



**DETROIT CITY COUNCIL
Regular Meeting Minutes
Tuesday November 14, 2017**

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

1. ROLL CALL – Councilor’s Present – Debby Ruyle, Jim Trett, Greg Sheppard and John Manthe. **Councilors Absent** – Shelley Engle and Vickie Larson-Hills **Staff Present:** Christine Pavoni City Recorder, Deborah Hastings City Clerk. Rob Henry City Engineer. **Citizens Present:** Joyce Robinson, (first name not legible last name Kennedy), Gibson Kuenzi, Bret Russen, Jack Krill, Lew Owens, Levi Hopkins, Lyn Schultz, Michelle Mitchell, Terry & Sharon Bonnett

2. PLEDGE WAS RECITED

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

4. ANNOUNCEMENTS -

4.1. City Council Vacancies (1): Zero (0) Applications Received.

4.2. Rob Henry, HBH Engineering: System Development Charges (SDC) Methodology: Draft Presentation and Discussion. Rob explained that SDC’s are a city’s ability to charge development for the impact that it causes on utilities and parks for the city. That they came about because cities back in the 80’s and early 90’s were charging whatever they wanted to for developers to come in. So the Homebuilders Association of Oregon sued city of Tualatin along with another person, so the settlement is how we come up with the system development charge going by the SDC laws. That essentially we are charging developers for their share and we develop what’s called a methodology where we go through and show justification for the fee. He explained what the fees can and can’t be used for, that it has to be used on projects identified in our capital improvement plan. He said that they looked at water and streets and were going to look at parks, but because the parks were approved with a grant and anything you get grant funding for you can’t charge an SDC. That it will be part of the SDC ordinance but we would have to pass a resolution to add that fee. He talked about how SDC’s could be used for a park. He explained that when looking at SDC’s, they look at 20-years growth using a 3% growth rate for the methodology. He stated there are two types of SDC fees, an improvement fee and a reimbursement fee. The improvement fee is for things that are going to be built in the future, the reimbursement fee is for things that have already been built. He reported with the water improvement fee they went back to the water master plan that was done in 2008 and updated in 2010. They looked at what needed to be done and talking about the new water project they modified the capital improvements plan. That they looked at those two elements together because we’re not going to do everything that needs to be done in the water system with the new project. This is where they came up with the costs, that the costs that were taken from the plan were increased for inflation using the Engineering News Record (ENR) for construction cost index, which is industry standard. They had to determine from each item how much of it was SDC eligible. Of the future water project they determined 21% to be eligible. The total cost of all remaining projects that are in the capital improvement plan is just under 9-million dollars and the SDC number they are using for improvement is 1-Million divided by 398 Edu’s that would be coming in for development a development fee portion for water is \$5,389.00. He said these numbers may change slightly when they present the final at the second public meeting. He informed council that the methodology sets the maximum that the city can charge for SDC’s, the city council can choose to charge something less. With the reimbursement fee they looked at the projects that were done in 2010 and subtracted the loan forgiveness portion and the amount that has already been paid in the debt, the total reimbursement fee is \$797.82. With the Street SDC fee, because we are not doing a new transportation system plan (TSP), we are stuck with what capital improvements are in it. He suggested waiting another year before thinking of doing any modifying to the TSP, but that can be raised to \$1,872, which is all

