



DETROIT CITY COUNCIL
Detroit City Council Annual Saturday Regular Session, Executive Session
and Public Hearing Continuance Meeting Minutes
Saturday, August 17, 2019

1. CALL TO ORDER: Mayor Trett called the City Council meeting to order at 10:02 AM

ROLL CALL – Eric Page, Vickie Larson-Hills, Julie Gunderson, Jim Trett, John Manthe, Greg Sheppard and Shelley Engle **Staff Present:** Christine Pavoni City Recorder, Kelly Galbraith Deputy Recorder, Deborah Hastings City Clerk and Lisa Brosnan City Planner **Citizens Present:** List attached as part of the minutes

2. PLEDGE WAS RECITED

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

4. ANNOUNCEMENTS; GUEST SPEAKERS; PUBLIC HEARING CONTINUATION -

4.1. Planning Commission Application: Michele Tesdal – Councilor Manthe motioned to appoint Michele Tesdal to the planning commission, motion was seconded. All in favor; Eric Page, Vickie Larson-Hills, Julie Gunderson, Jim Trett, John Manthe, Greg Sheppard and Shelley Engle, motion passed. Michele took the oath of office.

4.2. Robert Henry, HBH Engineering – Water System Improvement Project Update – Mayor Trett stated that Rob wasn't here yet and that they would come back to this when he arrives.

4.3. Continuation of July 9, 2019 Public Hearing > Procedural error correction - Mayor Trett stated that apparently council made a procedural error at the July 9 meeting by not first taking action on a motion that had been made and seconded. To correct they need to go back to the original motion and act on it. It was the motion to take recommendation from the planning commission to deny the legislative amendment LA2019-01 made by Councilor Manthe and seconded by Councilor Gunderson. Mayor Trett called for the motion to approve or deny the recommendation. All in favor to deny planning commission recommendation, Eric Page, Vickie Larson-Hills, Julie Gunderson, Jim Trett, John Manthe, Greg Sheppard and Shelley Engle, motion passed. > Council discussion from continuance of last meeting – Councilor Larson-Hills asked for clarity in exhibit A on 3.6.3. regarding how many RV's are currently allowed, which was two, more than two would require a permit. Councilor Engle said by the motion they just did they are not following the outline of exhibit A, and are now discussing exhibit B with the holiday RV allowance. City planner Lisa Brosnan stated at the last meeting Councilor Engle had asked if there was a possibility that they could allow an exemption for the four holidays in the summer, so she added it for them as an option. Councilor Engle read the addition that said, from April 1st to October 31st one RV may be parked on the property, with the exception of four holidays (Fishing Derby, Memorial Day, Fourth of July, and Labor Day) and their associated weekends, when up to four RV's may be parked on the property". Engle said with that, they still have to fit within all the guidelines that have already been established with the setback. Councilor Gunderson talked about this getting way to complicated, that she wants to leave it how it is. People have been coming in for their permits like they are suppose to and that she has been watching around and it seems everyone is doing it the way they should. City Planner Brosnan responded that the RV code has been in place many years and the original intent was to make it easier on people to have an RV on their property while their house was being built. That over the last three years she has heard about numerous complaints from neighbors and is how it came to the planning commission. That the city council initiated this about a year ago and the planning commission came up the language. Councilor Page stated we are directed by the complaints that come in and they have to keep things in check. That they have to look at these things as they come in and try and react to them and is why they are here today, that this is what our constituents are asking them to do. Councilor

