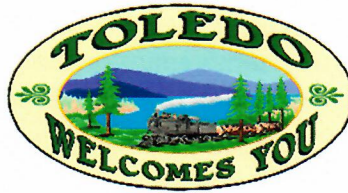


City Hall
206 N. Main St.
Toledo, Oregon 97391
6:00 p.m.



TOLEDO CITY COUNCIL
City Council Work Session
May 28, 2025

1. Call to Order

- a. Mayor Rod Cross called the meeting of the Toledo City Council to order on May 28, 2025. The Pledge of Allegiance was recited.

2. Roll Call

- a. Roll call was taken with Councilors Kauffman, Sylvia, Burns, Keating, and Council President Bush present. Councilor Mix was noted as excused. A quorum was established.

3. Visitors/Public Comment

- a. John Robinson provided comments regarding Ordinance 1423, which was on the agenda for discussion. Mr. Robinson reminded the Council that he had provided testimony on June 26, 2024, where City Attorney Mike Adams had agreed that he misinterpreted state statutes ORS 197a.445 and 197a.465. Mr. Robinson stated these statutes only allow affordable housing requirements to be applied to multifamily projects of at least 20 units, while Ordinance 1423 applies to structures with as few as 3 units. He contended the ordinance was illegal and could subject the city to litigation. He offered to be a resource to address problems with the ordinance and advocated for increasing housing supply in Toledo.
- b. City Attorney Souvanny Miller introduced herself to the Council. Ms. Miller noted she is from the Miller Nash law firm, which specializes in representing public entities. She has been representing cities since 2018 and previously served as city attorney for Eagle Point. Her practice includes public records law, public meetings law, ordinance drafting and review, land use, and employment litigation. Ms. Miller expressed excitement about working with Toledo, noting her personal connection to rural Oregon as she grew up in Veronia and her mother attended Siletz High School.
- c. City Manager Pro Tem David Clyne introduced Amber Mathiesen as the new Interim City Recorder, noting she would be present one day per week (Wednesdays) and available remotely at other times.

4. Discussion and Information Items

- a. Ordinance No. 1423, an Ordinance providing incentives for multifamily affordable housing, creating Toledo Municipal Code Chapter 13.44 – Affordable Housing, and Amending Toledo Municipal Code Chapter 13.24, and declaring an Emergency
 - i. City Manager Pro Tem Clyne explained that the ordinance was being

presented urgently because of deadlines facing Northwest Coastal Housing for their 30-unit project. The project needs a building permit process, and the city needs to commit approximately \$603,000 in state funds. Without this ordinance, Northwest Coastal Housing would have to pay about \$250,000 in System Development Charges (SDCs), which they likely don't have budgeted.

- ii. Mr. Clyne acknowledged the concerns raised by Mr. Robinson but noted that the City Attorney had been briefed on potential issues with the ordinance. He explained that the new City Attorney would review the ordinance and bring back any necessary fixes at a later date, but recommended moving forward with passage now to meet urgent deadlines.
 - iii. Councilors asked several questions about the legality of passing an ordinance that might need corrections. City Attorney Miller explained that while there could be compliance issues with the ordinance for future projects, there were no anticipated issues for the Northwest Coastal Housing project since it meets the 20-unit threshold. She confirmed that the ordinance could be reviewed and amended later.
 - iv. After discussion, the Council proceeded to vote on the ordinance. Moved by Councilor Kauffman, seconded by Councilor Keating: Based on testimony and evidence received in the public hearing, to adopt an ordinance of the Toledo City Council providing incentives for multifamily affordable housing, creating Toledo Municipal Code Chapter 13.44 – Affordable Housing, and Amending Toledo Municipal Code Chapter 13.24, and declaring an Emergency. Motion carried 6-0, with Councilor Mix excused.
 - v. A second reading by title only was completed.
 - vi. Moved by Councilor Kauffman, seconded by Councilor Keating: Based on testimony and evidence received in the public hearing, to adopt an ordinance of the Toledo City Council providing incentives for multifamily affordable housing, creating Toledo Municipal Code Chapter 13.44 – Affordable Housing, and Amending Toledo Municipal Code Chapter 13.24, and declaring an Emergency. Motion carried 6-0, with Councilor Mix excused.
- b. Motion to approve City Manager Pro Tem's decision of Employment Termination
- i. City Manager Pro Tem Clyne explained that per the city charter, the Council has authority to approve or disapprove the hiring and firing of personnel. He noted that the matter had been thoroughly vetted by city attorneys and insurance attorneys, and all necessary processes had been followed. For privacy reasons, the individual was not identified by name during the open session.
 - ii. Moved by Councilor Burns, seconded by Councilor Kauffman: To approve the City Manager Pro Tem's decision of termination of a Public Works Maintenance Worker 2 employee for cause pursuant to Section 4.2(g) of the City of Toledo Home Rule Charter. Motion carried 6-0, with Councilor Mix excused.

