



**DETROIT CITY COUNCIL  
Regular Meeting Minutes  
Tuesday, June 14, 2016**

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

**1. ROLL CALL – Council Present** - Debby Ruyle Parks & Rec, Sandy Franz Building Commissioner, Jack Campbell Water Commissioner, Greg Sheppard Street Commissioner and Mark Messmer Council President Pro Tem & Police & Safety. **Councilors Absent** – Jim Trett with notice. **Staff Present:** Christine Pavoni City Recorder & Deborah Hastings City Clerk **Citizens Present:** Michelle Murdock, Mike Kuenzi, Carson Kuenzi, Sean Hyatt, Lyn Schultz, Andrew Siegmund, Steven Galbraith, Jay Peterson, Grady McMahan, Keith Munn, Bob Franz and Jack Krill

**2. PLEDGE WAS RECITED**

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

**4. ANNOUNCEMENTS** – Council President Pro Tem Mark Messmer announced the following meetings. **4.1.** City-Wide Cleanup, Saturday, June 18<sup>th</sup> from 9:00 AM to 3:00 PM **4.2.** Annual Saturday Council Meeting, August 13<sup>th</sup> at 10:00 AM. **4.3.** Council Vacancy – Council President Pro-Tem Mark Messmer reported applications were received from John Manthe and Keith Munn. After discussion, Councilor Campbell moved to appoint John Manthe to fill the vacant council position, motion was seconded, all in favor, Ruyle, Franz, Campbell, Messmer and Sheppard, motion passed. John read the oath of office and took his seat at the council table. **4.4.** Resignation – Sewer Committee Chair Pro Tem Ken Woodward – Councilor Campbell motioned to accept Ken Woodward's resignation, motion was seconded, all in favor; Ruyle, Franz, Campbell, Messmer, Manthe and Sheppard, motion passed. **4.5.** Ranger Grady McMahan, Detroit Ranger District – Flap Grant Project -Grady reported that they are still trying to get Federal Highways pinned down to get together and talk about who is going to be doing what parts of the project. That he talked to Matt Peterson in Springfield today, their Forest Service person that's been working with Federal Highways, and there are no dates set, but it should be anytime for them to sit down and talk. He said they have been out with their specialist to look at the whole site and talked about how to move forward with the project. They also brought down some people from the Forest Service from Portland that specialize in bank stabilization that went out and took a look at the bank between Piety and Detroit Flats, an area where if we lose that we'll lose a lot of the grass land area. So they are putting together a plan to stabilize that. Timber Sale – Grady responded to a letter received from the city council requesting a defensible space, timber sale fuels project. That he also got a letter from the Oregon Department of Forestry saying they would like to help and work together with them, that there is ODF land up there too so that would be really good. One issue they have when doing a timber sale like that it takes a lot of time to go through all the environmental stuff. He said the 20<sup>th</sup> of this month is the deadline for a proposal they could submit through the forest to get some state funding. That he would like to propose turning it into a fuels project instead of a timber sale project. That would be like removing 7 to 8 inch and down, smaller trees and vegetation to the east of the city along the property line, that it would be a lot easier to do the environmental study for it and could be done much more quickly, a timber sale could take a couple of years. That if we can get the proposal in they could probably get it done by this fall or next spring, and could still keep the timber sale in motion. Council was in agreement, so Grady said he would go ahead and work with their group to get the request in by the 20<sup>th</sup> of this month. Property ownership at water plant - Grady reported that he had the survey map now for the water facility plant. That he is going to have Penny start working on modifying our permit, because it shows just a corner of the property on forest property and a few other things, so they are going to be working on that to get it cleaned up. **4.6.** Michael Kuenzi, Pacific Sanitation, Proposed Rate Increase - Mike stated they are requesting a rate increase to cover their increased operating costs. That the last general increase was

January 1, 2011. Marion County is increasing the disposal fees by \$20 per ton effective October 1<sup>st</sup> 2016 and that this is the first increase in disposal fees since 1992. Coupled with escalating operating cost this is the reason for the rate increase. After discussion Councilor Campbell motion to approve the increase, motion was seconded, all in favor; Ruyle, Franz, Campbell, Messmer, Sheppard and Manthe, motion passed. A resolution will be done at the next meeting to be signed and sent to Pacific Sanitation.

