



DETROIT CITY COUNCIL
Regular and Public Hearing Meeting Minutes
Tuesday, February 13, 2018

CALL TO ORDER: Mayor Jim Trett called the meeting to order at 6:31 PM at City Hall, 160 Detroit Avenue N., Detroit, Oregon.

1. ROLL CALL – Councilor’s Present – Debby Ruyle, Vickie Larson-Hills, Shelley Engle, Jim Trett, Greg Sheppard, John Manthe and Ken Woodward. **Councilors Absent** – None **Staff Present:** Deborah Hastings City Clerk. **Citizens Present:** Ronald Ped, Bob & Berneice Layman, David Layman, Dane Loveberg, Lyn Schultz, Dave & Barb Shvely, Anita & Keith Munn, Todd Smith, Bob & Sandy Franz, Oliver Layman, Dean O’Donnell, (not signed in, Paul O’Donnell and Kevin Hills).

2. PLEDGE WAS RECITED

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

4. ANNOUNCEMENTS – Mayor Trett stated that he would like to change the emergency preparedness commission assignment from Ken Woodward and take on the commission and create a sewer commission for Ken Woodward with council approval. Councilor Manthe motioned to approve the change, motion was seconded, all in favor; Ruyle, Larson-Hills, Engle, Trett, Sheppard, Manthe and Woodward, motion passed.

A. OPEN PUBLIC HEARING – Mayor Trett opened the public hearing at 6:35 PM. He stated that this is the time and place set for the public hearing in the matter of Site Development Review 2018-01 and Variance 2018-01, requesting the allowance of a remodel and addition of 1,600 sq. ft. of retail space with associated parking in the Commercial General zone; and a Class B Variance to the maximum parking standard to allow for ten parking spaces. The Oregon land use law requires several items to be read into the record at the beginning of a public hearing. Lisa Brosnan City Planner stated that the applicable criteria upon which this case will be decided are found in the Detroit Development Code, Section 4.2 and Section 5.1. That specific criteria are summarized in the staff report and will be reviewed during this hearing. She then read the hearing disclosure statement for the record. Mayor Trett asked the audience if there were any objections to the notice that was sent in this case or if there were objections to the jurisdiction of the Council to hear and decide this case, there were none. He asked council members if there were any declarations of ex-parte contact, conflict of interest or bias, there were none. Mayor Trett turned the meeting over to the city planner. She stated the issue before them today is a site design review to allow a remodel and addition of 1,600 sq. ft. of retail space with associated parking in the Commercial General zone; and also a Class B Variance to the maximum parking standard to allow for ten parking spaces. The criteria is found in the Detroit Development Code Section 2.3, 4.2 and 5.1. The Site Design Review is a type III procedure which was considered initially by the planning commission, final decision is made by the city council. Type III decision usually use discretionary approval of criteria. The Variance is a class B variance type II procedure ordinarily made by the city recorder but as part of the site design review and closely related to it, they are both being heard concurrently by the planning commission and the city council. The planning commission held a public hearing to review the proposal and make a recommendation to the council. After review of the staff report, the applicant’s materials and input from the public, the planning commission voted to recommend approval of the proposed site design review and the variance. The subject site is a commercial zoned lot approximately .3 acres and its current use is a 3,349 square foot retail establishment accessible from D Street, commonly known as the Mountain High Grocery Store. **Variance** – Lisa said we have specific criteria to look at when considering and granting a variance. The first is that the individual characteristics of the use at this location require more or less parking than is generally required for a use of this type and intensity. We have found we have minimal standards for parking requirements, that is found in chapter 3.3 of the Development Code

and for commercial uses the standard is one space per 750 square feet of gross floor area. The proposal is for 4,933 square feet. This would require a minimum of seven parking spaces and the code says you should not exceed the required minimum by more than 10%, which would only allow eight parking spaces as the maximum. The business is currently operating with eleven parking spaces and uses an offsite location for overflow parking. She stated that it is realistic to assume that the planned expansion of the business will likely create more of a need for additional parking. It can also be envisioned that a reduction of parking at this location will have a negative effect on traffic and the availability of parking spaces on the street. The individual characteristics of the use at this site require more parking than is generally required by the Development Code. She added that our code requires one spot for every 750 feet which is a really high standard, most cities this size require every 250-300 square feet. She said the need for additional parking cannot reasonably be met through provisions of on-street parking or shared parking with adjacent or nearby uses. That currently at this site they have off-site parking that's used in the high season, parking on the street is limited and not encouraged for this use, therefore the need for additional parking cannot be reasonably met. The criteria for the variance is met.

