



DETROIT CITY COUNCIL
Regular Session & Public Hearing Meeting Minutes
Tuesday, November 8, 2016

CALL TO ORDER: Acting Mayor Jim Trett called the meeting to order at 6:30 PM at City Hall, 160 Detroit Avenue N., Detroit, Oregon.

1. ROLL CALL – Staff Present: Christine Pavoni City Recorder, Deborah Hastings City Clerk and Lisa Brosnan City Planner **Citizens Present:** Christine Rasmussen, Kera Howell, Kaesi Cook, Karmen Cook, Dan Cook, Lyn Schultz, Bob Franz, Jack Krill, Lew Owens and Dean O'Donnell

2. PLEDGE WAS RECITED

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

4. ANNOUNCEMENTS – Acting Mayor Trett announced that the Waste Water Feasibility Health Assessment Committee that has been working in the Canyon will have a meeting tomorrow night, November 9th at Trexler Farms in Mehama from 5:30 to 7:00.

➤ Mayor Trett stated that the city planner has not arrived yet for the public hearing, that as soon as she arrives they would come back to it.

5. APPROVAL OF MINUTES OF THE LAST MONTH - City Council Regular Meeting of October 11, 2016. Councilor Manthe motioned to approve the minutes of last month, motion was seconded, all in favor; Franz, Campbell, Trett, Manthe and Messmer, motion passed.

6. APPROVAL OF THE BILLS PAYABLE LIST FOR CURRENT MONTH – Councilor Messmer motioned to pay the bills, motion was seconded, all in favor; Franz, Campbell, Trett, Manthe and Messmer, motion passed.

7. UNFINISHED BUSINESS

7.1. Rotating Meeting Schedule – Fire Department - Assistant Fire Chief Jack Krill reported their next meeting would be tomorrow night at 6:30 and would have their annual appreciation dinner here on December 17th that all of council is invited. Councilor Franz reported that **DLRABA** had their meeting on the 22nd of October. Past events were reviewed. They started discussion on the Fishing Derby and getting that started and ready for May 19, 20, & 21st. The big thing they need to get started working on right now is the Eclipse which is on the weekend of August 18th thru the 20th, with the eclipse day being the 21st at 10:15 AM. That they are trying to get a committee together to start planning events and getting ready, because all the other places coming up the canyon have already started and feel a little pressured to get going here in Detroit too. Their next meeting will be on the third Saturday in January.

➤ **Roll Call** - Acting Mayor Trett informed council they forgot to do roll call – **Councilor Present** - Sandy Franz Building Commissioner, Jack Campbell Water Commissioner, Jim Trett Acting Mayor & Emergency Preparedness, John Manthe Commissioner at Large and Mark Messmer Police & Safety. **Councilors Absent** with notice, Street Commissioner Greg Sheppard and Park & Rec Commissioner Debby Ruyle

7.2. Flashing Light Update: Pedestrian Crossing Hwy 22 & Forest Ave – Acting Mayor Trett reported that ODOT increased the project amount to \$115,000, and completion date January 31st. Per email from the engineer it takes a long time for the actual beacon to be shipped, that it is supposed to be here by the end of the week and are hoping to have it done ahead of schedule by Thanksgiving.

7.3. Hazard Tree 445 Clester – Acting Mayor Trett reported we received two bids, R&R Tree Service for \$3,800 and Elwood Tree Service for \$2,970 but that our CIS representative has said we can hire Steve Galbraith in a temporary position, that he would be covered under workman's comp. Motion was made by Councilor Campbell to hire Steve, motion was seconded, Acting Mayor Trett stated motion was made by Councilor Campbell and seconded to employ Steve Galbraith for the project of removing the tree at 445 Clester Road. Councilor Franz asked if he was going to take care of the wood and Councilor Manthe stated that he would cut all the wood into fire size pieces and let anybody that wanted it to come and get it. That he does need tires and Jack Krill said the Fire Department has four huge ones. John said Steve's plan is to fall it right down the street and they need the tires to break the fall so the street isn't damaged. That the street would be closed no longer than an hour. Acting Mayor Trett moved back to the public hearing.

4.1. PUBLIC HEARING to consider a request for a comprehensive map amendment and zone change for the property located at 430 Santiam Avenue in Detroit, Oregon. The proposed zoning designation for the property is Single Family Residential. Acting Mayor Trett opened the public hearing at 7:40 PM and read into the record the disclosure statement and asked city council if they had any conflicts of interest concerning the issue before them; there were none. He asked the audience if there were any objections to the notice sent in the case, the jurisdiction of this body to hear and consider this case; or, any legal objections to this procedure; there were none. He said that Section 4.7.3. (C) Of the Development code is the applicable substantive criterion upon which the quasi-judicial decision will be decided. He then turned the meeting over to City's contracted planner Lisa Brosnan from the Council of Governments, to present the staff report.