**4.7.** Michelle Murdock of the Travelin Taphouse needing Council approval to set up on vacant lot on Detroit Avenue N. owned by Elaine DeGeorge for the July 4<sup>th</sup> weekend. Michelle informed council of the kinds of alcohol and food they would have available and how they would set up the lot. That they have been very lucky, Orange County Choppers selected them to showcase their patriot bike they built for the National Guard at their site. They would be setting up on Thursday the 30<sup>th</sup> and would start selling on Friday June 1<sup>st</sup> thru the 2<sup>nd</sup> and start shutting down on Sunday the 3<sup>rd</sup> in the evening. Recorder Pavoni asked if she understood correctly, they plan to have this a repeated event not just that weekend if all goes well. Michelle responded that they would be interested in looking at other events, that they have been asked by the Business Association to come to their meeting in July, which they will be attending. Recorder Pavoni explained to council that the reason she had her come here to give the presentation is if this is going to be an ongoing event she also required to have a business license, which is under different premises than through DLRABA. Michelle said her projection was to start around 10 am and the shut down time she was thinking probably 10 to 10 or 11. Councilor Campbell said the fireworks get over around 11. Discussion followed. Councilor Campbell motioned to approve the permit, motion was seconded, all in favor; Ruyle, Franz, Campbell, Messmer, Manthe and Sheppard, motion passed.

**4.8.** Request to speak Jay Peterson & Andrew Siegmund Lake Ct. speed bumps – Jay stated they are part of the group of Canyon Ridge Estates that proposed installing some speed bumps in their neighborhood. He passed out a letter to council. Councilor Campbell stated that they had discussed this in the past about the speed bumps, that they understand what their needs are and were concerned about the number of speed bumps. They went through the map where they wanted to put the five speed bumps. Jay agreed that the closest one to the cul-de-sac they could get rid of. Jay stated it would be no cost to the city that six neighbors are willing to pay for the cost of it, because they feel that it is a need for safety. After discussion it was decided to not put in the speed bump closest to the cul-de-sac and the speed bump coming up to Scott Ave coming down Lake Ct. be moved back. Councilor Sheppard said there would have to be signage put up at the beginning and the end of the area of the speed bumps to let people know and in the winter snow poles will need to be put up to let the snowplow people know there is a bump there. Jay stated that what they talked about because of the snowplow, is grinding into the asphalt and setting them down in so they are part of the road. That they would mimic just what they did on Clester. Councilor Sheppard motioned to approve the speed bumps, motion was seconded, all in favor; Ruyle, Franz, Campbell, Messmer, Manthe and Sheppard, motion passed.

**5. APPROVAL OF MINUTES OF THE LAST MONTH** – Councilor Campbell motioned to approve last month's minutes, Regular Meeting of May 10, 2016. Recorder Pavoni explained to council a mistake that was made in the motion from last month to approve the TOT grant for DLRABA and that they needed to rephrase the motion. Councilor Ruyle also pointed out under parks it say's presentation would be on July 3<sup>rd</sup> and it should be June 3<sup>rd</sup>. Councilor Campbell motioned to approve with the corrections, motion was seconded, all in favor; Ruyle, Franz, Campbell, Messmer, Manthe and Sheppard, motion passed. Detroit City Council Special Session Budget Hearing of June 6, 2016. Councilor Franz stated that it says adjourned at 7:55 pm and thinks it should be 6:55 pm. Councilor Ruyle pointed out that it says public hearing to adopt the 2013-14 Budget. Motion was made by Councilor Campbell to approve the minutes with the corrections, motion was seconded all in favor; Ruyle, Franz, Campbell, Messmer, Manthe and Sheppard, motion passed.

**6. APPROVAL OF THE BILLS PAYABLE LIST FOR CURRENT MONTH** – Councilor Campbell motioned to pay the bills, motion was seconded, all in favor; Ruyle, Franz, Campbell, Messmer, Manthe and Sheppard, motion passed. ~ Recorder Pavoni asked they go back and make the motion for the TOT grant. Councilor Campbell motioned to approve the TOT grant to DLRABA for \$12,500 for the purpose of promoting tourism, motion was seconded, all in favor; Ruyle, Franz, Campbell, Messmer, Manthe and Sheppard, motion passed.