Manthe stated as long as people go by the rules that's fine. Councilor's Page, Larson-Hills and Engle commented that this part of the code was already talked about and thought it had been given back to the planning commission to work on. That they were coming back to discuss the other changes in the code not the RV section. Planner Brosnan stated they have the option of sending that section back to the planning commission as part of their decision today. Councilor Engle stated before they move on, she wanted to address Councilor Gunderson's comments. She talked about this being a city not an RV Park and are not different than any other city in this state and are trying to govern this city like any other city, to manage the codes that have been put into place. But what has happened is they are not being followed. That we need police here, that we don't have and you cannot ask city council who has written the rules to also be a code enforcement officer because that is a direct contradiction. That the issue at hand is they as city councilor's have been put into that position, that it's a very awkward and scary position to be in. That we need Sheriff's or police to enforce the things that Councilor Gunderson said was not getting reported. That what they are really trying to do is maintain what we have and not let it get like the wild west. That the rule breaking has become more and more every time we have a holiday weekend. That they are trying to keep the entire integrity of this beautiful town, to encourage people to feel at home, to continue to develop the quality not the quantity of this town. Mayor Trett commented that he would more like to talk about the excavation permit and accessory structures. Councilor Manthe motioned to send this back to the planning commission. City Planner clarified with council if they wanted to send all of it back to the planning commission or just the RV sections. Councilor Manthe withdrew his motion. Councilor Larson-Hills motioned they turn back to the planning commission any of the sections that have to do with RV's, the tents in the open camping section and address at this time recreation vehicle storage, accessory structures RV related, misc. changes and building permit for certificate of occupancy. Motion was seconded. Mayor Trett stated motion is to send recreational vehicles and open camping back to the planning commission for farther review and approve the rest of the document, all in favor; (6) Eric Page, Julie Gunderson, Jim Trett, John Manthe, Greg Sheppard and Shelley Engle. Councilor Larson-Hills stated that was not her motion, that the motion was to send the RV's and Tent camping back to the planning commission and have farther discussion on the other sections. Mayor Trett stated they are going to vote to send the RV and tent camping back to the planning commission, all in favor; Eric Page, Vickie Larson-Hills, Julie Gunderson, Jim Trett, John Manthe, Greg Sheppard and Shelley Engle, motion passed. Councilor Larson-Hills motioned they re-examine the other sections for discussion, motion was seconded, all in favor; Eric Page, Vickie Larson-Hills, Julie Gunderson, Jim Trett, John Manthe, Greg Sheppard and Shelley Engle, motion passed. There was discussion if the change to a maximum of 25 feet would be large enough for an accessory structure. Recorder Pavoni stated the change increases the allowance from what it was before. Members of the public wanted to be able to comment on what was being discussed.

> Mayor Trett **re-opened the public hearing** with council approval at 10:50 AM, and read the hearing disclosure statement. He asked for anyone in **support of the amendments** to speak. Bob Goddard asked why we were even addressing this, that it should be something the county does because they are going to be the ones eventually to have the say anyway, so just leave it up to the county. Mayor Trett responded that the city has adopted its own codes and has for years. Christine stated that the county checks our codes for us but it's our own code, that amending the code we are hopefully improving on them. James Weigel talked about his parents buying up here in 1959 for recreation. That he doesn't agree with all these new regulations and talked about senate bill 201 being passed. That if you have something saying you cannot put another structure up on a property unless there is an existing house, your going to have a challenge in court because the state has already passed it. But if you did all this before the senate bill passed then you go your power. Christine Rasmussen 430 Santiam, stated that she knows most of these people have purchase their property for recreation as she has. That this is all of their family that comes to be together, it's not coming by yourself in a little single-family. If they eliminate the recreation you eliminate this town, that they are paying all the business owners when they come, that they support this town. She added that she thought we should go with Marion County's ruling that it's ridiculous to add to it. Councilor Engle stated that she thought we were talking about the accessory structure height. Someone said we are talking about the entire presentation from the planning commission and Mayor Trett said, no that the recreation vehicles have already been done and going back to the planning commission for more work. Maryann Hills stated that she is in support of doing

