



**DETROIT CITY COUNCIL  
Regular Meeting Minutes  
Tuesday, August 11, 2015**

**CALL TO ORDER:** Council President Trett called the meeting to order at 6:32 PM at City Hall, 160 Detroit Avenue N., Detroit, Oregon.

**1. PLEDGE WAS RECITED**

**2. ROLL CALL – Council Present** - Sandy Franz Building Commissioner, Debby Ruyle Parks & Rec, Jack Campbell Water, Greg Sheppard Street, Jim Trett Emergency Preparedness and Mark Messmer Police & Safety. **Councilors absent** – Mayor Shari Flanders with notice. **Staff Present:** Christine Pavoni City Recorder, **Citizens Present:** Michelle Smith. Dane Loveberg, Jack Krill, Marshall Rash, Bob Franz, Lyn Schultz and Terry Bonnett (Kevin Hills not signed in).

**3. ANNOUNCEMENTS** – Trett announced a regional workshop would be held on Saturday, October 17<sup>th</sup> in Aumsville called Building Successful Communities.

*(The following section was revised from original not-approved minutes to give verbatim account of conversation)*

- Trett moved public comments up on the agenda and recognized Michelle Smith. She stated that she would like to talk about the ordinance for the ATV's and the helmet laws, that she understands and believes that kids should be wearing the helmets under 18 in the side by sides, but the adults she thinks it should be their choice. That they have seat belts in them, they have roll bars all around it. Councilor Franz asked if she could interrupt her for a minute, because Kevin (Hills) is supposed to be talking on this, that he has it all documented and he is advocating the same, just be in compliance with the Oregon State Laws. Kevin came in and Franz informed him that she had interrupted her (Michelle) because they have it all to be in compliance same as what she wants. Kevin said that Dean (O'Donnell) told him about this, that he hadn't even read it. That he (Dean) did checkup and found out that helmets were not required for side by sides. Councilor Franz said "or for ATV's" that he has to keep reading just the highlights. Christine stated the State doesn't require it but the city does and Sandy responded, that's what they're trying to change. Kevin read "operators or passengers under age 18 must wear an DOT approved motorcycle helmet with a chin strap fastened, for class 1 ATV, quads and three wheelers. Safety restraints must be worn by all riders under 16". Michelle said that is talking about the side by sides, that they are asking if they could follow the same guidelines as the state. Councilor Campbell stated that his recommendation for that is as a group of people who want to follow the state law. That we have to follow the minimum guidelines the state requires that they can make our requirements more stringent than the state, but can't go below what the state requirements are. That his recommendation would be to put together a petition and get it signed and bring it before the city council for a vote on taking the helmet restrictions off of the side by sides. That he doesn't know so much about the quads and things like that, that he realizes that over 18 you are not required to have them and the city requires that all vehicles go no more than 20 miles per hour within city limits. That being said, we know that's not usually the way things work out and that they kind of like to err on the side of safety with the quads, but as far as the side by sides he feels they could probably get rid of it. That he thinks they should get more people involved, get signatures on a petition and bring that before they city council and let them make the determination at that point. Councilor Franz reported that there is quite a bit of involvement already (inaudible). Councilor Ruyle stated that she personally would be ready to make a change in the ordinance without doing a petition and asked how they would decide that. Council President Trett responded that personally he doesn't so much care about the petition either, we have Oregon law. That his feeling is he'd like to kick this to next month for them to get a chance to get copies of that for them to individually look at, just to make sure they are comfortable. Michelle Smith asked if they should do the petition or not and Councilor Campbell responded that it can't hurt and to get a little more input too that

other people may have different views for it. Councilor Trett stated that they are not saying they need a minimal number if they are comfortable with that, that's his comfort level is he'd just like to chance to see it before they vote on it. Councilor Messmer asked if this was coming as a recommendation from the planning commission. Kevin Hills said yes, Recorder Pavoni stated that this has not gone through planning commission, that council would have to kick this back to them. Kevin Hills said they are in recess until next month. Councilor Campbell stated he thinks that would work out well, to get a bunch of people to sign it, get opinions of what people have and let everybody voice their opinions next month, vote on it and get it done. Kevin stated that his son got a warning two weekends ago in Florence for no helmet on a quad, side by sides they have no problems at all because he said your helmet is right there over your head, the roll bar. Anybody is required to have a helmet on a quad and kind of feels that way too, Michelle agreed and Bob Franz commented that he doesn't want to wear a helmet on a quad and Councilor Campbell said 'yeah but you got a hard head" (laughter around the room).