Site Design Review - The planner stated the application complies with all the provisions of the underlying zoning. The development standards listed under 2.3.6 are met. The proposal was reviewed by the city engineer and no concerns were addressed by him regarding stormwater management on the site. A condition of approval was added, that one of the required parking spaces be ADA accessible. It does comply with the design standards including access and circulation. Access is proposed from D Street and circulation will be similar to its current condition with the exception of the front parking being moved closer to D Street. The city engineer has required the parking space closest to Detroit Avenue be removed, which altered the original from 11 spaces to 10 to provide for adequate clearance to the crosswalk at D Street and Detroit Avenue. The city engineer had no concerns regarding public facilities, and surface water management. The sign code was also looked at, the wall sign proposed is less than the minimal size proposed. She said no conditions are required as part of the variance approval. And that all of the criteria has been met or not applicable. So staff concludes that the submitted application complies with applicable design criteria as conditioned and recommends that council adopt the findings as presented in the staff report and approve as CR18-01 and variance 18-01 subject to the conditions that are outlined in the staff report which are pretty standard and they have included the ADA accessible parking space. She went through council's options as outlined on page of the staff report. Mayor Trett asked for any **Proponent** testimony. David Layman commented he felt the building he's building is beautiful and is going to be neat for the town. That his one concern watching the traffic flow, about 10 years ago he attempted to place a cell tower, which is there now, the city council stopped him from building or putting a cell tower there or tried to. It took about 6-months which should have taken about a month because they said it was too busy. That he would like it confirmed, this could never be pulled on him again that it was ridiculous, that he had to fight city hall, council. That he had to hang little things all over the place to listen for sound and stuff and they took over his piece of property down there, and slowly he's been gaining it back for some of the stuff they've been able to put on it, but the city took his property away, said it was too busy and now we're going to add onto a business and asked council if that sounded right to them, that it's already too busy and all he was going to do is put in a cell tower, that he thinks it should go on record that he thinks it's wonderful but need to take a look at that you don't step on somebody else (inaudible). But he thinks it's great and not against it at all. Berneice Layman stated there is a stop sign in front of Mountain High right now and something is going to have to be done about traffic coming off of Highway 22 and then turning back up to the left to get back on 22. That it should be looked at for safety where a wreck could happen. Bob Layman added it should be a right hand turn only. City Planner Brosnan responded that this also came up at the planning commission meeting and the city's engineer is very aware of the situation and are looking for ways for the city to make that area safer, especially for pedestrians crossing and maybe looking at restriping or having signage, whatever would make that area safer. Mayor Trett asked for testimony from any **Opponents**, any **Neutral** or the **Public**, and there were none. He asked for questions from the **Council**. Councilor Manthe asked Dean O'Donnell when he thought they would start and finish the project. Dean stated as soon as possible it all depends on the contractors, but obviously they don't want to be hung up during the busy season, that timing is going to be very, very important to make sure they are open for the busy season. Paul O'Donnell added they are going to try to do this in stages, that they want the store to be open every day. So they want to take steps in this and try to have it done within 1 to 2 years. Councilor Larson-Hills

commented that in the engineer's recommendation and what was talked about earlier, maybe putting in a barrier by the intersection. Because people coming in off Highway 22 tend to want to turn into the property by where the cell tower is. And asked if there were any plans to put in some sort of barrier to make them have to go to D Street to enter in order to access the parking spots or the overflow parking. Street Commissioner Sheppard said we have maybe two candle sticks left he use to put up there, they kept getting ran over. Mayor Trett stated this is something the planning commission is looking at. Councilor Larson Hills also voiced concerns with the crosswalks on Detroit Avenue N. and needing one on D Street. Council discussed the safety issue regarding the turning lane on D Street and Detroit Avenue N. in regards to things that could be done to make it safer. Councilor Larson-Hills asked if there was going to be any additional signage, where they have pedestrian walkway and the strips on the ground and for where the disabled parking is going. The Architect Ron Ped stated that the ORS 445 says what is required for accessible parking that they will follow. David Layman stated that they have signed a contract with another fueling station for the meadows and are also in negotiations with Tesla on a fueling station with their trucks. And they are looking at putting in a laundromat, so it is going to be pretty full over there.

