



**DETROIT CITY COUNCIL  
Regular Meeting Minutes  
Tuesday, May 13, 2014**

**CALL TO ORDER:** Mayor Flanders called the meeting to order at 6:32 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, Shari Flanders Mayor, Jim Trett Emergency Preparedness and Mark Messmer Police Commissioner

**Councilors Absent** – Greg Sheppard with notice

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

**Citizens Present:** Dean O'Donnell, Planning Commission Chair, Bob Franz

**2. PLEDGE WAS RECITED**

**3. ANNOUNCEMENTS** - Mayor Flanders announced that the City Council Special Session, Budget Hearing is on Wednesday, May 28th at 6:30 PM and that the City-Wide Cleanup would be on Saturday, June 14th from 9:00 AM to 4:00 PM. Recorder Pavoni added that the budget hearing is for council only and need to be here to have a quorum.

**4. DECLARATIONS OF CONFLICT OF INTEREST AND EX-PARTE CONTACT**

**5. APPROVAL OF MINUTES OF THE LAST MONTH** – Mayor Flanders asked for a motion to approve the Detroit City Council Regular Meeting minutes of April 8, 2014, Councilor Campbell so moved, motion was seconded, all in favor; Franz, Campbell, Flanders, Trett and Messmer, motion passed.

**6. APPROVAL OF THE BILLS PAYABLE LIST FOR CURRENT MONTH** – Mayor Flanders asked for approval of paying the bills for the current month, so moved by Councilor Trett, motion was seconded. Councilor Franz asked if the standard chemical toilet had always been paid out of Beautification, Recorder Pavoni confirmed yes, all in favor; Franz, Campbell, Flanders, Trett and Messmer, motion passed. Councilor Bradley arrived at 6:36.

**7. UNFINISHED BUSINESS**

**7.0. Clester Road Street Vacation** - Mayor Flanders reported they are running into a little dilemma with this. She asked Council if everyone had read the engineers report, which they said they had. The Mayor said it is known that there is already one person that will not sign the petition, which would mean the city would have to do it and right now the city does not have the money to do it. Dean O'Donnell asked if they were holding out because of the cost and Recorder Pavoni said no, that it is because they don't agree with the road vacation. That one property owner affects the majority that a 100% of the abutting properties have to agree and sign the petition. Dean asked what the difference was if the city does it, and Christine said it is a big difference because then we wouldn't have to have the requirement where all abutting properties have to agree, but the City would have to pick up all the costs of doing the street vacation. He asked about the city making a proposal to the rest of the property owners saying this is where we are, are you willing to make a donation to the city to get this cause done. That what is stopping the city from doing that and Christine stated that she would have to legally find out. Dean commented that he didn't see how we can stop the process for one person for six inches to a foot. The Mayor said she would like to throw this to the planning commission, because the City Engineer Rob Henry had questions about the width of the road. That she would like the PC to go look at it and decide if 40' is something we

could even do there. That it wouldn't affect water and sewer, only one water meter would be affected, which we would move. The biggest issue is going to be the radius where Patton and Clester come together and turning into there. Councilor Franz asked how much of difference there was going to be than what is currently there. Mayor Flanders responded that she thought there was 40' at Layman's property now, but our transportation plan says it should be a little bit bigger. So it would make sense for the Planning Commission to actually go and see if that's something we maybe should consider, because people can't turn in there. She read the engineer's report that vehicles with trailers often have difficulty turning on to Clester Road. At the east end intersection with Patton Road, this problem is due to the narrow pavement width and the fact that Patton and Clester do not meet at perfect right angles. Paving at the intersection is wider than 20-feet but quickly reduces to approximately 17-feet. The road width in this area is just over 40-feet at the intersection, but increases at an angle as one moves west on Clester. That in the report he talks about our transportation plan saying that it should be a little bit wider. Councilor Campbell said isn't this a separate issue then what they are working on and the Mayor said why not do it all at once the correct way if they are going to do it. Councilor Trett asked who would pay for the water meter relocate and the Mayor said we would. Councilor Trett pointed out in the engineer's report under Transportation System Plan Section Requirements it says the full 36-foot section in front of 415 & 425 Clester would not be possible at that point in the road that this could be dealt with by using No Parking signs. Trett asked if those two homeowners understand they or their guests couldn't park there. Mayor Flanders said that is why she is thinking because the planning commission is doing the whole parking issue on Clester, they could go take a look at it, and they can decide once and for all what's the best option. If it comes down to it and the city can do the vacation with donations she is still for it, it is just a matter of seeing if it's ethical. Discussion followed regarding the corner of Patton and Clester on possible solutions, such as a no right turn. Mayor Flanders said they were going to throw this on the planning commissions table for a month. Councilor Campbell motioned that they table the Clester decision for a month while the planning commission takes a look at it, motion was seconded, all in favor; Bradley, Franz, Campbell, Flanders, Trett and Messmer, motion passed.