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

**5. APPROVAL OF MINUTES OF THE LAST MONTH –** Councilor Campbell motioned to approve the Detroit

City Council Regular Meeting minutes of July 11, 2015, motion was seconded, all in favor; Ruyle, Franz, Campbell, Sheppard, Trett and Messmer, motion passed.

**6. APPROVAL OF THE BILLS PAYABLE LIST FOR CURRENT MONTH –** Recorder Pavoni was asked to

Explain about the Kubota lawnmower by Councilor Franz. Christine explained that through The CIS Workers Comp program, \$7,500 was approved for Rick to spend on equipment that would make his job easier and to get him back to work sooner. That CIS wanted it done quickly, so Rick is picking up a commercial Kubota riding lawnmower tomorrow. The city will pay for it and CIS will reimburse the money as soon as they see a copy of the bill and the check. Councilor Messmer moved to pay the bills, motion was seconded, all in favor; Ruyle, Franz, Campbell, Sheppard, Trett and Messmer, motion passed.

**7. UNFINISHED BUSINESS**

7.1. Clester Road Issues: Revocable License Agreement; Restricted Parking Zone – Council President Trett reported this is completed and now off the agenda.

7.2. Rotating Meeting Schedule – Idanha Detroit RFPD. Assistant Fire Chief Jack Krill introduced Fire Chief Marshall Rash. Marshall reported it has been a busy month; they had 25 plus calls since he started on the 16<sup>th</sup>. He talked about their mutual aid departments coming up for the fire on Santiam Avenue. That things went about as well as you could expect with our fire department's limited resources and aging equipment. He reported they have implemented a burn ban, which will stay in effect until the Forest Service lifts theirs. EMT's have been working on the weekends since July, from 10 to 10. He said they are moving forward on station and apparatus planning. That they did a walk through at the high school with Dean O'Donnell. He also reported they are buying an engine from Stayton that they will get this winter. They received a SAFER (Staffing for Adequate Fire & Emergency Response) grant, which is a federal grant for \$500,000 to hire someone to do training and other huge projects that have to be dealt with over the next couple of years. They are beginning the process recruiting for the position. They have 14 volunteers on the books right now and will be doing a campaign to bring more people in. Marshall stated they want to begin hydrant testing again in the near future, that there was an issue or concern about the quality of hydrants. Water Commissioner Campbell stated that when and if they get ready to do that to coordinate with Bob to make sure he is there. Marshall said that for the ISO everything has to be tested. Campbell said that we have really old pipes that will leak if you even breathe on them wrong. That way if something happens to go wrong, Bob is on site and we can get it taken care of immediately.

Federal Lakes – Councilor Sheppard commented that the meeting was disappointing because the Corps did not have anyone there for representation. He voiced concerns regarding the possibility of having a low snow winter again this year and suggested they ask the Corps if they have a drought curve, that they need to bring it up soon because it takes months for them to make a decision and we can't afford another season like we did this year. Discussion followed. DLRABA, Councilor Franz reported their last meeting was on July 18 at Breitenbush and that the Detroit Lake Foundation has been officially created. During the next few months, DLRABA will obtain a copy of the Bi-Laws, set up the board and nominate officers. The Water Ski Show was cancelled due to low water levels that their down payment will apply to next year's show. The fireworks policy was discussed and changed, that they will have them on the closest Saturday either before or after the 4<sup>th</sup>. If the fourth falls on a Saturday they will have the fireworks on that