B. CLOSE PUBLIC HEARING - Mayor Jim Trett closed the public hearing at 6:57 PM.

C. CITY COUNCIL - Mayor Trett asked council for any discussion on the planning commission's recommendation. Councilor Engle stated she lives close to it and has watched all the development and all of the improvement that have been made over the course of eighteen years. And it will be a huge improvement to the city and is very excited for the O'Donnell family to have this happen. She talked about people having to start backing onto the road that everywhere people have to do that. That it behooves the city for safety to make sure the city streets are marked appropriately, that it's not the O'Donnell's family concern that we are not marking our crosswalks. That we need to mark our crosswalks that it behooves them to do that with all the crosswalks. Mayor Trett added he would propose they, as a city, look at what they want to do striping wise, barrier wise and soon. To maybe have that in place before they do their project. Councilor Manthe made a motion to adopt the findings as presented in the Staff Report and approve the request for Side Design Review SDR18-01 and Variance VAR18.01, subject to the conditions of approval set forth in the staff report, motion was seconded, all in favor; Ruyle, Larson-Hills, Engle, Trett, Sheppard, Manthe and Woodward, motion passed.

D. OPEN PUBLIC HEARING – Mayor Trett opened the public hearing at 7:03 PM. for legislative amendment 201-00. He asked council if there were any conflicts of interest declared, bias, or ex parte contact, there were none. He stated the Oregon land use law requires several items to be read into the record at the beginning of a public hearing. City Planner Lisa Brosnan stated the specific item before the council is for an application for development code amendments associated with the development of tiny homes on single-family, multi-family, commercial general, and industrial commercial lots. Additional Development Code amendments to the definitions, parking standards, Detroit St. Corridor standards, manufactured homes, accessory structures, wireless facilities are proposed. Also code corrections to identified inconsistencies. Lisa Brosnan, City Planner, stated that the applicable criteria upon which this case will be decided are found in the Detroit Development Code Section 4.1.6, 4.7 and also in the Oregon Statewide planning goals and guidelines. These criteria are addressed in the staff report. She then read the hearing disclosure statement for the record. She stated the request is for a code amendment associated with the development of tiny homes and additional code amendments that mostly have to do with inconsistencies that we've found over time and small changes to the corridor standards, parking standards, manufactured homes and accessory structures. The text amendment is a Type IV procedure which apply to legislative matters. They may involve the creation, revision, or large-scale implementation of public policy. Type IV matters are considered initially by the planning commission with the final decision being made by the city council. This started on June 13, 2017, when council voted to initiate an amendment to the Development Code to allow for tiny homes in the City. There have been several working group meetings, all being members of the City Council, Planning Commission, representatives from Marion County and the State of Oregon, as well as the general public. Draft language for the amendments were discussed at these meetings and revisions to the proposed language were made based on those discussions. Notice of the Planning Commission and City Council hearings were published in a newspaper of general circulation in the city on January 12,th and published on February 2nd at least 10-days before the scheduled initial public hearing and 10-days before the city council hearing. The Department of Land Conservation and Development were provided notice on