housekeeping changes to the development ordinance. She stated that the first housekeeping thing they need to consider is 3.6.3. That she thinks we need an exception there, that we either need to pull those RV accessory structure regulations in this piece to say except for accessory structures RV related. The other issue is on height, that she totally supports this being clarified. That we are looking at height restrictions, like look at for a house, why are we putting restrictions on that, that it doesn't belong to the city, we are not a cookie cutter city. We do have local control in a lot of areas, but they need to look at the people that are coming out here and buying in the community. That they need to consider this is only three months of the year. That you're talking about accommodating people that have bought in the community, pay water year-round, they pay their taxes, so three months of the year they can share this beautiful spot with their families and they are investing in Detroit and Detroit needs that. That the city can't survive as a city, you can't make it a cookie cutter city like other Oregon cities if you don't have that summer recreation support. And why couldn't it be the height limit Marion County would set or the height limit that you have for your structure. Why couldn't we have more layers for the accessory structures. She said she would ask again not to be more restrictive. In regards to the setback, fire code says you only need three feet for fire protection between properties, why not give people the right to only have three feet of their land that is the separation from the neighbor. That these lots are small. Maryann stated that she would love to have the opportunity at the planning commission if they want to send these other amendments back to the planning commission and have a chance to go through all this, that she thinks all of the regulation need to go back to the planning commission and do a new look at all of them. Debby Ruyle Melgard Ct. asked for clarification on what the changes were and are proposed on the height. Recorder Pavoni explained what was existing and what changed. Brian Sparks 150 Santiam stated that he wanted to encourage them to leave the recreation vehicle standards as they have been in the past. That he is working on improving his lot that he has had for 30-years and has hoped to build when a sewer system comes in. That he would probably never have more than two units there is what he was anticipating to have family and friends up for the weekend.

> Mayor Trett **Closed the public hearing** at 11:15 AM. City Planner Lisa Brosnan responded to comments from the public. She said county permits and standards are separate from city standards, that all cities have their own zoning regulations that involves size of structures, setbacks, height, those are all city standards, the county does for us is make sure a structure is safe, it is two separate things. Regarding senate bill 2001 was mentioned, it is if you have residential single-family neighborhoods you do have to allow two plex and triplex housing but is only applicable to cities over ten thousand.

> Council Discussion & Decision – Lisa informed council they had already motioned to send the RV section to the planning commission, they were in discussion regarding the other issues and went into a public hearing now they need to finish discussing and take a vote. Councilor Larson-Hills withdrew her motion to consider the other parts of the document and motioned anything on the staff report from 3.8.1.forward to the end of the staff report and anything from 3.8.1. to the front of the staff report back to planning commission. All in favor; Eric Page, Vickie Larson-Hills, Julie Gunderson, Jim Trett, John Manthe, Greg Sheppard and Shelley Engle, motion passed.

5. APPROVAL OF MINUTES OF THE LAST MONTH - City Council Regular Meeting and Planning Commission/City Council Joint Public Hearing of July 9, 2019 – Mayor Trett reported City Clerk has been ill most of the month that they will approve at a later date.

6. APPROVAL OF THE BILLS PAYABLE LIST FOR CURRENT MONTH – Mayor Trett reported the bill had already been paid the list is for council input. Recorder Pavoni stated that they were approved by two councilors.

7. COMMISSION AND MAYOR'S REPORTS

7.1. Mayor's Report – Jim Trett reported that he attended the Oregon Mayor's conference in Medford first weekend in August. He postponed his report to hear from Rob Henry, City Engineer.

> **4.2. Robert Henry, HBH Engineering – Water System Improvement Project Update** This item moved down on the agenda. - Mayor Trett turned the meeting over to City Engineer and Project Manager for the water distribution project. Rob stated that the first phase of the project is finished and will be starting on the next phase pretty quick. He said that these are the phase 2 distribution improvements, phase 1 was done about eight to ten years ago. That the goal of phase 2 is largely to replace the old pipes. That our leakage rate was significant. He said that we worked along time to get a good funding package to do this work at the least possible cost to the citizens. 3.2 million dollars was funded, of that 25% is