day. The budget will be increased by \$1500 for next year's show. They will also entertain the possibility to use 8" fireworks next year. The fundraiser done by John and Sandi Elwood raised \$3,701.00. The Cruz-In is scheduled for September 12<sup>th</sup>. The Wild Fang bicycle event will be on September 19<sup>th</sup>, and the Mud Run on October 10<sup>th</sup>. Sandy stated they are talking about the possibility of quarterly meetings and have decided to wait until they review the by-laws for DLRABA as well as the foundation. Next meeting is August 15 at the Rushing Rivers Retreat in Idanha.

7.3. Flashing Light Update: Pedestrian Crossing Hwy 22 & Forest Ave. – Nothing new to report, the project will be implemented once they know the status of the FLAP grant.

7.4. Access to Silver Bullet Lift Station – Procedures for a public utility easement to the Silver Bullet Lift Station was approved at the June 9<sup>th</sup> council meeting. A letter and easement document was sent to the property owner on August 3<sup>rd</sup>, with no response yet.

7.5. LOC Updates on Marijuana Laws – Recorder Pavoni reported that when they talked about this at the last meeting council wanted staff to find out if the county voted it in or not; it did pass in Marion County. No further discussion.

7.6. Global Green USA: Sustainability Neighborhood Assessment Application Update: Councilor Messmer reported this is all about what is happening at the high school along with other projects. Angela Lazarean from the Oregon Department of Land Conservation & Development has written a grant for assistance in managing these projects going forth. The scope of work for the consultants to do the feasibility study on converting the high school into a Civic Center, City Hall/Fire Station is underway and has been submitted. Mark gave the scheduled timeline of the meetings. The management team will be in September. In October, they will have a series of meetings with stakeholders; they will have interviews or an open forum with the community where interest and desires can be heard. Then they will formulate plans and then come back and deliver a final product in December. If everything is good, they will have rough drawings on everything, and we can go to our perpetual engineering drawings and go forward with the project. Discussion followed.

7.7. Detroit Development Code Amendments – Council President Trett asked Recorder Pavoni to report. She stated that they have a lot of different code amendments some of which need more work because they are a little more complicated. There was a bit of emergency to push through what we have so far. Angela Lazarean was here with Laura and informed her that the city qualifies for another TGM grant to update the code amendments. That we should just do what is necessary right now and the rest could be worked through with the grant but it would be a longer process, the same as when the TSP was done. She pointed out the list of amendments attached to her memo of the ones they would be moving forward with and the ones that need more work, that the ones that say done are the ones they will be having the public hearing on, on September 8th with the Planning Commission; discussion followed. Councilor Campbell motion that they move forward with the amendments they have done, motion was seconded, all in favor; Ruyle, Franz, Campbell, Sheppard, Trett and Messmer, motion passed.

7.8. Turnaround Issue 345-360 Butte N – Waiting for City Engineer Report - Council President Trett reported we are still waiting for the engineer's report.

## **8. NEW BUSINESS -**

8.1. Request for Chemical Toilet at 290 Butte North - Councilor Campbell motioned to approve the request, motion was seconded, all in favor; Ruyle, Franz, Campbell, Sheppard, Trett and Messmer, motion passed.

8.2. Oregon Public Works Cooperative Assistance Agreement - Council President Trett asked Recorder Pavoni to report. Christine reported this is a yearly renewal agreement, discussion followed. Councilor Campbell motioned to approve to sign the agreement, motion was seconded, all in favor; Ruyle, Franz, Campbell, Sheppard, Trett and Messmer, motion passed.

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

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

10.1. Mayor's Report – Shari Flanders absent

10.2. Police and Safety Commissioner's Report – Mark Messmer reported that nextdoor.com is working. He also reported that he has been appointed to the citizen's advisory committee for Marion County's Sheriff's office that he will be working with them on a quarterly basis, making recommendations, and requests, those kinds of things. Discussion followed.

