- a. Motion to approve the consent agenda as presented.

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

7. Discussion/Decision Items

- a. Toledo After-Action Review Proposal
- i. City Manager Pro Tem David Clyne explained that the proposal was in response to discussions at the council retreat. The city reached out to Jensen Strategies, who partnered with Hatfield Fellow, a team familiar with local government work. Representatives from the consulting team were available online.

- ii. Ms. Kathleen Hatfield introduced herself and explained that she and Eric Jensen could bring valuable skills to help the city through this transition. She noted that their goal was to integrate the after-action review with the city council recruitment, laying a good foundation for the new city manager.
- iii. Council discussion focused on the need for transparency and public trust. Councilor Keating emphasized the importance of having the final report available for public consumption, which Ms. Hatfield confirmed was part of their design. Councilors also discussed the importance of including external stakeholders in the review process.
- iv. Mayor Cross requested that external stakeholders not be optional but mandatory in the process, noting the importance of understanding how communications were handled with the public.
- v. **Motion** to approve the proposal as presented and authorize the City Manager Pro Tem to execute a contract with Jensen Strategies for the attached proposal subject to legal review and approval of the form contract, with payment for this project to come from council strategic reserve.

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 Keating			X			
Councilor Burns	X		X			

- b. Consideration to approve Addendum No. 1 to "2021 Supplemental Intergovernmental Agreement" with the Greater Toledo Pool and Recreation District
 - i. Roy, representing the Pool District, explained that when the district was formed, they took over operations and maintenance of the existing pool structure and grounds, but the property itself still belongs to the city. The lease agreement states that if the district wants to make major renovations or complete replacement, they need city council approval.
 - ii. Roy clarified that the district is seeking approval to demolish the existing structure and rebuild, with the understanding that the facility would still belong to the city but be run by the district. He confirmed there would be no fiscal responsibility for the city regarding the building.

- iii. **Motion** to approve Addendum No. 1 to the 2021 supplemental intergovernmental agreement with the Greater Toledo Pool and Recreation District.

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 Keating			X			
Councilor Burns	X		X			

- c. Approving an Untreated Water Services Agreement with Georgia-Pacific Toledo, LLC
- City Manager Pro Tem Clyne presented the agreement, noting that some details would be filled in upon finalization. Public Works Director Lorimor was present to address operational needs.
 - Andrea Formo, Public Affairs Manager for Georgia Pacific, was in attendance. During discussion, Andrea from Georgia Pacific noted that the agreement included an increase in allowable purchases from 1 million gallons per day to 1.25 million gallons per day, though she clarified they hadn't purchased water for the past two years.
 - Andrea also explained that Georgia Pacific reuses water multiple times, with water going through their system seven times before being discharged as wastewater. Only about 12% of the water they pull into their facility goes back out into the environment.
 - She also mentioned that the Juno facility has been idled and is transitioning to a full-time research and development facility.
 - Motion** to approve an untreated water services agreement with Georgia Pacific Toledo LLC.

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 Keating			X			
Councilor Burns	X		X			

- d. Resolution No. 1573, a resolution adjusting the rates and charges to be paid by the users of the water system of the City of Toledo and repealing resolution no. 1549.
- Interim Finance Director Judy Richter explained that the water budget was extremely tight and required a substantial 7% rate increase. This follows a pattern from last year when sewer rates had a substantial increase.

- ii. During council discussion, several councilors expressed concern about the impact on residents, particularly those on fixed incomes. Councilor Bush suggested a 5% increase instead of 7%. Interim Finance Director Richter cautioned that even with a 7% increase, the budget would be very tight, and they had to roll back some reserve funds to make the budget balance.
- iii. Mayor Cross noted that the Fir Street water line emergency cost \$750,000 to repair, emphasizing the need for adequate reserves. He also clarified that water funds stay in the water fund and cannot be used elsewhere, as water and sewer are enterprise funds that must be self-supporting.
- iv. Councilors discussed the need for a communications campaign to help residents understand the rate increase and what it means for their bills.
- v. **Motion** to approve Resolution No. 1573, a resolution adjusting rates and charges to be paid by the users of the water system of the City of Toledo and repealing Resolution No. 1549.

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 Keating	X		X			
Councilor Burns			X			

- e. Consideration to adopt Fire Department policies.
 - i. City Manager Pro Tem Clyne explained that the policies had been prepared by the fire chiefs, shared with the Toledo Public Safety Association without any meaningful comments or requests for changes, and reviewed by the former city attorney Adams.
 - ii. During discussion, Councilor Mix raised concerns about a clause allowing the fire chief to approve personal use of department supplies, noting that as a city department (rather than a fire district), different ethics rules apply. She emphasized the need for ethics training for all fire department personnel.
 - iii. Councilor Keating also highlighted concerns about gift laws and how they apply to public officials, including volunteer firefighters.