January 9th. The planning commission held a public hearing to review the proposal, after review of the staff report, draft code language and input from the public, the planning commission voted to recommend approval of the proposed changes to the code with the following additions that have to do with accessory structures in residential zones and also the height of accessory structures. She said as a side note, the planning commission suggested a complete review of chapter 3.8 that has to do with accessory structures, because a lot of things they considered may be problematic in that chapter, so they asked for council to consider a complete review of that chapter when it is financially feasible to do so. Lisa explained that over the past several years the city has had a number of prospective residence and property owners inquire into permitting procedures to allow for tiny homes and had been turned away because of land use and building code prohibition. The current code does not allow for homes less than 700 square feet in size, while the city, county and state building codes contain conflicts that prevent the construction of various types of tiny homes and their placement. This is a challenge that is shared by all Cities in Marion County and the State, and is the majority of the reason why tiny homes are not allowed in Oregon cities. Which is a problem that people who want to live in tiny homes have found all over the county. So in March of 2017 Detroit was awarded a grant by Marion County through the Oregon Lottery Community Projects grants program. It wasn't a large grant but enough to cover research and drafting of these amendments. The City has worked with the Mid-Willamette Valley Council of Government (COG) to get this done. It has been a coordinated effort between the City, COG, the County and the State. And it's hoped that tiny homes on individual lots or in cluster communities or RV Parks will help spur economic development in the city through the creation of regulatory environment that promotes affordable and safe housing opportunities for full time and seasonal residents. It is hoped the resultant code will be offered as a model for other Marion County cities that wish to allow for tiny homes in their communities. That there has already been interest from other communities to see what we are doing here in Detroit, that we are being very progressive as far as tiny homes go. She said there is compliable criteria to be considered that are found in the State Wide Planning Goals and Guidelines. Also looked at how this proposal relates to the current comprehensive plan. That the changes are found in provisions goal 10 housing in the state wide planning goals and guidelines. This was sent out to applicable federal and state agencies regarding statues and regulations and no comments have been received besides DLCD who had a representative present at the meetings, and had given comment, which much of the language was based on their comment. The proposal adheres to the housing element goal 5 of the comprehensive plan, which states Detroit shall encourage the development of a range of housing types and cost levels to adequately meet the need of its citizens. Lisa then started through the outline of the substantial code changes. A complete definition of what a tiny home is and what it isn't was added to the definitions. That a dwelling, tiny home is a structure containing a dwelling unit with less than a total of 600 square feet, intended for permanent or temporary residence and may be one of the following: A site built with a foundation according to Oregon Residential Specialty Code requirements; modular constructed on a moveable trailer according to the requirement of the Oregon Residential Specialty Code, with the wheels removed, and strapped/secured to the ground according to the requirements of the Oregon Residential Specialty code for manufactured homes; or mobile on wheels and located within a tiny home park in the Commercial and Industrial zones. Tiny house unit shall not be a recreational vehicle, although may be registered as an RV, auto home, shipping container, motor vehicle, semi-trailer, camper, or boat. The minimum of 700 square feet of living space was changed to 600 square feet. Anything under the 700 square would be considered a tiny home and would need to fall under one of the categories. In the residential single family zone they were listed as a permitted use as long as it meets the definitional requirements and the development standards under chapter 2.1.7(E). As a conditional use under the residential single family zone a tiny home park would be allowed with planning commission approval. Lisa read the special standards for certain uses in chapter 2.1.7, and the standards for modular. In the Residential Multi-Family zone tiny homes were added as a permitted use and meet the definitional requirement and development standards. Under conditional use they would be allowed in a tiny home park with approval from the planning commission. In the Commercial General Zone was listed as a conditional use for a tiny home park. If they are in the commercial zone as park of the tiny home park they may be one wheels and do not require skirting and may be self-contained. Under chapter 3.8.1 which covers accessory structures in the residential zone, they found that any tiny home that is used as an accessory dwelling unit must observe the side and rear yard setbacks of the main building. Under manufactured home parks there was a change under F of parking manufactured homes which states