5. Work Session

- a. Street Lighting Fees
 - i. Finance Director Judy Richter explained that street lighting fees are typically adjusted on July 1 each year, though no adjustment was made last year. The current rates are \$8.75 per month for residential, \$17.50 per month for commercial businesses, and \$30 per month for industrial businesses. These fees are added to utility bills monthly.
 - ii. Ms. Richter noted that the estimated revenue for streetlights in the budget is \$150,000, while the expected expenditure is \$165,000, resulting in a \$15,000 deficit. She had reached out to Central Lincoln but was unable to confirm if they would be raising rates this year.
 - iii. After discussion, the Council reached a consensus to have Ms. Richter return to a future meeting with options for fee increases. Mayor Cross suggested approximate increases of 25 cents for residential, 50 cents for commercial, and \$1 for industrial users would help address the deficit. Ms. Richter agreed to bring back calculations for these potential increases at a June meeting, before the July 1 implementation date.

6. Reports and Comments

- a. City Council Issue Tracker
 - i. The issue tracker was reviewed and updated. City Manager Pro Tem Clyne noted that the ordinance review for Ordinance 1423 would be added to the issue tracker. He also mentioned that a parking code for the city would be addressed by the Planning Commission.
- b. Councilor Keating inquired about the water rate communications campaign. Ms. Richter explained that Harrison Baker from the library had prepared questions and answers explaining the reasons for rate increases, emphasizing that water and sewer funds cannot be spent elsewhere, and providing information on assistance resources like The Salvation Army and Community Services Consortium. A sample bill was included showing old and new rates. This information was being published in the newsletter accompanying utility bills and would be available on the city website.

7. Council Comments

- a. **Council President Bush** – None
- b. **Councilor Mix** – Absent
- c. **Councilor Burns** - requested the pet parade be added to the October events calendar on the city website. Noted that she and Mayor Cross would be participating in a cooking competition fundraiser for Toledo Food Share on Saturday.
- d. **Councilor Silvia** - None
- e. **Councilor Kauffman** - None
- f. **Councilor Keating** - discussed the importance of educating the public about city council meetings and how public comment functions. He encouraged citizens to contact the mayor or city manager to discuss how best to engage with the Council outside the three-minute public comment period, suggesting other formats like town halls or agenda items that allow for dialogue.
- g. The Council also discussed participating in the summer parade on Friday, July 12th at 6 PM as part of Summer Fest.

8. Mayor's Comments

- a. Announced that a new business owner had taken over at the top of Main Street, offering embroidery and similar services at competitive prices and providing city work at cost.

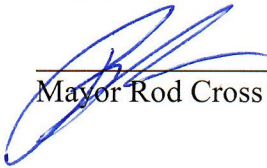
9. City Manager Pro Tem's Comments

- a. Recognized that this would be Lisa Figueroa's last council meeting, and the Council expressed their appreciation for her service.

10. Adjournment

- a. The mayor adjourned the meeting.

APPROVE:



Mayor Rod Cross

ATTEST:



City Recorder Paul Johnson