



**DETROIT CITY COUNCIL
Regular Meeting Minutes
Tuesday, May 14, 2019**

CALL TO ORDER: Council President Shelley Engle called the meeting to order at 6:31 PM at City Hall, 160 Detroit Avenue N., Detroit, Oregon.

1. ROLL CALL – Councilor’s Present – John Manthe, Shelley Engle, Greg Sheppard, Vickie Larson-Hills, Julie Gunderson and Eric Page. **Absent** – Jim Trett with notice **Staff Present:** Christine Pavoni City Recorder, Deborah Hastings City Clerk and Kelly Galbraith Deputy Recorder **Citizens Present:** Will Ewing, KJ DeGuire, Chris & Sara Tardiff, Ken Woodward, Lex Johnson, Bob Franz, Kevin Hills and not signed in Dean O’Donnell

2. PLEDGE OF ALLIGENCE

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

4. ANNOUNCEMENTS -

4.1. KJ DeGuire, Community Wildfire Forester for ODF – Presentation/discussion of fuels reduction grant – KJ talked about Federal Grant money being available right now and she being the administrator of the grant. The grant is for fuels reduction and defensible space around your home, large and small properties could benefit. She explained what defensible space is and fuels reduction; if anyone is interested to contact her directly. Discussion followed regarding the details of what the grant covered. She said the deadline for the grant is pretty far out 2020-21. KJ stated that she is scheduling home assessments right now, that anyone is welcome to a home assessment.

4.2. Planning Commission Resignation: David Layman – Council President Engle stated they need to make a motion to accept Dave Layman’s resignation and open the vacancy. Councilor Manthe motion to accept Dave’s resignation, motion was seconded, all in favor; John Manthe, Shelley Engle, Greg Sheppard, Vickie Larson-Hills, Julie Gunderson and Eric Page. Motion passed. Engle thanked Dave for his effort and work that as a longtime resident of Detroit his institutional knowledge will be missed.

5. APPROVAL OF MINUTES OF THE LAST MONTH - City Council Regular Meeting of April 9, 2019. Councilor Manthe motioned to approve the minutes, motion was seconded, all in favor; John Manthe, Shelley Engle, Greg Sheppard, Vickie Larson-Hills, Julie Gunderson and Eric Page. Motion passed.

6. APPROVAL OF THE BILLS PAYABLE LIST FOR CURRENT MONTH – Councilor Larson-Hills Motioned to approve the bills listed in the document, motion was seconded, all in favor; John Manthe, Shelley Engle, Greg Sheppard, Vickie Larson-Hills, Julie Gunderson and Eric Page. Motion passed.

7. UNFINISHED BUSINESS

7.1. Rotating Meeting Schedule – Fire Board -Fire Chief Will Ewing reported on various things they are working on, such as a litigation issue, budgeting and the election next week. He said they have been working on plans for the Idanha station. He also reported they received a grant for safety equipment to clean their turnouts. Council President Engle stated that the North Santiam Sewer Project is not on the rotating meeting schedule and should be as it is a re-occurring meeting every month and she asked Ken Woodward if he would give the report. Ken reported they received a check from Marion County at the April meeting for \$25,000 that Shelley Engle applied for. Since then they have appointed a Chair, Vice Chair, Secretary, Historian and a PR person. He said they are working on the point system to get out for the Engineers, that Marion County has put aside \$325,000 for that. Plus they are paying \$60,000 for the RS per COG to help out with the RFP to form a special district, that Marion County is really committed on this. The point system has been agreed on and will be formalized at the next meeting. He said they will

be forming the District through an IGA 190. Next meeting would be on June 6th. Council President Engle reported that the Down Stream Passage meeting will be on May 30th at 5:00 at the Gates Fire Station. The Army Corps will be representing what they think they want to do in regards to the cooling tower and a downs stream drawdown or not. They will have three meetings, one in Salem tomorrow, one somewhere else and in Gates on May 30th.

7.2. ATV Ordinance Violations – Council President Engle reported that Mayor Trett made copies today of a flyer that's going to be handed out during the derby and posted all around town and we will also be putting up big placards 24 x 36 that has just the bullet points of the most important regulations. Discussion followed regarding golf carts, Engle clarified that golf carts are under the auspices of ODOT not the city and are technically not allowed in the city. We do not have officers to handle it and don't have the ability to handle it. She suggested if they see somebody driving inappropriately in a golf cart to suggest to them not to. We have no teeth to tell them they cannot drive one, however we would like people to follow the same rules as the ATV's, but we have no jurisdiction to tell them they can or cannot drive a golf cart.