improvement fee compared to \$1,035 we have right now. So total SDC's would be \$8,059 and it is a little over \$11,000 now. Rob told council he had a few questions for them, as a general consensus because they won't be approving anything today, that they would be approving the mythology at the 2nd public hearing, if there were any issues with the 3% growth rate. Discussion followed, council felt the rate was ok. Second questions was how they deal with the reimbursement rate for the 2010 project. That we can charge a little under \$800 for the reimbursement fee, but as people buy homes the longer it takes them to buy homes, more and more of that loan has already been paid off. So that fee needs to adjust. He explained four different ways cities deal with this, he recommended adjusting it every five years, which council agreed with. Rob stated that currently planning money isn't associated with SDC's that it is standard practice now to include planning for like a new water master plan in the SDC's. Council agreed it be included. Terry Bonnett talked about how bad the roads are and asked if there was any way we could widen the roads using SDC's. Rob explained that the transportation system plan identified things that needed to be done. Unfortunately, it is very specific it has to be an arterial and a major road. Discussion followed. Mayor Trett stated in discussing fees regarding tiny homes he would like to have a full council. Councilor Manthe asked where we were at with the water loan and Rob reported the application is ready to go in and just need the Mayor's signature and should get funded in about six weeks. Councilor Ruyle gave Rob background on issues regarding not getting septic approval for the park site and past approval being found from years ago and asked for any input. Rob stated that the interpretation of the rules have gotten a lot stricter on septic tanks and drainfields but we should pursue using that information and that the cost is going to be much higher for an alternative system.

4.3. Levi Hopkins, Oregon Department of Forestry: to present two Firewise signs to Council and decide on locations to install them at each end of town and possible update on preventive logging/thinning project. Levi presented the city with a Firewise plaque. That about 40-people came and brought their yard debris on our Firewise day back in May. He said they will be installing the Firewise signs usually right at the city limits, so it would be on the left end of the bridge coming into town, and then right outside of town just before the ODOT yard, so people will see it coming from the east and the west. He said to build from that, next year in order to stay Firewise we will have to have a Firewise renewal day that is the city's baby now. That the Fire Department and ODF will help and be there, but as part of the Firewise committee it is our responsibility to decide when and what we are going to do. That they will burn it for us. That it has to be done once a year and the renewal application is on line, which has to be done by November 15 of each year beginning next year, that this year is covered. He reported one of the good things that happened this last summer because we are Firewise, he put in for the Western State Fire Managers grant competing against 17 different states. That it is more than likely but can't say 100% yet because he doesn't have the money, but it is looking really good that we'll have \$300,000 towards fuels reduction/fire prevention, from the North Fork Road in Lyon/Mehama and east. And where Detroit and Idanha are already Firewise it would mostly be spent up here where it's needed. Clerk Hastings asked if this was for the fuel reduction northeast of town along the urban growth boundary. Levi stated that this is for private land owners that are not industrial and is a federal grant. That this is for anyone that could come and say they want to do fuels reduction on their property that they will have someone staffed for two years to come out and work with each individual land owner. On top of that he said they are submitting a title 3 grant, which is also a federal grant funded through Marion County which would be the same amount directed towards fields reduction and fire prevention. Levi stated the area northeast of town is in the action plan which is all forest service ground, to get that accomplished. That that is going to take a lot more planning on everyone's part. That he knows for a fact that the Forest Service is doing a ton of commercial thinning in that area. Levi reported the email he sent on the state farm grant is for \$500 to be used towards our Firewise renewal day. That we would have to complete the application and to please send it his way he would love to review it and help how he can but he can't apply for it, that he recommends we put in for it.

4.4. Dave Shelton, President North Santiam Chamber of Commerce: Not present

5. APPROVAL OF MINUTES OF THE LAST MONTH – None of the minutes could be approved due to lack of quorum. They will come back at the December meeting for approval.

6. APPROVAL OF THE BILLS PAYABLE LIST FOR CURRENT MONTH – Councilor Manthe motioned to

approve paying the bills not raising a conflict of interest, motion was seconded, all in favor; Ruyle, Trett, Sheppard and Manthe, motion passed. No bills in conflict.