- iv. **Motion** to approve the attached policies as policies of the Toledo Fire Department with a formal review with the city attorney of these policies after 6 months.

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 Keating	X		X			
Councilor Burns			X			

- f. Consideration to formally terminate the previous Intergovernmental Agreement with East Lincoln County Fire and Rescue District and enter into a Lease of Facilities for equipment and apparatus.
- City Manager Pro Tem Clyne presented a substitute agreement with specific language changes in section 4.4. Fire Chief Lapof explained that the agreement serves two purposes: to restore the relationship between East Lincoln Fire and Toledo Fire Department, and to ensure a more complete response to the City of Toledo.
 - Jeff Doyle, East Lincoln County Fire Board member, addressed the council, stating that the Fire District had approved the termination agreement and was prepared to move forward. He noted that their attorneys advised them to have separate agreements for termination and the new IGA, rather than combining them.
 - After considerable discussion, Mayor Cross suggested postponing the item for two weeks to allow the new city attorney to review the agreements, particularly in light of concerns about firefighters who might move between departments.
 - The council agreed to delay action until the next meeting, with plans to hold an executive session and have the new city attorney review the agreements.
- g. Approve Job Description and Mutual of Agreement from the Toledo Public Safety Association for the new Firefighter position
- City Manager Pro Tem Clyne explained that the job description for this new position had been reviewed by the city and the Toledo Public Safety Association. The position is budgeted for fiscal year 2025-26, with hopes to recruit someone sooner.
 - Fire Chief Lapof stated they were anxious to move the process forward to start the application process and have someone on board by July 1. He clarified that it would be an open application for an entry-level firefighter with certain requirements, and not all current volunteers meet those requirements. They would look for the best candidate available.

- iii. **Motion** to approve the new firefighter job description and wage scale as approved by the Toledo Public Safety Association and the Fire Chief.

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 Keating			X			
Councilor Burns	X		X			

- h. Seeking authorization to approve Pacific Ace LLC to resurface Arcadia Park tennis courts.
- Public Works Director Lorimor explained that the city received grant funding from Oregon State Parks to build bathrooms at Arcadia Park, install new fencing around the tennis courts, and resurface the tennis courts. Pacific Ace is the sole qualified responding vendor that would meet the requirements and budget restrictions.
 - The resurfacing would be scheduled upon approval, with work starting in June, Pacific Ace coming in by the end of July, and the courts reopening to the public in August.
 - Motion** to approve having City Manager Pro Tem Pro Tem Clyne sign a contract with Pacific Ace LLC to resurface the tennis courts at Arcadia Park.

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 Keating	S		X			
Councilor Burns			X			

- i. Amendment No. 1 to Employment Agreement between City of Toledo and David Clyne
- City Manager Pro Tem Clyne requested an increase to his lodging stipend for the months of June, July, and August due to significantly higher summer lodging rates. He explained that he stays three nights a week in the area, currently at a facility north of Agate Beach for \$149 per night plus lodging taxes, which will increase to over \$300 per night beginning in June.

- ii. Several councilors expressed concern about the timing of the request, noting that summer rate increases should have been anticipated. Others acknowledged the difficulty of the job and the sacrifice of living away from home.
- iii. After discussion, the council decided to postpone the decision for two weeks to allow time for exploration of other housing options.

8. Council Comments

- a. Council reviewed department reports in the packet. Councilor Burns asked about positions in dispatch, and City Manager Pro Tem Clyne clarified that the budget will only fund one of two former dispatch positions.
- b. Interim Finance Director Richter discussed the upcoming budget process, with meetings scheduled for May 13, 15, and 20. After discussion about giving council members and budget committee members adequate time to review materials, the council agreed to explore options for adjusting the meeting schedule.
- c. Council members who attended the League of Oregon Cities conference shared their experiences. Several noted that they heard both positive and negative comments about Toledo, but were pleased that the city was well-regarded overall.

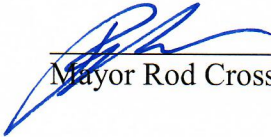
9. Mayor's Comments

- a. Mayor Cross reported on his discussions about property tax reform during a visit to Salem, noting that many Oregonians don't understand how the current system works. He concluded by saying that despite the difficult times the council had gone through recently, they had come through better than many people expected.

10. Adjournment

- a. The mayor adjourned the meeting at approximately 9:00 p.m.

APPROVE:



Mayor Rod Cross

ATTEST:



City Recorder Paul Johnson