7.3. Wayfinding Grant – Marion Cultural Development Corporation (MCDC) – Council President Engle reported the project is in progress. The Planning Commission sent the information to the COG and they are building the map. Councilor Sheppard reported there are ten points of interest on the two trails. A short walk starts at the park and goes down to the flats and back. Then there's a long walk up to the top of piety knob that is accessible during the off season all the way to the summit, or during the summer. You can hike from the campground up to the summit that is up about 500 feet above the lake with really good views. From downtown to the summit is about 5-miles.

7.4. Road Dedication 105 Patton Road – Council President Engle reported that due to federal laws the city cannot do the land swap when federal money is involved. Once the project is over then we can do the land swap and finish up the water lines along 105 Patton Road. Renata at the COG is working on a way we could do it, before they have packed up their toys and gone back to Salem and then come back the next day and cut the hole. So she is working on that.

7.5. Ballot Measure for Charter Change – Council President Engle reported this is to allow a third member on the council to be a part time resident and will be on the November ballot. The staff will start working on this within the next couple of months.

7.6. Firewise USA Program – Council President Engle reported the Firewise Day was very successful, and thanked Deborah Hastings who worked very hard on this and also thanked Ken Woodward, Julie Gunderson, Greg Sheppard, Jim Trett and Kevin Hills. We got the grant for \$500 and we needed the grant to help pay for the debris dumpster. She reported that the dumpster was full by 1:00 and cost around \$800. She thanked Pacific Sanitation for waiving the balance over the grant amount and she also thanked the citizens who participated and recorded their hours.

7.7. Amicus Brief Request – Council President Engle stated that it has been determined that we can take this off the agenda moving forward unless something changes.

7.8. Fish Mitigation Resolution - Council President Engle said this has also been decided to taken off the agenda, that nothing has changed. There is really nothing they can do in regards to fish mitigation and with the Army Corps building their fish collection, it's sort of a moot point in that they will be handling most of this.

7.9. 315 Santiam Ave Update - There was discussion with Cecil Johnson in regards to an update from him for the use of a porta potty on his property and living in his garage until funding could be secured for a manufactured home. Mr. Johnson reported that he has been making progress. He has had the water service installed and got a plumbing permit from Marion County Public Works to run the waterline to the building and to install a toilet. His next project would be the working on the septic system to have it inspected and approved. Mr. Johnson was informed by Council President Engle that he could not live in the garage and the deadline for the use of the porta potty expires on May 31st. Councilor Larson-Hills reported that she has been supporting Mr. Johnson for communication with his loan. He signed the release form and that she hadn't had a moment to fax them that form yet. She voice concerns that this was not going to come together by the end of May because he is still working on his finances and would

like to support him in whatever they need to do to allow him a little more time. When asked if he had any plans of what he was going to do when the porta potty that expires on May 31st, Mr. Johnson said once the septic is approved he plans to connect the toilet in the garage and have it inspected by Marion County. Councilor Larson Hills motioned that on behalf of Mr. Johnson they extend an allowable time for him to have the porta potty, especially for the fact that he has been actively pursuing getting his water service in, uncovering the septic tank and actively pursued her to get social support to pursue his loan, that it just hasn't come together in the allowable time, motion was seconded. Discussion followed on how long of an extension be given. Councilor Larson-Hill restated her motion that they extend the deadline for Mr. Johnson to have the porta potty on his property an additional 30-days beyond what we have now, to June 29th, because of financing and timelines to have the county inspect the current septic system. By that time he could have the financing done and have something ordered and on its way. Further discussion followed. All in favor; Aye : (4) John Manthe, Greg Sheppard, Vickie Larson-Hills, and Julie Gunderson, Nay (2) Shelley Engle and Eric Page, motion passed. Council President Engle informed Mr. Johnson he had until the 29th of June to have a flushable toilet on his property, then that porta potty would have to go. When he has construction workers there and he needs one for them then he can come and apply for a permit. Concerns were brought forth regarding if having a flushable toilet in the garage without a primary structure was code, that accessory structures are not allowed without a primary structure on the property. Recorder Pavoni explained that for an accessory structure it doesn't matter if it has a toilet or not that it is legal. It is the accessory structure that is illegal without a main building, which is code. The accessory structure is already there and is why it is important he's going to get some kind of funding to have a main structure. What's happening in between is more on the request of the Veterans Administration having asked us to help him make it through this period, that it is more a courtesy. It is against code and somehow we need to make our way through that and is why it is so important that Mr. Johnson is going to do it as quickly as possible to get out of the illegal part of it. Mr. Johnson was informed that an RV is allowed on the property.