7. UNFINISHED BUSINESS

7.0. Snowplowing Contract: Siegmund Excavation & Construction – Gibson Kuenzi stated he was here on Andrew's behalf to answer any question. Mayor Trett stated we are looking for a new person to do snowplowing as the Hills family declined to renew the contract this year. Councilor Manthe asked if council approves the contract, does it give Siegmund the overall decision on how many pieces of equipment he can put up here. That he knows the equipment fees and we could be paying up to seven hundred dollars a day, which we can't afford. And asked if the city would have a say on what equipment we need. Councilor Sheppard said in talking with Andrew it sounded like we'd have a say. Gibson stated they do have a list of equipment but mostly would be used if there were a big snow event. That they are going to bring up the 2 ½ ton truck and maybe a grader would be the next step. That between calibration whoever calls for the snowplowing and Andrew or himself they would figure out what the best piece of equipment would be the best to get the job done and the cheapest. That he thinks ultimately the city has the interest to be able to tell Andrew what they think we need. That they will probably stage some stuff up here especially January, February assuming that's when we get most of our snow. Councilor Sheppard reported that he had also been talking with Breitenbush and they are willing to be an alternant and help if we really get behind. They have a couple five ton dumps but their priority is Breitenbush Road. Gibson was asked if plowing hours were only during the daytime by Recorder Pavoni. Councilor Sheppard added that the Hills brothers could be out there at three in the morning, depending and asked about their range of hours. Gibson stated it is a little confusing in the contract to describe exactly what Andrew meant from 8 to 5. That the idea is they get a call say 6 in the evening they need to plow, they would start plowing the next morning. That if they get here and it's snowing like crazy and they need to be here, they have people on staff if they need to pull a crew off and bring another one on and keep plowing through the night. Greg stated there on some hazards like water meters that we will mark and he and Bob the Water Tech would probably give them a tour of the streets. Recorder Pavoni stated someone would have to call them which would probably be the street commission, if he could call anytime and Gibson said yes there is a couple of numbers. The office is open 8-5, if not, Andrew put his cell phone number on there and he said he has some business cards with the numbers. That we can call Andrews number 24-hours a day. That they would also be checking the ODOT cameras in the area to see what the weather is doing. Christine said in the contract it says we have to call to initiate and Gibson said that would be best to have one person that calls. Mayor Trett stated there was some questions about 6.8.2. The city being responsible for damage, that our Attorney has some concern with that. Gibson said he thinks the intent of this is for example, if we get like 4-feet of snow and it's still snowing and stacking up on the side of the street next to someone's fence, hedge plant etc. and they come through with a plow blowing snow, it is quite possible that snow is going to smash the fence. That it's intended to say we don't know what's underneath the snow unless it's marked and is in the normal street right of way. Recorder Pavoni stated that our Attorney felt that their insurance should cover any of those damage's, that the city did get sued once before for a fence, and Gibson responded he would have to talk to Andrew about that, and explained that he thinks Andrew wanted to avoid, because of them not knowing where peoples fences or mailboxes or whatever it could be, there could a lot of small claims at the end of a snow season, that maybe wasn't due to their equipment or their plowing, but because of the snow in general. Councilor Ruyle also pointed out our Attorney didn't understand section 7, it sounds like if you want to terminate early you give 30-day written notice. Upon the early termination of the agreement contractor shall not be obligated to perform any snow plowing services within that thirty days. So it sounds like if you give notice it's immediate. Gibson said that is after the 30-days. Councilor Manthe motioned to approve this, motion was seconded, Mayor stated motion was made to approve the snowplow contract with Siegmund Excavation and Construction Company, all in favor; Ruyle, Trett, Sheppard and Manthe, motion passed.

7.1. Rotating Meeting Schedule – Fire Department -Assistant Fire Chief Jack Krill reported they had their Fire Board meeting last night and the next one would be on January 4th. That they had a chief candidate who is the assistant chief out of McKenzie Fire, that they basically brought him on early as interim assistant chief to kind of go through a couple more interview processes to help them through winter here and then January 4th Bret will do a formal 4-year (inaudible). The Firewise to tag along with Levi, they are going to be a big event. That most cities approved making a plaque for Andrea, who is a Fire Department member who helped facilitate this. Lou just went through a public informational officer class, so he is going to be in contact with the media, some press date thing with everybody there. That Andrea will be helping with whatever we need to do another firewise day. Mayor Trett reported that **Federal Lakes** met on October 18th in Gates. That as everyone is aware that there is a potential for them

doing major construction to build cooling towers for the reservoirs. That they are to the point of making a decision on how they are going to do that. That it could be happening within the next four years. Mayor Trett state that **DLRABA** met on the 21st, no report.

