

TOLEDO CITY COUNCIL MINUTES
REGULAR SESSION
November 1, 2017

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

Staff present: City Manager (CM) Craig Martin, Police Chief (PC) Dave Enyeart, Public Works Director (PWD) Michael J. Adams, Assistant City Recorder (ACR) Cindy Olivieri, Accounting Clerk (AC) Carma McCaslin, Finance Director (FD) Polly Chavarria and Assistant City Attorney (ACA) David Robinson.

Visitors present: Tina Ewing, Teresa Hill, Rod Cross, Jeff Doyle, Jodi Inman, Lawrence Silva, Lisa Daniel, Jason Jones Meyer, Chuck Wilcox, Karen Naill, Melinda Brazelton, Annette Brooks-Flatt, Mark Brazelton, Zachary Millsap, Andrew Applegate, Kyle Rankin, Gene Braman, Troy Hageman, Tawny Ketola, Bill Farley, Nicole McMillen and Stu Strom.

Visitors/Public Comment

Jeff Doyle, elected board member of the Toledo Rural Fire Protection District (TRFPD) spoke on behalf of the TRFPD, stating the District understands that the Toledo Fire Chief is on paid administrative leave right now. Doyle expressed that the District would have appreciated some communication from the City regarding the Fire Chief being on leave, and that he felt the lack of communication was inappropriate, given that the Fire Chief performs some functions for the TRFPD. Doyle then addressed that approximately one third of the Toledo Volunteer Firefighters were in the audience in support of the Fire Chief.

Mayor Smith explained to Doyle that the City Charter prevents City Council members from having anything to do with administrative issues related to personnel. She stated that the power of administrative functions lies with the City Manager and recommended that if anyone had something to contribute or talk about, that it would be appropriate to contact the City Manager.

Rod Cross of NE Alder Street in Toledo read a prepared statement to City Council expressing his concern that the City is not being open and transparent in regards to City issues. Mr. Cross cited that he has never seen this country so divided and in the last few months, feels that same spirit has infected the community. Instead of an open and honest discourse on the merits of a topic, he feels the Swimming Pool and Public Safety Building are being dealt with using the "trust us" mantra. Mr. Cross continued by stating that when a community has open and honest discourse, good things happen, and that this discourse is vital to proper functioning of government and debate on issues is vital for continued growth as a community. Mr. Cross stated that he looks forward to the vigorous debates in the future of this City over issues great and small.

Mayor Smith responded to Mr. Cross by asking in relation to the Pool and Public Safety Building issues, if he felt that Council has not listened to public debate regarding the issues. Mr. Cross answered affirmative.

Mayor Smith stated that all the issues Mr. Cross has mentioned were and are out in the public to the extent possible, with the exception of the purchase price of the Public Safety Building, which was forbidden by contract. Mayor Smith thanked Mr. Cross for his patience, especially regarding the City's purchase of the Public Safety Building.

Consent Calendar

Motion-It was moved and seconded (Strom/Johnson) to approve the consent calendar consisting of the City Council minutes of October 10 and October 18, 2017. **Motion passed 7-0.**

Discussion and Information Items

Committee Updates

CM Martin gave a reminder that the next intergovernmental agreement group for the pool is scheduled for Monday, November 6th at 7pm in the City Hall Council Chambers. He explained this agreement is between the City and the Greater Toledo Pool Recreation District and is open to the public.

Mayor Smith stated that the Greater Toledo Pool Recreation District will hold a directors meeting at the Library on Tuesday, November 7th and that the Council of Governments is holding a fundraiser banquet tomorrow night and she will be attending.

Decision Items

Consider a Property Lease Agreement with Oregon State University for a Community Garden Project

CM Martin reported that the City has previously held an agreement for several years with Oregon State University Extension for a community garden located on A Street adjacent to the City skate park. The previous agreement expired over a year ago and was not renewed although the City continued to allow OSU to use the property. One of the provisions of the previous lease was for the City to provide water service to the garden. CM Martin attempted to determine what the water consumption had previously been but discovered the water service had not been metered at the site. CM Martin reported he had discussed this with OSU and suggested they consider a one year lease, with option to renew, in order for the City to install a meter at the site so water consumption can be determined. CM Martin also reported that the previous lease described the site location as 737 NE A Street which is the location of the Toledo Skate Park. He provided Council with a revised agreement which describes a more accurate location of the site as adjacent to 737 NE A Street, identified as tax lot 11-10-07-DD-02400.

Councilor Johnson asked if they need more space. CM Martin answered negative.

Councilor Dalbey asked for clarification on page 2, item 5, sub item b which states the City shall provide and pay for locate services for utilizes upon request from University. CM stated that would be electrical service, but he does not believe there is electrical service on the property.

Councilor Smith suggested the agreement be amended to state the City shall provide and pay for locate services for existing utilities upon request from University.

Councilor Kauffman stated that OSU had previously done a presentation of the Community Garden for City Council. She asked that Council request OSU to do another presentation in the future.

Public Comment:

There was no public comment.

Motion-It was moved and seconded (Kaufmann/Dalbey) to approve a property lease agreement, as amended, with Oregon State University for the use of City property for a community garden project for a term to expire December 31, 2018. **Motion passed 7-0.**

Consider a Memorandum of Agreement with Lincoln County School District and the City of Toledo for the Purpose of Providing Access to School Video Cameras

CM Martin reported that this time last year Council had already approved the agreement for providing access to school video cameras. Unfortunately, a fully executed agreement, signed by both parties was unable to be located. CM Martin provided Council with an updated agreement which included the addition of the word "memorandum" as recommended by the City Attorney. CM Martin brought the agreement before Council again since the document was slightly changed based upon recommendation from the City Attorney.

Councilor Dalbey asked PC Enyeart if the Police Department has used their access to the school video cameras.

PC Enyeart replied that when the Police Department initially started this process they did look at the footage. He noted that any time they do a training at the schools, which is usually during spring break time, they will use the camera access. He pointed out that this access would be used for an emergency access type thing, such as an active shooter situation.

Public Comment: There was none.

Motion-It was moved and seconded (JSmith/Strom) to approve a Memorandum of Agreement between Lincoln County School District and the City of Toledo for the purpose of providing access to school video cameras, and authorizing the City Manager to execute the agreement. **Motion passed 7-0.**

Reports and Comments

Department Reports

PWD Adams provided Council with a Water Management and Conservation Plan and Water Master Plan Update documents. He reported both documents were submitted and received State approval. His intent is for Council to consider talking about these at an upcoming work session, then move for formal adoption at a future council meeting.

Mayor Smith noted that she has been working with the Water Resources Planning Partnership and that the documents will be very helpful.

City Manager's Report

CM Martin provided Council with an official notice from Seal Rock Water District (SRWD) of their intent to terminate the current water provision agreement executed in 2012. He stated that the

City will move forward with determining a response to SRWD and that they did indicate a desire to communicate with the City to negotiate a water agreement for emergency water or other services. He is inclined to invite representatives from SRWD to a work session so they can share more about what their plans are for water service.

Council Comments

CP Strom thanked everyone who participated in the Downtown Trick or Treat event. She stated there were over 750 kids in attendance.

Mayor Comments

Mayor Smith reported that Council will be discussing if they want to decorate a Christmas tree for the Mrs. Santa Claus auction. She also thanked everyone who helped in the Trick or Treat event. She said the Fire Department went way out of their way and that the event was really wonderful.

Adjournment:

Mayor Smith adjourned the meeting at 7:38pm.

ATTEST:



Assistant City Recorder

APPROVE:



Mayor