manufactured homes parks in an RS or RM zone may accommodate only manufactured homes and tiny homes that meet the definitional requirements of a tiny home. Lisa stated there were a few miscellaneous changes that have come up over time. Removed was a manufactured home must have a garage or carport because the city does not require that of a stick built home. Some inaccurate references in the code were removed that didn't exist. Some wording for accessory structures in the residential zone were also made. That it used to say where you have a primary use on the site, to say a primary structure is required, so an accessory structure is not allowed without another permitted structure, which was a planning commission change. They also made a change to height for accessory structures to read accessory structures shall be eight feet at the lot line and may increase in height one foot for every one foot of setback to a maximum height of 20 feet or 80% of the height of the primary structure whichever is less. It used to be a maximum height of 15 feet. Lisa stated staff recommends approval of Legislative Amendment LA2018-01 to the City Council. Mayor Trett asked for any **Proponent's** testimony. Bob Franz stated it says they have to have septic, would that be the septic of the main house or have its own. Lisa responded if it is on a lot by itself it would have to have its own system, if it is an accessory they would have to meet the county's standards. Bob asked about driveway access, Lisa said it would be the same as anyone else, if it's an accessory it is still all considered one lot, one driveway. Bob asked if more than one would be allowed per property, Lisa said no it would be like any other house. Councilor Woodward added they could have a guest home as long as there is not a kitchen. Lisa stated that right now we're really just looking at tiny homes on their own piece of property, that we would really like to go into the accessory dwelling, accessory structure part of the code, but that's up for another time. Mayor Trett stated part of the reason of going into this in his view was we have so many under sized lots by the time you put a house on it there was no room for a septic. So that would alleviate some of that concern and then some people did say they would like to have a guest house. Bob Layman commented that we already have a lot of lots that can't be used, you have to use two lots in order to get a septic on it. That all he can see is all a tiny house would accomplish is lower the standards of the houses that are in the city. Mayor Trett stated that it is their understanding it would make some of those lots buildable with a tiny home because now you would have room for a septic, which again is part of the reason they wanted to look at this. Keith Munn asked in changing the square footage from 700 to 600, 100 square feet really going to change for a septic system. Councilor Engle responded that Marion County looks at how many bedrooms you have in determining the size of your septic and drainfield, not square footage. So if you are building a tiny home or accessory dwelling of 600 feet or less you will have to establish with the county how many bedrooms you have in this space. Keith Munn stated he still doesn't see why we are lowering it from 700 to 600 square feet, that 700 is already way too small. Mayor Trett explained that they looked at standard from other communities, it's not like they went hog wild, and they kept coming back to these small lot sizes. Councilor Woodward added that people are finding out, once they take off an old trailer etc. they can't put anything back on it because of not being able to put in a septic. Anita Munn asked if that means we're going to sell lots that are so small that we're going to have a community of tiny homes. Councilor Woodward responded 5,000 foot lots are pretty small and there a lot of them around here that they can't do anything with. Clerk Hastings stated new created lots have to be 8,000 square feet. Councilor Ruyle stated if the sewer system is going to come into place, then a lot that is too small to really do much with now because of the needs for a septic system on that lot, if they could hook up to that system then couldn't they build a bigger house then. Councilor Woodward said it's up to them what they choose to do. Mayor Trett asked if there was anyone to speak in favor of the proposal. Dean O'Donnell commented that we have lots in town that have been sitting vacant for years and years and years. If we can come up with a procedure where we could put (inaudible) and if they can get septic approval from Marion County, then we're making better use of the land. As it is now that land is sitting there doing absolutely nothing for the City of Detroit. That we're not improving our town, it's just sitting there vacant. Councilor Woodward added, that brings in property taxes. Dean added another thing is affordable housing and one thing Detroit lacks is affordable housing. Anita Munn stated in other words we're not going to create new lots just for tiny homes, it is the existing lots that have fallen by the wayside, that we're not going to establish a whole new neighborhood of tiny homes and Ken said right, utilize what we have. City Planner Lisa Brosnan stated a lot of this was driven by the desire to discourage so many people from living in RV's and thought as an improvement, a little more attractive and permanent kind of living situation to the RV. Anita Munn asked about the tiny home park and Lisa told her that was in the commercial zone. Ken said and in the RS with a conditional use.