7.1. Rotating Meeting Schedule – Councilor Trett reported the Fire Department has one person, Debby Rural, who is our canvassing neighborhoods on her own, supporting the upcoming levy. That they did three community meetings, one in Idanha and two in Detroit. He reported that they have a new Firefighter/EMT who has moved into town and is living on the Forest Service Complex and is coming on board as a volunteer, and his wife is on the fire crew over there and is talking her into also joining us and taking the emergency medical response course. He added that he is certified in Idaho, that he has submitted all his paperwork to the state to have his certification transferred here which takes 4-6 weeks. Once he's on board it will be easier to cover their mandatory days with himself, Tim McDevitt and Jack. In January they recalculated their busy days and now instead of Wednesday they are covering Monday. That the ambulance has to be up and running Friday morning at 8:00 until 5:00 Monday night. He announced John Manthe is putting on a chili feed and garage sale during the fishing derby for a Fire Department fundraiser. Federal Lakes meeting, Jim Bradley reported we are going to have plenty of water through Labor Day. Sandy Franz reported at the DLRABA meeting that Bob Wright from Portland Water Spectacular come and do a proposal about doing a water show in August and was approved for August 16<sup>th</sup> and 17<sup>th</sup> and will be down by Kanés. Dean O'Donnell reported that they paid them \$750 to do the shows; that they would be doing it in the no wake zone, between the 5 mph and the bridge and will last an hour. Sandy stated that interested participants should contact neighborhood watch, Mark Messmer. The Detroit Clean Up is June 14<sup>th</sup> and Ron has agreed to let them use his trailer for metal recycling, which helps with the expenses. Sandy stated that they still need lots of help with the fishing derby, that if anyone knows anyone within the city who would be interested in working on it at all, to give her a call. The next meeting won't be until June 21<sup>st</sup> and Bob Franz added the July meeting would be at Breitenbush. Mayor Flanders reminded Councilors Wednesday, May 28 all councilors need to be here for the budget hearing. Councilor Jim Trett reported he would be out of town on that date.

7.2. Flashing Light Hwy 22/Forest Ave. Crossing – Mayor Flanders reported there hadn't been any updates that they are still waiting to hear from ODOT's Shelia Lyons about funding requests, to see if we could go for other potential funding sources.

7.3. Memorial Site aka Howard Anderson Memorial - Mayor Flanders asked Councilor Bradley if he would take over the memorial rock, that it has been a work in progress for about three years and is still not done. That he could contact Kevin Hills to work with him in setting up a date and time that the concrete is in the bus barn. Discussion followed about the condition of the area and it needing work. Councilor Campbell reported that Holly Campbell and Yvonne Messmer had been cleaning it up and planting flowers for the last couple of months.

## **8. NEW BUSINESS**

8.1. Resolution No. 527 Repealing Resolution No. 526 – Mayor Flanders reported that resolution 526 was the resolution to accept the State of Oregon Department of Transportation 2014 Special City Allotment Grant, and to appropriate funds. As stated in Recorder Pavoni's memo, after reviewing the time line of the Clester Street Paving project with Street Commissioner Sheppard, it became clear that it made more sense to allocate the funds to the new fiscal year because there is not enough time left to execute the project during the current fiscal year. Councilor Trett moved to adopt resolution 527 repealing resolution 526, motion was seconded, all in favor, Bradley, Franz, Campbell, Flanders, Trett and Messmer, motion passed.

8.1.A. COLA Increase budgeted for FY 2014-15 -Mayor Flanders stated that the 2014-15 budget reflects a 1.5% cost of living adjustment increase for all employees. As explained in the budget message the personal services totals are actually lower than previous years; that this needs council approval to give them their cost of living increase. Motion was made by Councilor Messmer, motion was seconded, all in favor, Bradley, Franz, Campbell, Flanders, Trett and Messmer, motion passed.