7.10. Ordinance No 259: Establishing Park Regulations – Council President Engle stated that she would be reading part of the ordinance and Park Commissioner Page would read part. Between Engle and Page ordinance 259 was read in full, and then by title only by Councilor Engle. Motion was made by Councilor Larson-Hills to approve ordinance 259, motion was seconded, all in favor; John Manthe, Shelley Engle, Greg Sheppard, Vickie Larson-Hills, Julie Gunderson and Eric Page, motion passed.

8. NEW BUSINESS

8.1. COG Attorney Service Renewal Contract – Council President Engle reported that last year the rate was \$150 per hour and is increasing to \$156. After discussion, Engle motioned they accept the contract for the 2019-2020 year with a condition that there must be a breakdown of billable hours, motion was seconded, all in favor; John Manthe, Shelley Engle, Greg Sheppard, Vickie Larson-Hills, Julie Gunderson and Eric Page, motion passed.

8.2. ODOT Flexible Service Agreement Renewal – Council President Engle reported on some of the things that ODOT helps the city with in this agreement and that they could also asked us for help. Motion made to approve the agreement, motion was seconded, all in favor; John Manthe, Shelley Engle, Greg Sheppard, Vickie Larson-Hills, Julie Gunderson and Eric Page, motion passed.

8.3. Resolution No. 590: Continuum of Care - Council President Engle stated this for the County to continue to find ways to help the homeless. This basically says that the city supports establishing the continuum of care for the Mid-Willamette region and the new continuum of care registering with the U.S. Housing and Urban Development in 2020. All we are saying is that we agree to pass the resolution. Councilor Manthe motion to pass the resolution 590, motion was seconded. Discussion followed regarding what they were actually agreeing to. Councilor Page motioned this be tabled until the next meeting so that all councilors can absorb the whole packet so they know what they are dealing with and then vote on it one way or another, motion was seconded. Councilor Manthe motioned to withdraw his motion. Council President Engle stated that they need to know this by the end of May. Councilor Page withdrew his motion and Councilor Manthe motioned they approve resolution 590, motion was seconded. Engle stated that it really is about supporting HUD in their efforts to continue to fund and find ways to fund all the efforts that are necessary for the homeless. We do not see the homeless but they are in the

woods. Councilor Larson-Hills stated that those who qualified for homeless status are those folks who are staying on couches of relatives. All in favor; John Manthe, Shelley Engle, Greg Sheppard, Vickie Larson-Hills, Julie Gunderson and Eric Page, motion passed.

8.4. Resolutions No. 591, 593, 594, 595 - Council President Engle read resolution 591 by title to create a new budget line item for the general fund to accept a grant from the Nation Fire Protection Association. Motion by Councilor Manthe to approve, motion was seconded, all in favor; John Manthe, Shelley Engle, Greg Sheppard, Vickie Larson-Hills, Julie Gunderson and Eric Page, motion passed. Engle read resolution 593 by title to set city park hours. Motion made by Councilor Manthe to approve, motion was seconded, all in favor; Shelley Engle, Greg Sheppard, Vickie Larson-Hills, Julie Gunderson and Eric Page, motion passed. Engle read resolution 594 by title to authorize elimination of the sewer fund and transfer of balance to the general fund. Motion made by Councilor Larson-Hill to approve, motion was seconded; all in favor; Shelley Engle, Greg Sheppard, Vickie Larson-Hills, Julie Gunderson and Eric Page, motion passed. Council President Engle read resolution 595 by title to allow continuance of the Transient Occupancy Tax (TOT) reserve fund. Motion was made by council Manthe to approve, motion was seconded, all in favor; Shelley Engle, Greg Sheppard, Vickie Larson-Hills, Julie Gunderson and Eric Page, motion passed.

8.5. Marion County TGM Grant – Request for Letter of Support - Council President Engle reported that the TGM is a Transportation and Grant Management program and explained why they need a letter of support. Motion was made by Councilor Manthe to approve the TGM grant request for letter of support, motion was seconded, all in favor; Shelley Engle, Greg Sheppard, Vickie Larson-Hills, Julie Gunderson and Eric Page, motion passed.

9. CORRESPONDENCE – City Recorder, City Clerk – **9.1. Letters Sent** – None **9.2. Letters Received** Council President Engle pointed out 9.2.3. The Mayor Leadership award, that Mayor Trett is eligible to be nominated.

> Council President Engle acknowledged Councilor Manthe – John talked about the parking on Clester having to have parking permits and them not being used. Recorder Pavoni stated the permit is supposed to be hanging on the rearview mirror, if not you have choice to either write them a ticket or take the license plate number and bring to the office and staff will write up the citation and mail it to them.