Mayor Trett said there is very limited space in Detroit where it can be done. Keith Munn said so a tiny home couldn't go on a normal size lot and Mayor Trett said they could, that they received testimony from at least one person who said they had a good size lot but they just don't want to maintain it. Keith Munn said that is his concern that they won't maintain it and the Mayor said he meant not cleaning house all the time. Keith added that they will be here for the weekend and garbage cans will sit out etc. Dean O'Donnell commented one's pride in their home doesn't vary if it's a large home or a small home. Keith said if you have a 600 foot house where you going to put your lawn mower etc. Mayor Trett asked for any Opponent(s) Testimony. Councilor Manthe stated he had the same concerns as Keith Munn, he doesn't want Detroit turning into one big trailer park. Anita Munn asked if there could be a percentage of tiny homes in the city. Mayor Trett stated we have address what they can look like, they can't just pull it in and park it. Answer was no on there being a percentage.

E. CLOSE PUBLIC HEARING - Mayor Trett closed the public hearing at 7:40 PM.

F. CITY COUNCIL DISCUSSION – Councilor Ruyle commented that we have a 700 foot minimum and no singlewide mobile homes and yet now they are talking down to 200 feet, it's a huge flip. That they didn't want any singlewides and now they are half the size or smaller than what they've taken out and can't replace, that its odd and concerning to her. And we will be getting less taxes for tiny homes. She said by welcoming tiny homes we are going to decrease are potential property taxes. Councilor Engle stated an empty lot brings us no property taxes. Councilor Ruyle voiced concerns in regards to someone who had purchased a home in Detroit and now tiny homes being allowed and have an accessory building to rent out or whatever. That when she bought her property that's not what she bought into, that she thought there was going to be a minimum 700 square feet for housing. That it's just really going to extreme. She said she is also concerned about storage, that 200 to 400 square feet is not much for storage such as coolers and things, that she doesn't want to see coolers and stuff unloaded and dumped because there is nowhere else to put it. She said it's a concern with the looks of tiny homes and lack of storage facilities. She was also concerned it could bring neighbor's property values down, that's she not sure how that works but it's still one of her concerns. It just seems to her it's a big change and she hadn't decided if she is for or against it but those are just some of her concerns, especially if it can be added as an accessory building. That if she had a house and her neighbors are going to put in a tiny house she thinks it would frustrate her. That it's taking her view and what she's having to look at would change that significantly. After a brief discussion about the appearance of a tiny home, Mayor Trett read the definition of the tiny home and the requirements of how it has to sit, looks and fitting in with the neighborhood. Bob Franz said going back to the lawnmowers, coolers, if we were going to allow awnings and outbuilding. That he can just see driving down the road seeing all this stuff around all these little houses. Mayor Trett stated he didn't feel it was going to be any difference then a big house. Councilor Engle addressed the assumption that someone who chooses to live in a tiny home is trailer trash, not house proud, that they disregard their neighbors and the fact that their neighbor is somewhere where people take pride in. That there are big lots with big houses with all their stuff outside. She went down the list of the established rules to have a tiny home. That it would not take away from your view That she does have a question and concern about how many people are allowed technically to live in a tiny home. But one of the things it would alleviate is that we don't have affordable housing for people that work in Detroit and don't live in Detroit. That if they as a city recognize that these people need a place to live also, for a reasonable amount of money. It helps us in every way, we increase our property taxes, our lots get developed and also allows for more people to permanently live here which increases our population, which increases our voting pool, our tax pool. She said it is her belief if they set very conservative standards just as with regular housing as a whole, she can't imagine why this would be a bad idea. Councilor Woodward went over the number of vacant lots the city has and if they all connected to water, how much revenue that would bring into the city. He said if they can utilize what we have, why not try to do it. City Planner Lisa Brosnan stated that our current code in the RS zone allows accessory structures and uses, which may include guest houses and guest facilities provided they are not used for rental purposes. In addition, it is written in the requirements that a tiny home must follow all the dimensional requirement of the zone, the setbacks. Councilor Ruyle asked if they would be able to tie into an existing septic. Lisa said she wasn't sure how the county handles that. Debby stated that would be an answer she would want to know before, and Lisa said whatever it is, it would have to be approved by the county. Councilor Larson-Hills stated one of her questions was the same as Councilor Engle's of how many people can reside in a dwelling. Lisa said the city doesn't currently have any standard of how

many can reside in any other house and if the city really wants to take that on as far as enforcing something like that. Councilor Engle stated that she has a lot of questions for all the specifics, the chapters and being so late she would like to move to continue the request to a time certain or indefinitely, stating at what point the city council would consider reopening the hearing at the next city council meeting to table the discussion at this point to get more information, Councilor Manthe seconded, all in favor; Ruyle, Larson-Hills, Engle, Trett, Sheppard, Manthe and Woodward, motion passed. City Planner asked if the office could collect questions in advance and give those to Christine.