8.2. Personnel Time Exchange with Idanha-Detroit RFPD – Mayor Flanders stated that per audit requirement, the Idanha-Detroit Rural Fire District is obligated to have an outside person reconcile their bank statements. That ours should be audited too, so the girls would like Kelly to audit our bank statements and Christine to audit the Fire Departments bank statements; that they need to approve or not approve that. Recorder Pavoni added if the Fire Department is going to agree with it, that this goes before their board tomorrow. Councilors Trett and Bradley excused themselves from the vote. Councilor Campbell made a motion to approve, motion was seconded, all in favor, (4) Franz, Campbell, Flanders and Messmer, Abstain, (2) Trett and Bradley, motion passed.

8.3. Vacation Schedule – Mayor Flanders stated the Christine would like to ask for her vacation time off for May 19 through Tuesday May 27<sup>th</sup> and be back to work on May 28<sup>th</sup>. The Mayor asked for a motion to approve, councilor Messmer so moved, motion was seconded, all in favor, Bradley, Franz, Campbell, Flanders, Trett and Messmer, motion passed.

8.4. Snow Removal for Businesses – The Mayor explained that there was a couple of different stories on how it came about that the city pays the cost to clear the parking lots of privately owned business. One was that it was in exchange for businesses having to pay for a business license and the other that it was in exchange for piling up the removed snow on their properties. Discussion followed regarding the street fund having no money and that parking lot snow removal is a big burden on the already ailing street fund. After discussion council agreed it should be the responsibility of the business owners to have their parking lots plowed. Councilor Trett moved to cease the parking lot snow removal for private businesses effective November of 2014, motion was seconded, all in favor Bradley, Franz, Campbell, Flanders, Trett and Messmer, motion passed. Mayor Flanders stated that the girls would contact the businesses and let them know that the city would not be paying to have their businesses plowed out.

8.5. In Lieu of Franchise Fee – Mayor Flanders stated that one of the topics that came up during the budget meeting was putting in a lieu of franchise fee on the water bill, but there were some objections to it. She said there should be a public hearing if they are going to put a fee on the water bill in order to go to our street fund. She explained that the thought behind it was 4%, \$1.80 on the water bill that would go just towards streets, which came to about \$693 per month, \$8,000 a year. She stated that is the only way we are going to get money to fix our roads right now and talked

about the top roads that are in the Transportation Plan, and that money could just be used for oil, tar & chipping on the roads that aren't paved right now. That they could change "in lieu of franchise fee" (to Street Utility Fee). That she would like to bring this up at the July Saturday meeting for public opinion. There was discussion about the money being dedicated money. The Mayor added, when people start seeing a road getting done a year, they aren't going to mind paying a \$1.80 on the water bill, and that it has to say it is for streets on the water bill otherwise it has to go into the water fund. Councilor Campbell suggested raising fees such as the returned check fees to put into the street fund and Christine stated those fees go into admin and you can't just freely move dedicated money around. Dean O'Donnell asked if we had ever addressed gas tax and Christine said yes it had come up, that she thought this is what they just put on a freeze for five years, because it was on our list to look into. Christine said she would find out about it. Councilor Campbell stated that we do need to bring this before the public and allow public input. Christine said the reason they are picking the time now is to make sure if the council agrees to pursue something like this then we can put something in the June newsletter for them to come to the July Saturday meeting to talk about it. The Mayor asked for council opinion, all were in agreement. Christine added that we still have to figure out the wording on what to call it on the water bill. Mayor Flanders asked if she had a motion to pursue this, councilor Messmer so moved, motion was seconded, all in favor, Bradley, Franz, Campbell, Flanders, Trett and Messmer, motion passed

**9. CORRESPONDENCE** – No questions on letters sent or received.

#### **10. COMMISSION AND MAYOR'S REPORT**

10.1. Mayor's Report – Sharyl Flanders stated that she would like to bring up back yard chickens at the July meeting, having just hens. That we live out in the country and aren't allowed to have chickens but Portland and Salem do. That there would have to be rules and regulations but feels it would be a good thing and would like to get input from people.