## **7. UNFINISHED BUSINESS**

**7.0. Updates on Marijuana Laws** – Council President Pro Tem Messmer read Ordinance 244, an ordinance imposing licensing requirements on the establishment of marijuana facilities within the city

and declaring an emergency, in full and then by title only. Discussion followed, Councilor Campbell motioned to accept Ordinance 244, motion was seconded, all in favor; Ruyle, Franz, Campbell, Messmer, Manthe and Sheppard, motion passed.

7.1. Rotating Meeting Schedule – Assistant Fire Chief Jack Krill reported they passed the budget last Thursday and their next board meeting would be on the 13<sup>th</sup> of July. That he's still waiting to hear from Bob on the hydrant testing and when he wants to get started on that, Councilor Campbell stated that they are right now installing two new hydrants. Jack said that we've probably lost like 1/2 percent of the overall grade, so every six months inspection within a three year period is a half percent of the overall grade, so they are happy to help whenever he wants to get started. Jack reported about a week and a half ago they got notice that they got a \$305,000 grant from FEMA. That they will get all new air packs and protective clothing for all their members, which also includes Breitenbush. They have revised and finalized a contract with Breitenbush, so anytime they are off their private compound they are a station of the Fire District, so they technically have three fire station now and about 8-10 more people, that will definitely be good for the ISO rating. He said they've taken the ambulance out of service and have been running out of the expedition for medical calls which is working very well. Lyons is going to have their ambulance up here on certain weekends which will be a basic life support EMT level from 11 am to 11 pm, that there is funding for 33 of those days. So the 4<sup>th</sup> of July weekend will be the first time to be up here. That they will be stationed somewhere between Idenha and Mill City depending on the event or need is, so it will be kind of a floating ambulance. Jack reported that Keith Munn would be running the standby for the fireworks and wanted to thank Grady because he is letting them use a pumper from the forest service so they don't have to put a fire truck down at Osprey Point. Lyn Schultz commented as far as the ISO rating, as a citizen she is concerned about getting our hydrants tested before our rates go up or down the wrong way again and was wondering if they had any idea when they would start. Recorder Pavoni responded that Bob has it planned out of how and when he will do it, and what's next on his schedule, that right now they are installing the new hydrants. Lyn stated "you do realize we've gone down a half a point", and Christine responded no, that she did not realize that, that all we knew is that he had to have it done by the time they came to inspect, which is in November. Lyn asked Jack then why it went up and Jack stated that every six months we need a record of inspection and Lyn said so we won't have the record for this six months record. Councilor Campbell stated that it's not that they haven't been inspected, it just hadn't been done the way they are requiring us to. And we didn't find out about this until a few months back and didn't have the equipment to do the proper testing and we just purchased that last month, so we are trying to get it all planned out and set up to be done correctly. That right now we are putting in the new fire hydrants and that kind of delayed things a little bit.

7.2. Flashing Light Update: Pedestrian Crossing Hwy 22 & Forest Ave. - Update, ODOT submitted the final approval to the city engineer, the project is expected to go out to bid next week. The entire bidding and contracting award process will take approximately six weeks, the actual work will only take a few days.

7.3. Turnaround Issue 345-360 Butte N – Discussion about the street light not being replaced at the end of Butte N. by CPI. City Clerk will get in touch with Garey Burgess about the issue. Councilor Rule asked if the property owner Aaron Ensign paid for having the city engineer look at his options. Recorder Pavoni said the city pays because it is a city issue it's not a land use issue on his part. Debby said he needs to pick an option and do it and not keep coming up with ideas that is costing the city money that this has been dragging on for months.

7.4. Quick Response Grant H.S. Repurposing Feasibility Update- Councilor Messmer reported they have explored getting some of the earthquake funds for the high school but the building has to be occupied. Council President Pro Tem Mark Messmer asked council if they had a chance to read Resolution 552, Councilor Campbell motioned to accept Resolution 552, Councilor Messmer stated this is throwing the weight of the Detroit City Council behind the development of the high school into a community center. Motion was seconded. Councilor Ruyle commented that it says the city must ensure emergency fire services are available and accessible during high tourist season, if they have to do that all the time or is it just making a point. Councilor said it is making a point. Recorder Pavoni asked what it meant that the City of Detroit will further pursue the elements and planning necessary to convert the former high school property into a community asset to the benefit of the city of Detroit. As far as financially and staff wise is concerned, does that mean we're doing the work. Councilor Messmer answered no, that we are showing our commitment to support this concept, we're making

no commitment to allocate resources or peoples time at this point in time. All in favor; Ruyle, Franz, Campbell, Messmer, Manthe and Sheppard, motion passed.