5. APPROVAL OF MINUTES OF THE LAST MONTH – Councilor Manthe move to approve the minutes of December 12th meeting, motion was seconded. Councilor Ruyle stated there was an error in the rotating meeting schedule that she was also at the firewise signage. Mayor Trett stated a motion was made and seconded as amended, all in favor; (5)Trett, Sheppard, Larson-Hills, Manthe and Engle, abstain (2) Ruyle and Woodward, motion passed. Mayor Trett on the minutes of January 9th in the Mayor's report it needs to say South Salem High School instead of Salem High School. Motion made by Councilor Larson-Hills to accept the minutes as amended, motion was seconded, all in favor; Ruyle, Larson-Hills, Engle, Trett, Sheppard, Manthe and Woodward, motion passed.

6. APPROVAL OF THE BILLS PAYABLE LIST FOR CURRENT MONTH – Councilor Manthe motioned to pay the bills not raising a conflict, motion was seconded. Councilor Ruyle asked why the Marc Nelson bill was so high, staff will look into it and let her know. All in favor; Ruyle, Larson-Hills, Engle, Trett, Sheppard, Manthe and Woodward, motion passed. No bills in conflict.

7. UNFINISHED BUSINESS

7.1. Rotating Meeting Schedule – Mayor Trett stated no one was here to report on for the Fire Department. He read the meeting dates and times for Federal Lakes, DLRABA, Planning commission and the N. Santiam Wastewater meetings. Lyn Schultz Fire Board Member gave the report for the Fire Board. She said Jack Krill is gone and they have one of their safer firefighters, Scott as interim assistant fire chief. Right now they are trying to reorganize, as far as who's paying the bills, admin codes and all of that. She said they need to decide what they want to do as far as a fire chief. That they can recruit for their own or possibly go in with Gates, because their fire chief is resigning. They haven't had a lot of meetings because they've had this grievance thing going on, so hopefully they will get back to normal business. An executive meeting is on the 19th and a regular meeting on the 22nd.

7.2. Code Amendment Updates - Discussed earlier in the meeting

7.3. SDC Amendments – Mayor Trett reported HBH is working on the changes discussed at the November meeting. And the public hearing will be on June 12th. SDC laws require a 90-day notice prior to the hearing.

8. NEW BUSINESS

8.1. US Bank Signature Card – Motion was made by Councilor Ruyle to add Ken Woodward to the U.S. Bank account, motion was seconded, all in favor; Ruyle, Larson-Hills, Engle, Trett, Sheppard, Manthe and Sheppard, motion passed.

8.2. Dangerous Structure 140 Deer Street – Mayor Trett stated they would need to have a public hearing if they want to declare it a nuisance, notify the owner and post signage on the property that we are moving ahead. Motion was made by Councilor Manthe they move ahead to set the public hearing for March 13th as part of the council meeting, motion was seconded, discussion followed, all in favor; Ruyle, Larson-Hills, Engle, Trett, Sheppard, Manthe and Sheppard, motion passed.

9. CORRESPONDENCE – City Recorder, City Clerk- **9.1. Letters Sent** – No questions **9.2. Letters Received** – Councilor Woodward stated the three letters from Marion County, City of Salem and the Governor's office. Gates sent in a letter to the Editors of the Canyon Weekly and thinks we should do it also. Mayor Trett said that he had written personal notes, not typed at the suggestion from Sean O'Day to those individuals. Councilor Larson Hills suggested thank you cards be brought to the next council meeting for them to all sign, council agreed. This is under 9.2.16. Councilor Engle commented that it came up today that perhaps there has not been a letter from the City of Detroit and the councilor's signatures about our opinion about the lake drawdown. That the city of Salem has written a letter, the County Commissioners have written a letter and different people have, but we have not as a city council. Because the business owners and the community need to see where we stand. Mayor Trett to write the letter and all councilors will sign it.