10.2 Police and Safety Commissioner's Report – Mark Messmer stated that apparently our resident burglars have been busy. That we have a report from Breitenbush that they were caught on the property supposedly tracking for game, with walkie-talkies and later had a theft at one of their outbuildings, a large generator and tools, that it sounds like a substantial loss was incurred. Discussion followed in regards of it being the same people as in the past and seeming law enforcement not having provisions of taking these guys off the streets, he said we have to be vigilant and keep an eye out. Christine added then we wonder what the city can do, that the city has been asked if they could do something and address the landlord, and at what time does our responsibility come in. Mayor Flanders stated that Sheriff's told us one time with nuisance properties the Sheriff's can actually go in and take the property if the landlord doesn't do something about an area that is a problem. Christine added the landlord still has to be alerted somehow. Councilor Messmer said perhaps a letter to the property owner citing concerns. Mayor Flanders made a motion that a letter be written to the property owner, motion was seconded, all in favor, Bradley, Franz, Campbell, Flanders, Trett and Messmer, motion passed. Mark also reported they are continuing with the neighborhood watch to do more canvassing and try to get more part time people. That they have about 30 people who have joined.

10.3 Street Commissioner's Report – Greg Sheppard absent

10.4 Water Commissioner's Report – Jack Campbell reported total water consumption for the month of May 2,164,100 gallons, average per day 72,137 gallons. Last month it was 65,571 which is a 9% increase, last year it was 84,774 which is a 15% decrease from last year. So far we aren't pulling any water from Breitenbush, that Mackey Creek is producing about 2,705,200 gallons. Unaccounted for water is 1,175,000 gallons, part of that is due to main flushing for the month and also one major leak was found at 135 Howe Street at 173,000 gallons and was repaired. Coliforms were absent, average chlorine residual was 1.05 mil grams per liter, chemical used chlorine was 27 gallons for the month of May. Everything else is good.

10.5 Building Commissioner's Report – Sandra Franz reported building permits issued for the month of April 2014 was, 1 plumbing, 1 septic, 2 mechanical and one permit with final inspection and was commercial structural.

10.6 Parks & Rec Commissioner's Report – Jim Bradley said thanks to the generosity of our very own Can-Can Girls, and funding in part with Oregon State Lottery Funds administered by the Oregon Business Development Department, the asbestos removal project at the former elementary school is done. The project turned out to be a little more challenging than anticipated and took a couple of days longer than planned. However, Alpine Abatement Associates, Inc. completed the project at the maximum budget of \$66,000. The grant provided \$60,000 and the Can-Can Girls donated the required city match of \$6,000. To raise money towards removing the structure, an effort to remove scrap materials should be next on the agenda. The demolition project is estimated to cost \$80 to 90,000. Jim suggested the city council give an attaboy plaque or certificates of appreciation to the Can-Can Ladies. Mayor Flanders made a motion to do that, motion was seconded, all in favor, Bradley, Franz, Campbell, Flanders, Trett and Messmer, motion passed. Discussion followed regarding starting the scrapping. Mayor Flanders reported that she had talked to a friend of Kevin's (Hills) who came up, and he could actually bring up the containers to put the scraps in. That she would like to go in ahead of time and get what they can and put it in the library, because there is lots of stuff they can just move. That the guy said we could get from \$3,000 to \$4,000 just for the small stuff. That she has about three days a weeks she can start. Councilor Campbell asked once they get it all scraped, we're we going to have someone come in and just bulldoze it down or maybe do a practice burn with the Fire Department. Councilor Trett said they may be able to do a regional training exercise, where they get other agencies to come up and play, that he would look into it.

10.7 Emergency Preparedness Commissioner's Report – Jim Trett, reported earlier in the meeting

10.8 Planning Commission – Dean O'Donnell proposed council allow the commission to change the meeting time from 6:30 PM to 5:30 PM. Mayor Flanders read Resolution 528 in full, a resolution amending the planning commission guidelines regarding the set meeting time for planning commission to convene. Councilor Trett motioned they approve resolution 528, a resolution amending the planning commission meeting time, motion was seconded, all in favor, Bradley, Franz, Campbell, Flanders, Trett and Messmer, motion passed.

10.9 Sewer Committee – Not in session at this time

**11. ADVISORY COMMITTEE REPORTS** -Mayor Flanders reported the next Federal Lakes Recreation Committee for Detroit Lake meeting would be on Wednesday, July 16, 2014 at 6:30 PM at the Detroit Ranger Station.

**12. PUBLIC COMMENTS** – None

**13. ADJOURN** - Councilor Trett moved to adjourn, motion was seconded, all in favor, Bradley, Franz, Campbell, Flanders, Trett and Messmer, motion passed. Meeting adjourned at 7:35 PM.

Attest

Signed: \_\_\_\_\_  
Sharyl Flanders, Mayor

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Christine Pavoni, City Recorder

Transcribed by Deborah Hastings