- **Staff Report** - Lisa reported this request is for a zone change and also a comprehensive plan map amendment. The zone is currently commercial and the applicant would like to see this as residential. A pre-application conference was held on September 9th, notice was sent to property owners on September 17th within 250 feet of the subject property and notice was posted on the property on October 26th. Because this is over two acres and we are thinking of taking it out of commercial zoning all of the state wide planning goals had to be addressed. The most relevant of these goals for this application is public participation and housing and economic goals, which is 9 & 10 of the state wide planning goals. Lisa went through each goal and found each goal was met and further reviews would be necessary if the land were developed or partitioned in the future. She reported that the Department of Land Conservation and Development (DLCD) had a comment on this, that they do not recommend taking the land out of commercial and recommended further planning studies to be done, because they noticed some of the documents they were looking at were a little out of date and wanted it entered into the record. She read the letter from Angela Carnahan at DLCD. Lisa stated professionally as a planner she doesn't have any reservations about taking that portion out of commercial, because it is at the very end of the commercial strip and is adjacent to wetland, which she would rather see a less intensive development. In addition, after talking to Dan Fick with ODOT, he told her if we were to develop there commercially they wouldn't have access off Highway 22, so if that were developed commercially we would be putting commercial traffic down Santiam Avenue, next to residential. The other reason why she is for the zone change is because this property is pretty much surrounded by residential. Lisa stated that staff recommends approval of the application with the conditions found in the staff report on page 7 & 8. They are mostly in case the applicant wants to build something on the property, that these are the things we would require according to the Development Code.

- **Proponent(s) Testimony** – Christine Rasmussen stated that she and her three daughters own the property and bought the property for a family vacation spot for them. That she has been coming to Detroit Lake for 50 years and they have all their lives, so they have been part of this community just not owners of property. That they would like to have the residential zoning so they can put a small vacation home there and they can all use it, that she feels it would be a nice addition to this community. That she doesn't feel it's taking anything away from the commercial area, because like she said they have been coming here for 50 years and there is a lot of empty commercial area right in town. She added that she did talk to a couple of neighbors and they were definitely opposed to commercial. That the family threw a lot of ideas around about what to do with the property and feel this is the best use for it. Kera Howell commented that when they come up every year, they are part of the fishing derby participants, they eat at all the restaurants, so they also give to the community as they come up and volunteer and all the other stuff. So they would like to be residents and have property up here. Acting Mayor Trett asked for any **opponent's** to testify, there were none, any **neutral** testimony, none. Questions from the **public**, none. No questions from **council** and no **summary or rebuttal** from the applicant. Acting Mayor Trett closed the public hearing at 7:55 PM. Councilor Manthe motioned to accept the request, motion was seconded, all in favor; Franz, Campbell, Trett, Manthe and Messmer, motion passed

➤ Acting Mayor Trett went back to unfinished business -

7.4. Idanha-Detroit RFPD – Request to Share Internet Connection – There was discussion in regards to the city not being able to move forward with sharing internet connection with the Fire Department because of our contract with Frontier. Councilor Franz asked if it is possible to talk with Frontier about changing the contract we have with them. Councilor Campbell said there are other issues with that also, security and things like that he doesn't see it (inaudible). Councilor Franz stated that part of her thing is that she would like the city to be working with the Fire Department and thinks that's important which was agreed with. Councilor Messmer commented that once we got counsel involved and made a judgement call, he thinks it best to go with counsel's recommendation. Councilor Messmer motioned to respectfully decline the Fire Departments request for DSL, motion was seconded, all in favor; Franz, Campbell, Trett, Manthe and Messmer, motion passed

7.5 .Detroit One-Stop – Water Distribution System Upgrade – At the October 11, 2016 city council meeting, Recorder Pavoni was asked to contact the city engineer to plug in the numbers to see what the cost would be to go for the \$3.2 million to do all the upgrades. A lengthy discussion followed regarding the results which

council felt were doable for scenario #2 from IFA and USDA. Councilor Campbell motioned to move forward with Scenario # 2 for the 3.2 Million and what the city needs to do to meet the criteria and if we can't meet that, to move forward with Scenario 2 for 1.9 million, motion was seconded, all in favor; Franz, Campbell, Trett, Manthe and Messmer, motion passed.

8. NEW BUSINESS

8.1. Snow Removal Contract – Kevin's Backhoe Service – Acting Mayor Trett stated this is the same contract as last year with no changes. Councilor Messmer motioned to approve the snow removal contract with Kevin's Backhoe Service, motion was seconded, all in favor; Franz, Campbell, Trett, Manthe and Messmer, motion passed.