10.3. Street Commissioner's Report – Greg Sheppard reported that he put in for the Small City Allotment ODOT grant for Detroit Road S, which takes you down to the only free day use area to Detroit Lake. That

he is starting to run out of places for this type of grant, that dead-end streets don't get many points, that most of them are gravel and need paving, that he would post the criteria sheet. Clifford Street was brought up and Greg suggested we could see how much money is in the Street SDC's and if that could be used to chip seal a couple of streets. Councilor Sheppard asked council how they felt about getting some informational/directional signs and why he would like to put them up and the cost. Councilor Messmer proposed they allocate some money from the TOT fund for way finding signs, motion was seconded, all in favor; Ruyle, Franz, Campbell, Sheppard, Trett and Messmer, motion passed. Greg suggested putting one by the intersection of Detroit Avenue and Forest and Santiam and Detroit Road S. Greg opened discussion regarding a survey request on Ash trees that are being killed by an invasive species (Emerald Ash Borer) to help Oregon prepare for it. After discussion council asked Christine to contact the Forest Service and find out what is on their tree inventory.

10.4. Water Commissioner's Report – Jack Campbell read Water Tech Bob Bruce's report for the month of July on water usage and consumption. That water use was high this month which is usual it's about the same as every year about this time, July is usually one of high water use months. There was a big fire in town this month, 30,000 gallons were used to put it out. Between the fire and the ODOT losses, 214,000 gallons can be subtracted from water unaccounted for. That until the leak on the ODOT line surfaces we won't be able to find it. One of our chlorine monitors failed, parts were ordered to rebuild it to put it back on line. The Breitenbush River is getting low due to the drought, but our intake is doing fine so far.

10.5. Building Commissioner's Report – Sandy Franz reported two residential electrical permits and one residential mechanical permit was issued in July. Final Inspections was done for two residential electrical and two residential mechanical.

10.6. Parks & Rec Commissioner's Report – Debby Ruyle reported we are still waiting to hear on the FLAP grant in August or September.

10.7. Emergency Preparedness Commissioner's Report – Jim Trett reported he is still working on updating the Emergency Operations Manual.

10.8. Planning Commission – In Recess.

10.9. Sewer Committee – Discussion was held regarding the property at 430 Santiam that was a potential site for a sewer system facility. Green Tree, bank owner of the property, has requested the city let them know our intentions. Councilor Messmer motioned to let Green Tree know the city is not interested in condemning the property and to let them know it needs cleaned up, motion was seconded, all in favor; Ruyle, Franz, Campbell, Sheppard, Trett and Messmer, motion passed.

10.10. Charter Amendment Committee (May 2016 Election) - Members: Jack Campbell, Greg Sheppard, Dean O'Donnell, Kevin Hills, Vickie Larson, Bob Franz – 1<sup>st</sup> Meeting TBA (Sept/Oct 2015) - Members will meet in October sometime.

**11. ADVISORY COMMITTEE REPORTS** - Federal Lakes Recreation Committee for Detroit Lake next meeting

Wednesday, Oct 21, 2015 at 6:30 PM at Gates Fire Hall

**12. PUBLIC COMMENTS** –

**13. CLOSE REGULAR MEETING** – Council President Trett closed the regular meeting to go into Executive Session at 7:35 PM (to consider employment of an employee pursuant to ORS 192.660(2)(a)).

**14. OPEN REGULAR MEETING** – Regular Session was re-opened at 7:49 PM.

**15. DECISION** - Councilor Campbell motioned to offer Gene Smith the janitorial/building maintenance position, motion was seconded, all in favor; Ruyle, Franz, Campbell, Sheppard, Trett and Messmer, motion passed.

**16. ADJOURN** – Councilor Messmer motioned to adjourn at 7:50 PM, motion was seconded, all in favor; Ruyle, Franz, Campbell, Sheppard, Trett and Messmer, motion passed.

Attest

Signed: \_\_\_\_\_  
James Trett, Council President

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Christine Pavoni, City Recorder