10. COMMISSION AND MAYOR'S REPORTS

10.1. Mayor's Report – Jim Trett reported he attended the Elected Officials meeting on January 13th with Senator Merkley and Representative Schrader, that when it came his time to speak, they knew the lake was coming, he told them if this were to actually proceed, maybe congress should be looking at some disaster relief funds for the canyon to help with businesses. The Corps presentation was at Gates on January 17th. On January 31st he and Councilor Engle attended the COG annual dinner. He spoke with James LaBar our representative from Regional Solutions and he said the Governor's office had already written two letters to the Corps. One was talking about their concern and the other was six questions they wanted addressed by the Corps about the project. He said COG is also supportive and will help us to make our voices as loud as we can. On February 12th He and Councilor Engle attended Representative Schrader Community Leader meeting. That when Salem got on board they became the locomotive on this whole thing, because now you're talking water to 200,000 people. That Congressman Schrader had suggested he is going to pull a group together to make sure we have one voice as we approach the Corps on these subjects and he is willing to lead that charge. Jim said he and Councilor Engle also attended the water suppliers meeting this morning, which was basically a meeting of the people below the dam who take their water from the river. Jim went into detail on what was talked about. Discussion followed. Jim stated he met with Rep Schrader regarding the enforcement of burn bans. The Oregon Legislative Counsel is writing an opinion on who if anybody can enforce it. (Councilor Debby Ruyle left the meeting due to not feeling well at 8:40 PM). That she's willing to introduce legislation to put a bite into the law. He briefly explained about the Canyon Service Integration Team (SIT). He also attended the meeting for the water loan.

10.2. Police and Safety Commissioner's Report – Shelley Engle reported we now have a dedicated phone and phone line. That she met with former Councilor Mark Messmer and asked him for any suggestions. That she moved forward with one of his suggestions and put a message on Nextdoor to use this as our neighborhood watch. She said she would be attending the Police and Sheriff group that's county wide next Tuesday, replacing Mark Messmer so we have an east county presence and voice.

10.3. Street Commissioner's Report – Greg Sheppard stated he is still waiting on ODOT to get the paperwork so he can start getting bids for paving the three streets he put in for. And that it's been three years since we've striped and wants to get a bid on that and the crosswalks.

10.4. Water Commissioner's Report – John Manthe report on water use and consumption for last month. No major leaks were found after the meter reading. 3-Kings construction broke the 4" AC Main on Humbug, the main was shut off while they made the repairs and boil water notices had to be handed out until the results came back from the lab. John read the letter regarding the award of the water loan for \$2,170,000 and a forgivable loan of \$1,030,000 at 1% interest for a term of 30-years. The project is being administered through Business Oregon. Discussion followed in regards to the timing of the three different construction project planned for this summer.

10.5. Building Commissioner's Report – Vickie Larson-Hills reported on permits applied for. There were 18-residential septic permits on the former high school property and two electrical. For permits issued there was one dwelling and finalized was one commercial and one residential both electrical permits.

10.6. Parks & Rec Commissioner's Report – Mayor Trett reported we are still working with the environmentalist who is working with DEQ for the septic.

10.7. Emergency Preparedness Commissioner's Report – Jim Trett stated he would be attending the Marion County Emergency Operations group meetings.

10.8. Sewer Commissioner's Report – Ken Woodward reported Idanha, Detroit, Gates and Mill City have all signed the resolution. Marion County will continue to provide staff support to set up a special sewer district. Three more studies are still needed. The new website is northsantiamsewer.net for information. Councilor Engle added they attended a special training on sewer districts. And that she will be the webmaster for the website. Discussion followed.

10.9. Planning Commission – Kevin Hills nothing to report

11. PUBLIC COMMENTS – None

12. ADJOURN – Councilor Manthe motioned to adjourn at 9:05 PM, motion was seconded, all in favor; Larson-Hills, Engle, Trett, Sheppard, Manthe and Woodward, motion passed.

Signed:

Attest:

James Trett, Mayor

Deborah Hastings, City Clerk