7.5. Local Gas Tax – This project is on backburner.

7.6. Suggested Fuel Reduction Timber Sale update – Discussed earlier in the meeting

7.7. OLCC Temporary Sales License Application – No action needed

7.8. Clester Road Revocable Agreement & Restricted Parking – No action needed

## **8. NEW BUSINESS**

8.1. Mill City 4<sup>th</sup> of July Parade – Invitation to Mayor to Ride in Parade – Acting Mayor Trett no opposed to ride in parade but does not have suitable vehicle. No action by council.

8.2. COG Annual Contract Renewal – After a brief discussion regarding the \$2 per hour increase, councilor Campbell motioned to accept the COG contract renewal, motion was seconded, all in favor; Ruyle, Franz, Campbell, Messmer, Manthe and Sheppard, motion passed.

8.3. Pre-audit meeting June 18, 2015 – Boldt, Carlisle & Smith – Request to reimbursement Recorder Pavoni's mileage, motion made by Councilor Franz to approve, motion was seconded, all in favor; Ruyle, Franz, Campbell, Messmer, Manthe and Sheppard, motion passed.

8.4. Resolution No. 553: A Resolution certifying municipal services provided by the City of Detroit under Oregon revised statute – Councilor Messmer read Resolutions 553,554 and 555 by title, Councilor Campbell motioned to approve resolutions 553, 554, and 555, motion was seconded, all in favor; Ruyle, Franz, Campbell, Messmer, Manthe and Sheppard, motion passed.

8.5. Resolution No. 554: A Resolution declaring the City's election to receive state revenues

8.6. Resolution No. 555: A Resolution adopting the budget, making appropriations, imposing the tax and categorizing the tax for fiscal year 2016-2017

8.7. Certified Results of the May 17, 2016 Primary Election –Councilor Sheppard brought up discussion about putting the ballot measure back on the November election to allow an additional part time councilor. There would be no cost to the city to re-submit the same measure as it was written. Councilor Sheppard agreed to talk to citizens about the importance of allowing three councilors to be part time because most of the population is part time and need people to serve. Councilor Campbell motioned to accept the certified results from the May 17, 2016 Primary Election, motion was seconded, all in favor; Ruyle, Franz, Campbell, Messmer, Manthe and Sheppard, motion passed.

8.8. Outdoor Mass Gathering Permit: Fireworks over the Lake – Councilor Campbell motion to approve the permit for DLRABA and waive the fee. Councilor Sheppard went back to the discussion regarding the ballot measure for the charter and asked if they need a resolution to get it back on the ballot, which Christine reported yes. Councilor Sheppard motioned to resubmit the ballot measure for the November general election, motion was seconded, discussion followed, it was agreed that more word of mouth be done to explain why it's important. All in favor; Ruyle, Franz, Campbell, Messmer, Manthe and Sheppard, motion passed. Motion was made to approve the Outdoor Mass Gathering Permit for DLRABA and waive the fee by Councilor Campbell, motion was seconded, all in favor; Ruyle, Franz, Campbell, Messmer, Manthe and Sheppard, motion passed

8.9. Resolution No. 556 – A Resolution putting a temporary hold on the TOT Grant Fund – Councilor Messmer read by title, motion made by Councilor Campbell to accept resolution 556, motion was seconded, all in favor; Ruyle, Franz, Campbell, Messmer, Manthe and Sheppard, motion passed

8.10. League of Oregon Cities (LOC) – 2017 Legislative Session Recommendations – Council went through the list and picked out five of the top issues to submit, that they felt were important

8.11. Outdoor Mass Gathering Permit: Fireworks Fundraiser, Sandi & John Elwood – Councilor Manthe motioned to allow John and Sandi Elwood the outdoor mass gathering permit and waive the fee, motion was seconded, all in favor; Ruyle, Franz, Campbell, Messmer, Manthe and Sheppard, motion passed.