7.2. Code Amendment Updates – Mayor Trett reported the public hearing date is set for January

7.3. SDC Amendments – Covered under Announcements

7.4. Bank Signature Cards – Mayor Trett stated we need a motion to put newly appointed Councilor Shelley Engle on the U.S. Bank accounts signature card. Councilor Manthe made so motion, motion was seconded, all in favor; Ruyle, Trett, Sheppard and Manthe, motion passed.

7.5. Ordinance No. 253 – An Ordinance providing for the Regulation of Outdoor Vendors within the City Of Detroit – Mayor Trett read the ordinance in full. Discussion was raised by Councilor Manthe regarding yard sales on the main street, if they should also get a vendor license. Staff to research and bring back to the next meeting.

7.6. Resolution No. 570 – A Resolution Repealing Resolution 547, Miscellaneous City Fees, to Include a Vendor Business License Seasonal Fee – This to be tabled to the next meeting.

7.7. City Right-of-Way at North End of City Park - Councilor Ruyle reiterated how the property owners along the back side Clester were encroaching on city property. That one person even has a sprinkler system on our property. That the engineers for the park thought they were going to need that land but have now said they didn't. That they need to talk about if we just remind those people that that's our property and they are going to need to remove their stuff, because it's our property. We don't have the money in our grant budget to move the fence to take it back. That one of the options is to putting it really close to the property line to make sure they remember that its city property, or we can just ignore it and down the line they'll say it's theirs that they have stuff planted there or we could do the revocable license agreement. She said the Attorney said this would be a good time. Because she said it had been surveyed, which we would have to do down the line if we ever wanted to get it back, which would cost us. He said once we know where the legal line is, which she said she thinks we know now, the surveyor will give notice to the adjoining owners. But it would be a good idea for the city to notify these property owners of our intent to move fence to the near boundary line, if we are going to do that. That if there are improvement to the five foot strip the owner should be notified to remove those by a certain date, giving them enough time. That he tends to agree with the project engineer that we should take back all of the city property and right of way. This is a convenient and opportune time to do so. Discussion followed. Mayor Trett suggested this be moved to next month so we can find out if the survey had been filed or not, council agreed.

8. NEW BUSINESS

8.1. Outdoor Mass Gathering Permit Application: Detroit Lake Street Fair – Mayor Trett reported the event would be on July 21st and 22nd. Councilor Manthe motioned to grant the application, all in favor; Ruyle, Trett, Sheppard and Manthe, motion passed.

8.2. City Staff Vacation and Holiday Schedule – Information only

8.3. Trees Removed for Humbug/Front Project – Recorder Pavoni reported the property owners along Humbug feel they should benefit from three or four trees that had to be removed from city right of way on Humbug. Council agreed Humbug residence could have the wood and must be picked up within 30-days. Any leftover wood to be opened up to the elderly and needy.