Discussion followed.

10. COMMISSION AND MAYOR'S REPORTS

10.1. Mayor's Report – Absent no report

10.2. Police and Safety Commissioner's Report – Vickie Larson-Hills reported on the Sheriffs activity for the month of April and the time frames.

> Vickie also reported on the Broadband grant she is working on with Danielle Gonzalez. The broadband subscription forms for residences and businesses are at the post office. She said they also need a letter of support to go along with them, that there is an example on the nextdoor app. Danielle Gonzalez said she needs the cities to do a letter of support and all the others completed and in by morning of June 17th, for the 50% loan and 50% grant application. They are looking to apply by June 21st. Letters of support are from individuals and businesses.

10.3. Street Commissioner's Report – Greg Sheppard reported bids were out to Knife River, North Santiam Paving, H&H Paving and Newman Paving for the paving grant and we're waiting to hear back. He said that North Santiam called him about the grindings and wanted half the money up front, which was a little over \$9,000. He talked to them today and told them we couldn't do it until July 1st and they said that would be fine, that they would bill us after the fiscal year starts. So they are going to try and start next week on Butte Street N. Discussion followed regarding a stop sign not being on Short and Clester.

10.4. Water Commissioner's Report – John Manthe reported on water use and consumption for the month of April. He pointed out that everyone received a progress report from the engineer on the water project for them to look at. He said they have started on Detroit Avenue N. and Patton now. Discussion followed regarding the holes needing to be covered downtown by Wednesday before the Fishing Derby.

10.5. Building Commissioner's Report – Shelley Engle reported four new residences have applied for permits and one commercial upgrade.

10.6. Parks & Rec Commissioner's Report – Eric Page reported the brand new 50-gallon water tank arrived from the Forestry a week ago and is being towed by the side by side. He said it is taking around

20-minutes to fill the tank and talked about possibly getting a firehose from the Fire Department to attach to the hydrant or a better hose of some kind. He also reported the park bathrooms opened this last Thursday. The formal dedication date has not been set yet. Also, they are going to be doing re-seeding at the flats park and put up some kind of fencing. He said we haven't made much headway on getting the city shop wired up but is on the docket. Discussion followed regarding boulders at the park. Also discussed was the parking at the Park. Eric said they would following up on some towing signs.

10.7. Emergency Preparedness Commissioner's Report – No report

10.8. Commissioner At Large – No report

10.9. Planning Commission – Kevin Hills Planning Commission President, reported the PC is recommending that accessory structures observe the existing setbacks with the exception of the height. They recommend the height be 25 feet but if the primary structure is less than 600 square feet then the height cannot be higher than 80% of the structure. The Planning Commission also recommended that Accessory Dwelling units (ADU), not be allowed at this time. That they felt we have the tiny homes and didn't feel there was enough septic room in town. When we get our city sewer all this can be reviewed again. Recorder Pavoni added that ADU's are very popular right now, that a lot of cities larger than us is required to allow them because of the current housing crisis in Oregon. She gave examples of dwelling units, and that they can be rented out. Discussion followed.

10.10. N. Santiam Sewer Task Force – Reported earlier in the meeting

10.11. TOT Committee – Council President Engle thanked the TOT committee for their work on distributing the grant program and the Tourism funds.

11. PUBLIC COMMENTS – Dean O'Donnell President of DLRABA requested approval to use of one of Elaine DeGeorge lots at 150 Patton N. for a vendor to use his RV during the fishing derby for 2-days. Councilor Larson-Hills motioned to grant an exception permit for the fishing derby to allow a RV hookup in the parking lot of Elaine DeGeorge for Friday and Saturday night, motion was seconded. Councilor Page commented this is setting a precedence that council needs to be prepared to be willing to extend this condition on the use to other commercial property owners. Councilor President Engle explained this is a onetime conditional use permit based on specifics of the event. Dean corrected that it would be three nights not two. Councilor President Engle restated the motion that an RV be allowed to stay on Elaine DeGeorge's parking lot property from Thursday through Saturday night in conjunction with the Detroit Lake Fishing Derby, motion was seconded, all in favor; Shelley Engle, Greg Sheppard, Vickie Larson-Hills, Julie Gunderson and Eric Page, motion passed.

12. ADJOURN – Councilor Manthe motioned to adjourn, motion was seconded, all in favor; Shelley Engle, Greg Sheppard, Vickie Larson-Hills, Julie Gunderson and Eric Page, motion passed. Adjourned at 8:43 PM.

Signed:

Attest:

Shelley Engle, Council President

Christine Pavoni, City Recorder