8.12. Intergovernmental Agreement between City and Marion County Sheriff's Office – Councilor Campbell motioned to accept the intergovernmental agreement, motion was seconded, all in favor; Ruyle, Franz, Campbell, Messmer, Manthe and Sheppard, motion passed. \*Councilor Sheppard asked under correspondence about a response from Garey Burgess CPI. City Clerk Hastings explained that she had contacted him about a street light on the corner of Hwy 22 and Santiam shining into the houses on Humbug since all the trees were taken out. And that he had responded that a lower watt bulb could be put in. Greg added maybe this would be a good time to mention the street light on Butte N. again.

8.13. Special Event Distillery Application – Recorder Pavoni reported this was in conjunction with the Street Fair. Councilor Campbell motioned that they grant the application, and explained that they are coming up for the Street Fair and have applied for a special event distillery application for Northwest natural sprits, trade name Wild Roots Vodka. Discussion followed, motion was seconded, all in favor; Ruyle, Franz, Campbell, Messmer, Manthe and Sheppard, motion passed.

> Recorder Pavoni stated that the promoter of the street fair asked for council approval to hang a banner and a sign up at the entrance of town on city right of way coming into Detroit to direct people into town. That we have yet to determine what is ours and what is ODOT's but wants to make sure council is in agreement. Councilor Campbell motioned to allow the banner and sign, motion was seconded, all in favor; Ruyle, Franz, Campbell, Messmer, Manthe and Sheppard, motion passed.

**9. CORRESPONDENCE** – City Recorder, City Clerk –

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

10.1. Mayor's Report – Jim Trett not present to give a report

10.2. Police and Safety Commissioner's Report – Mark Messmer reported we are still seeing an increase in property crimes. Next door is still getting a lot of information.

10.3. Street Commissioner's Report – Greg Sheppard reported he is still working on the city allotment grant.

10.4. Water Commissioner's Report – Jack Campbell read the water report prepared by Water Tech Bob Bruce on water use and consumption for May. Water use is way up, May is the start of the water department's busy season. Meters were read on May 31<sup>st</sup> and there were three high uses. Detroit Lake marina used 113,000 gallons of water, when the meter was checked it was turning, which meant they had a leak. The other two meters were not turning when they were checked. Mackey Creek supply is drying up so water is being used from Breitenbush now. This supply is more costly due to power needed to run the pumps to get water to the plant for treatment. Currently two fire hydrants are being installed, they are replacements and should be completed in a couple of days, and then they would get started doing the hydrant testing. All else ok. Discussion followed regarding the high water loss, fixing some of the distribution system and the cost. The leak on the ODOT line was also discussed, staff to find out if they are in city limits and if not if there is an intergovernmental agreement with them for city water.

10.5. Building Commissioner's Report – Sandy Franz reported for the month of May there was one commercial electrical permit, three residential electrical and two residential mechanical permits. There were final inspections done on the two residential electrical permits and the residential mechanical permit.

10.6. Parks & Rec Commissioner's Report – Debby Ruyle reported that it is not appropriate yet to make a public announcement, but our grant was rated number two in the State, that there was funding for about 18 grants. She told them what the grant would be used for and the amount being \$430,000 dollars. Discussion followed.

10.7. Emergency Preparedness Commissioner's Report – Jim Trett not present

10.8. Planning Commission – No meeting in June

10.9. Sewer Committee – No meetings

**11. ADVISORY COMMITTEE REPORTS** - Federal Lakes Recreation Committee for Detroit Lake next meeting Wednesday, July 20, 2016 at 6:30 PM at Gates Fire Hall

**12. PUBLIC COMMENTS** – Councilor Ruyle asked if the city would get any money if the police officer we hired wrote any citations. Recorder Pavoni responded no not at this point that we have to be a court of record.

**13. ADJOURN** – Councilor Campbell motioned to adjourn, motion was seconded, all in favor; Ruyle, Franz, Campbell, Messmer, Manthe and Sheppard, motion passed. Meeting adjourned at 8:45 PM.

Signed:

Attest:

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Mark Messmer, Council President Pro Tem

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Christine Pavoni, City Recorder