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

10. COMMISSION AND MAYOR'S REPORTS

10.1. Mayor's Report – Jim Trett reported he attended the Marion County All Cities meeting on October 17th, regarding permits and inspection processes at Marion County. Later that afternoon he attended the Council of Governments Directors meeting and met Sean O'Day the new Executive Director who did an all cities tour. And that he met with him afterwards and talked about having him come up and have a training for council and staff on what our roles are and how we are supposed to interact. He reported he attended the Federal Lakes meeting on the 18th, the tiny homes committee meeting, which needs more work on the 24th, on the 25th was the Mid Valley's Mayor Collision, major topic was the Census and making sure every community does everything they can to get everybody in that census because it is amazing how many federal dollars are sent based on your population. On the 27th he said he is invited to Marion County giving people seconded chances, that this is Commissioner Janet Carlson's program for helping homeless and helping people come back from dark places. On the 28th he attended the winter weather forecast conference in Portland. On November 2nd is the sewer project meeting. Marion County Commissioners have Danielle Gonzales working on the project and everybody she's talking to in terms of

government agencies are going, we will give you money for this study. We have to approve a resolution in January to participate. If anyone in the four cities say no, the project is pretty much dead. On the third the League of Oregon Cities has a small cities organization (less than 5,000). Where he got a great update on the Marijuana. So far 85 million has been brought into the state. On the 7th he attended the Solid Waste Advisory Committee, where they showed them the recycling plant for Marion County. He said the bad news is we can't recycle anything we've been recycling anymore because China won't take it anymore. Jim reported that next Tuesday he would be meeting with Representative Sprenger. That last year we had a county-wide burn band and when they closed down the camp fires we still had people having them. That most people would put them out when he told them but there were some that weren't so nice. So he called Dave Zahn, the Deputy, up here and asked who could write that and he said basically the Fire Department and most Fire Departments won't write it. So he's going to talk to Sherry Sprenger about it, because one spark and the whole town goes up. Discussion followed. Mayor Trett showed council a shirt he had done with the city logo he had asked them about getting, so he when he goes someplace he wears it and talks up Detroit. He said they will do individual items if anyone wants anything. Custom Stich on Commercial. Recorder Pavoni added anyone can go because now they have the design set up. The city will only pay for the embroidery not the clothing.

10.2 .Police and Safety Commissioner's Report – Vacant

10.3. Street Commissioner's Report – Greg Sheppard reported he still waiting to hear on the ODOT Small City Allotment grant.

10.4. Water Commissioner's Report – John Manthe reported on water use and consumption for the October and prepared by Water Tech. Bob Bruce. Water unaccounted for was 1,634,800 gallons, the new water project will fix this problem. Water use was down due to summer being over. A leak was repaired on Santiam Ave and adds to the unaccounted water total. A new water service was installed at 135 Weber by the water treatment plant and another service is being installed on Scott Ave. N. Mackey Creek flow is picking up so Breitenbush doesn't have to work so hard to get water to the plant. Councilor Ruyle asked if the ODOT line that is losing water would be included in the water project and John said yes they plan on running that line down the highway. Discussion followed. The project is to start this summer.

10.5. Building Commissioner's Report – Mayor Trett reported for Vickie Larson-Hills. Residential permits issued for October; 1 plumbing, 2 mechanical and 1 structural. Residential permits with final inspection; 1 electrical and 3 mechanical

10.6. Parks & Rec Commissioner's Report – Debby Ruyle reported they are almost 100% complete with the plans and plan to have another public meeting in December just before the holidays to show the completed plans for the Park and Detroit Park Day Area. She said as they talked earlier, we are having some issues with the septic tank that Matt Miller is trying to figure it out.

10.7. Emergency Preparedness Commissioner's Report – Vacant

10.8. Planning Commission – Recess

10.9. Sewer Committee – Mayor Trett reported the sewer committee meets the first Thursday of every month at the Mill City, City Hall, people are welcome to come and see what's going on. It starts at 6:00 PM. That Danielle Gonzales will be putting up a website soon for people who have questions, and talk about what the project is. Recorder Pavoni added we would put a link on nextdoor. Discussion followed.

12. PUBLIC COMMENTS – None

12. ADJOURN – Councilor Manthe motioned to adjourn at 8:44 PM, motion was seconded, all in favor; Ruyle, Trett, Sheppard and Manthe. Motion passed.

Signed:

Attest:

James Trett, Mayor

Christine Pavoni, City Recorder