8.2. Request for No Parking sign on Short Street – After discussion council agreed residential parking only signs be put up and give the owners the option of purchasing a parking permit. Motion was made by Councilor Manthe to put residential parking only on the West side of Short Street with permits available for property owners, motion was seconded, all in favor; Franz, Campbell, Trett, Manthe and Messmer, motion passed.

8.3. Option to have State administer Local Marijuana Tax – Memo to council from Recorder Pavoni explained that if the city's voters approve the local marijuana tax we will need to put a collection system in place whether we have a marijuana business or not. We have the option to have the State administer the tax for us for a 4% cut of the revenue and they would set it up. Council discussed the option and agreed it would be easier to have the state do it and collect the tax, and we would save money in Attorney fees by having the State set it up. Councilor Messmer motioned to let the State assume the responsibility and administer the marijuana tax, motion was seconded, all in favor; Franz, Campbell, Trett, Manthe and Messmer, motion passed.

8.4. Lower Breitenbush Hot Springs Restoration – Recorder Pavoni stated this was informational only.

8.5. Holiday & Vacation Schedule for November & December – Councilor Messmer motioned to approve the schedule, motion was seconded, all in favor; Franz, Campbell, Trett, Manthe and Messmer, motion passed.

8.6. Auditor Site Visit – Recorder Pavoni reported the Auditor was here today and may not need to come back because we'd done such a good job.

9. CORRESPONDENCE – City Recorder, City Clerk – No questions or comments on letters sent or received.

10. COMMISSION AND MAYOR'S REPORTS

10.1. Mayor's Report – Jim Trett reported on meetings he had attended. The Mid-Valley Mayor's Coalition met at Mayor Taylor's home in Salem. All the Mayor's in the valley did sign a letter to the State asking not to add a lot of criteria to grants from the Feds, to minimize any additions, because it poses hardship on smaller cities. A copy of the letter he requested hadn't come in yet. On the 4th small cities met in Creswell and basically had conversations on how best to make their voices heard in the upcoming legislative session. On updates he again promoted the upcoming park and come to Detroit and use the hiking trails, thinking about stuff to do besides use the lake. The Mayors meeting as part of the League of Oregon Cities went fairly quickly, it was mostly hearing from LOC about the upcoming session of the legislature. Jim said he would be attending the meeting tomorrow night at Trexler Farms. The next Mayor's Coalition meeting will be in December in Independence.

10.2. Police and Safety Commissioner's Report – Mark Messmer reported on Nextdoor there have been reports of some theft issues. A small white noisy car had been noted in the area.

10.3. Street Commissioner's Report – Acting Mayor Trett read the street report. City did not receive the SCA Grant from ODOT to pave Detroit Rd. S, Deer St. or Forest Ave W. They didn't score enough points to qualify. Update on the street light on North Butte from CPI. Easements letters were sent out and when they are received back they will start the job. The cost to the city is being worked up and would let the city know soon. Donnie Spier ODOT donated 20 snow poles for Water and Street Department for speed bumps and fire hydrants. Council asked that a thank you note be sent to ODOT.

10.4. Water Commissioner's Report – Jack Campbell reported on the water use and consumption for the month of October from Bob Bruce. Meters were read on October 31st. The new meter reader device worked very well other than a few bugs to work out. Two leaks were found on the customer side, they were notified and was shut off. Another leak was found on Santiam Avenue on the same line that has been repaired four times. This line is on our list of mains to be replaced with the loan we are applying for.

10.5. Building Commissioner's Report – Sandy Franz reported building permits issued by Marion County for October; (3) residential mechanical, (1) residential septic. Building permits with final inspection in October were; (2) residential mechanical and (1) commercial mechanical. She reported she looked at plans today for a remodel on Clester.

10.6. Parks & Rec Commissioner's Report – Recorder Pavoni stated that she put the memorandum of understanding in front of them earlier and asked that they take it home that we need to get back to Federal Highway's Division by the end of next week. If they have any questions or comments to please give her a call. That she also sent it to Shari Flanders Park Committee and Debby Ruyle to look through.

10.7. Emergency Preparedness Commissioner's Report – Jim Trett no report

10.8. Planning Commission – Inactive

10.9. Sewer Committee – Inactive

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

Next meeting Wednesday, January 18, 2017 at 6:30 PM – Gates Fire Hall

12. PUBLIC COMMENTS – Assistant Fire Chief Krill introduced Lew, one of the grant fund fire fighter, EMT's

13. ADJOURN – Councilor Campbell motioned to adjourn at 7:32 PM, motion was seconded, all in favor; Franz, Campbell, Trett, Manthe and Messmer, motion passed.

Signed:

Attest:

Jim Trett, Acting Mayor

Christine Pavoni, City Recorder