



**DETROIT CITY COUNCIL
Regular Meeting Minutes
Tuesday, November 18, 2014**

CALL TO ORDER: Mayor Flanders called the meeting to order at 6:33 PM at City Hall, 160 Detroit Avenue N., Detroit, Oregon.

1. ROLL CALL – Council Present – Jim Bradley Parks & Rec, Sandy Franz Building, Jack Campbell Water, Greg Sheppard Streets, Shari Flanders Mayor, Mark Messmer Police & Safety

Councilors Absent – Jim Trett with notice

Staff Present: Christine Pavoni City Recorder, Deborah Hastings City Clerk,

Citizens Present: John Hankins, Debby Ruyle, Bob Franz, Dean O'Donnell, Vickie Larson, Kevin Hills, Daniel Lopic, Sarah Cavazos, Jack Krill, Renate Wakely MWVCOG and Rob Henry City Engineer

2. PLEDGE WAS RECITED

3. ANNOUNCEMENTS - Wastewater Feasibility Study; Financing – Rob Henry, HBH Engineering and Renata Wakeley, Mid-Willamette Valley Council of Governments (COG) – Rob Henry went over the draft feasibility study with council and citizens. Discussion revolved around how much land would be needed, the different types of sewer systems, and expected costs. He said the most important thing they need to speak about tonight is the next steps the city would need to take if they choose to move forward, which would be a Wastewater Facility Plan; the cost would be between \$80,000 to \$150,000. Renate Wakely spoke on various funding sources and what some of the requirements would be. She talked about the steps that needed to be done to close out the grant. That conditions of the grant from IFA (Infrastructure Finance Authority) council needs to acknowledge the document (feasibility study) and that one of the conditions of the award was that the IFA wants recognition from the city that they gave us \$20,000 for the grant and acknowledge that the project is completed, then we can close out the grant. She said she would have that ready for the next council meeting, to which Rob said he would have the final document done. She asked council if they wanted COG and the County to continue to pursue the potential of having Regional Solutions or Oregon Solutions team continue working on this. Council agreed they wanted to continue moving forward. Ways to generate seed money towards the sewer fund was discussed. Recorder Pavoni commented that Allison McKenzie had mention a food and beverage tax for restaurants, to generate revenue in the sewer fund for a sewer system. The Mayor asked to have that put on the next meeting agenda. Mayor Flanders stated that the next step is to the finalized draft, which would come to council at the next meeting and they would acknowledge the document and close out the grant, then in January, February they should know where they want to go with this.

4. DECLARATIONS OF CONFLICT OF INTEREST AND EX-PARTE CONTACT - None

5. APPROVAL OF MINUTES OF THE LAST MONTH - Councilor Messmer motioned to approve the minutes of October 14, 2014, motion was seconded, all in favor; Bradley, Franz, Campbell, Flanders, Sheppard and Messmer, motion passed.

6. APPROVAL OF THE BILLS PAYABLE LIST FOR CURRENT MONTH – The Mayor asked for a motion to approve the additional bills, so moved by Councilor Bradley, motion was seconded, all in favor; Bradley, Franz, Campbell, Flanders, Sheppard and Messmer, motion passed.

7. UNFINISHED BUSINESS

7.0. Clester Road Issues: Revocable License Agreement; Ordinance No. 234, declaring the entire length of Clester Road West a Restricted Parking Zone area – Mayor Flanders stated that **Ordinance 234** had been revised by making the restricted parking available to property owners on the south side of Clester only and by issuing site-specific permits to each address. That Council needs to decide when the effective date would be. The Mayor read ordinance 234 in full. Council agreed the effective date be on May 1, 2015. Motion to approve made by Councilor Messmer and was seconded. All in favor; Bradley, Franz, Campbell, Flanders, Sheppard and Messmer, motion passed. **Revocable License Agreement** – Mayor Flanders reported on the response from the attorney regarding legal advice on options about the enforcement of the revocable license

agreement. After discussion, Mayor Flanders motioned they don't charge and that they refund money to others who had paid for the revocable license, motion was seconded, all in favor; Bradley, Franz, Campbell, Flanders, Sheppard and Messmer, motion passed.

7.1. Rotating Meeting Schedule – Fire Department Meeting; Jim Bradley called on Jack Krill, Assistant Fire Chief, to report. Jack stated that they are trying to straighten up the bay area and asked if the things along the wall could be moved or removed. After discussion, it was decided to try and find a solution to have the carpet put down in the city office and that staff would ask Bob & Jim if they could come up with a way to store the flags. Councilor Bradley reported that Jack is on a three month program to bring the department up to standards with equipment, training and finance. DLRABA: Sandy Franz reported on the meeting from October 18th. That the Detroit Lake Foundation is working to develop a 501-C3, that until it is established and finalized, no tax deductible donations may be made for the high school or be able to pursue certain funding options. She reported that DLRABA is going to start putting people in charge of each event so that the same people are not doing all the work each time. Also that the Cascade Rivers Bikeway signage is going up on the route, new bike racks are being looked at and there may be a ribbon cutting ceremony in June. She also reported on how much money was generated from the events this year. Planning Commission: P.C. Chairman Dean O'Donnell reported the challenge they have in regards to ATV's crossing the highway; that Kevin Hills is going to talk with ODOT to see about coming up with an alternative crossing. He added that he knows there is hesitation in passing any ordinance without Law Enforcement; that he is proposing that council rerun the ballot measure for Contract Law Enforcement again in the May election. Councilor Franz motioned that they place the Sheriff's measure back on the ballot in May, motion was seconded, all in favor; Bradley, Franz, Campbell, Flanders, Sheppard and Messmer, motion passed. Dean O'Donnell also suggested that council move forward on a 10% TOT increase plus 1% to the state to start in January, to build a nest egg. Discussion followed, Mayor Flanders moved this to the December meeting agenda.

7.2 Flashing Light Update: Pedestrian Crossing Hwy 22 & Forest Ave – Still waiting on IGA

7.3 ATVs and Snowmobiles Draft Ordinances - Back to Planning Commission

7.4. Cycle Oregon Grant – Councilor Messmer reported they need the 501-C3 set up for DLARBA because the past-through for the City was too much of a burden, there was no time to go out of proposals or bids.

7.5. E-mail vote: Equipment parking at former grade school – Mayor Flanders reported an email/telephone vote was taken on October 15 to allow Jensen's Tree Service to park lift truck and chipper at the school property, vote was six yes and one not available.

7.6. E-mail vote: Letter of Support to Detroit R.D. for ATV Program Grant Application – Email vote taken November 10 six yes, one not available.

7.7. Charter Amendment: Suggestion to Change Councilor Requirements – Council discussed if charter should be changed allowing three non-primary residents instead of two. Mayor Flanders stated that they would have to form a charter committee with two councilors, two citizens and two planning commissioners to meet, have a public hearing, then it would go on the ballot. The timeline was discussed. Councilor Campbell motioned they move forward on recommendations in having more non-residents on council and doing a charter change, motion was seconded, all in favor, (5) Bradley, Franz, Campbell, Sheppard and Messmer, Nay (1) Flanders, motion passed. Councilors Campbell and Sheppard volunteered as councilors for the committee, Kevin Hill and Dean O'Donnell for the planning commission and Bob Franz and Vickie Larson for citizens.

8. NEW BUSINESS

8.1. Snow Removal Contract – Councilor Sheppard moved to approve the snow removal contract, motion was seconded, all in favor; Bradley, Franz, Campbell, Flanders, Sheppard and Messmer, motion passed

8.2. City Records Destruction Request – Councilor Franz moved they approve the city records destruction request, motion was seconded, all in favor, Bradley, Franz, Campbell, Flanders, Sheppard and Messmer, motion passed

8.3. NIMS Training and NIMS Compliance – Moved to next meeting when Jim Trett is present

8.4. Thanksgiving Closure – Mayor Flanders stated that employees are asking permission to close the office on Friday the day after Thanksgiving as their floating holiday. Councilor Bradley motioned to approve, motion was seconded, all in favor; Bradley, Franz, Campbell, Flanders, Sheppard and Messmer, motion passed

8.5. Ordinance No. 236, An Ordinance establishing a tax on the sale of marijuana – Vickie Larson addressed council regarding the ordinance to establish a tax on the sale of marijuana and her concerns of the ramifications if a marijuana dispensary were allowed in Detroit. She said that if we can't fight it and it comes to Detroit she recommends council put a tax on the sale of marijuana ahead of time so it is grandfather in. After discussion, council agreed to keep the moratorium in place and not tax medical marijuana, only recreational. Mayor Flanders read that Ordinance 236 is an ordinance establishing a tax on the sale of marijuana and marijuana infused products in the city of Detroit, Oregon and declaring an emergency. This ordinance imposes

a 10% tax on recreational marijuana, only. After a lengthy discussion, Councilor Bradley motioned to not tax marijuana, motion was seconded to do nothing, Aye; (4) Bradley, Campbell, Flanders and Messmer, Nay; (2) Franz and Sheppard, motion passed.

8.6. Outdoor Mass Gathering Application: Detroit Lake Street Festival – Mayor Flanders reported this was for a small scale street festival for August 8 & 9, 2015. She made the motioned to approve the outdoor mass gathering application, motion was seconded. There was question about charging the fee. Mayor Flanders stated that we need to waive the fee because if we don't then it is a liability to the City of Detroit. There was discussion about his mention of doing a fundraiser benefiting a local charity during the event. The Motion was changed to add that a donation be made to the Fire Department. Motion made by Councilor Messmer, motion was seconded, all in favor (5) Franz, Campbell, Flanders, Sheppard and Messmer, Abstain (1) Bradley, motion passed.

9. CORRESPONDENCE – City Recorder, City Clerk – **9.1. Letters Sent** – No questions or comments **9.2. Letters received** – Councilor Franz asked about the email sent from Kim Fowlers Attorney 9.2.4 regarding Kim wanting to address Council. Mayor Flanders stated that he couldn't because he has something in place that the city council will have to vote on. Discussion followed in regards to discussions that were held about new developments in town and the buildable lot size requirement, that it was determination that if Marion County approved a development at x square feet then that was the number we should go by. Mayor Flanders explained that the recommended code change from 10,000 minimum square feet to 5,000 was agreed to be put into a file until the city had the money to do the changes.

10. COMMISSION AND MAYOR'S REPORTS

10.1. Mayor's Report – Shari Flanders nothing to report

10.2. Police and Safety Commissioner's Report – Mark Messmer reported in another month they should have the contact list completed.

10.3. Street Commissioner's Report – Greg Sheppard reported we didn't get the Small City Allotment grant for Detroit Rd. S. not enough points. Signs are up on Clester and the snow poles are going up.

10.4. Water Commissioner's Report – Jack Campbell read Water Tech Bob Bruce's report for the month of October on water usage and consumption. ODOT main leaked 158,000 gallons and still hasn't surfaced. Sand was replaced in filter A, the Kubota was a big help. With the sand filter being completed the security fence and gate will go back up. Councilor Sheppard suggested the brusher attachment for the Kubota be traded for a broom attachment. A tracer study was done by HBH, the State requires this to be done on new tanks to determine how much contact time there is between the water and the chlorine.

10.5. Building Commissioner's Report – Sandra Franz reported for the month of October there was one residential septic. Final inspections were: one residential septic, one commercial plumbing, and a single family dwelling. Permits issued; two residential electrical and one residential structural.

10.6 Parks & Rec Commissioner's Report – Jim Bradley reported Terry Bonnett had gotten volunteers together to take the recyclables out of the school. Kevin Hills contacted Freres Lumber who volunteered to take the school down after Thanksgiving. Kevin suggested we get the news media invited to give them recognition for donating to do the project. A brief discussion followed regarding burning the building. He also asked if council wanted to keep a large slab of concrete that is there, they agreed it be kept. Councilor Bradley thanked all who have helped with the project.

10.7. Emergency Preparedness Commissioner's Report – Jim Trett absent

10.8. Planning Commission – Dean O'Donnell already reported

10.9. Sewer Committee – Feasibility Study discussed earlier in the meeting

11. ADVISORY COMMITTEE REPORTS - Federal Lakes Recreation Committee for Detroit Lake's next meeting Wednesday, January 21, 2014 at 6:30 PM – Location TBA

12. PUBLIC COMMENTS – None

13. ADJOURN – Councilor Franz motioned to adjourn, motion was seconded, all in favor; Bradley, Franz, Campbell, Flanders, Sheppard and Messmer, motion passed. Meeting adjourned at 9:34 PM

Attest

Signed: _____
Sharyl Flanders, Mayor

Christine Pavoni, City Recorder