forgivable principal. Phase 2(A) is essentially complete, there are a few punch list things left for the contractor to finish up and went through what they were. He reported that the 2nd phase, they are 80% finished with the design and anticipate being done by the end of the month, then that will be sent to the funding people to approve, when that's done then it will go out for bid. He said we need to have this all done by next July. The thought is they would have the contractors start in January and if they want to work in the winter they can. Councilor Sheppard voiced concerns about a fire hydrant placed on the pedestrian walkway on Detroit Rd. S. and is not high enough above the surface and afraid it's going to get hit when we start snowplowing. Rob responded that he has spoke to Bob about that and that he thinks we need to put in concrete bollards to protect it and would get it raised up. That if the current contactor doesn't do it, they will make sure it gets into the next phase. Rob talked about some of the things they would be working on for the phase 2 (B) project. Terry Bonnet voiced complaints regarding dust control during the project and cleaning up of the street at the end of the work day. He also asked questions regarding the placement of some of the fire hydrants on Santiam that cost more money. Recorder Pavoni stated that Bob told her that it was for the radius, serving more homes. Terry also questioned why the city was supplying water to ODOT when they are not in city limits. Recorder Pavoni responded that it was a city decision along time ago. Rob stated that a two-inch line is currently there and they would be putting in a larger pipe. Rob briefly went over the budget numbers for each phase of the project. Debby Ruyle asked when the next design is completed if this was something the public could look at, that she feels Terry is very knowledgeable and she as a tax payer would feel comfortable with him looking at that. Rob stated that he had no problem with that, that it would be better to have that done now beforehand. Debby also commented on the water service supplying ODOT. That when she was on council, they talked about ODOT and loosing all that water, that there was talk about why we were serving them and maybe they needed to look at that. That however much money out of the budget is going to service them and they are not a city tax payer. That the city makes changes all the time and maybe that is something the city could look at how much it is costing the us to serve them or maybe they could help bare that cost because as a tax payer she would just soon pay into the town, not necessarily an agency outside of our town. Councilor Sheppard stated that the ODOT yard is a valuable staging area in case of a fire and is why is was wondering if the fire hydrant was going to upgrading there. That if we ever did have a big fire, that would be a place to make a last stand and a very important staging area. Rob said yes, the plan is to bring newer bigger things on to the edge their property and then they are going to replace that section of it from there.

> Mayor Trett Report Continued – Jim stated that the most valuable part of the Mayor's conference to him was the director's forum. This is different state agencies that have tables set up, it is not a presentation but is for people to able to go up and ask questions right to the director of that agency.

7.2. Police and Safety Commissioner's Report – Julie Gunderson reported that Deputy Ferron is our number one Deputy and would like to take a couple minute to talk to all of us. Deputy Mark Ferron stated that he's been specifically working in East county for the last four years and that we have a new Deputy, Derrick Ramseyer who started in July. Ferron reported on activities they have been working on and what their priorities are. He reported that there is a new public service district out of Salem that's being working for getting ten new deputies specifically for that, and would push the other patrol guys out farther. Questions were taken from the public. Councilor Gunderson stated that we really need to support the Marion County Sheriff's, that they are spread thin and do all they can to help us. She added that we are kind of a self-policing city. That if anyone sees something, they need to let us know right at the time it's happening. Julie stated that the city needs to get official city ID's for the enforcement officers, that they are suppose to be presenting them when they go out and do calls, that she is working on that for everyone on the city council and personal, because this is an official thing they need to do. Councilor Larson-Hills asked who someone would contact for a suspicious person, Deputy Ferron responded to call in to them to do a report, and if a mental heath issue they do route those to the right people.

7.3. Street Commissioner's Report – Greg Sheppard reported on the streets that were paved and the stripping being worked on. He also reported the streets having a pedestrian walkway and bicycle path to the day use area. He also put in for the Small City Allotment ODOT grant for \$100,000 to pave Forest Avenue with a pedestrian walking path, second choice he put in for Scott Avenue and third for Clifford.

7.4. Water Commissioner's Report – John Manthe reported on water use and consumption for the month of July. He stated that the water unaccounted for was going to go down, that they used a lot water from

filling and blowing off the new mains. He stated the first phase of the distribution lines are done. HBH is working on the plans for the second phase now and that work should start next spring.

7.5. Building Commissioner's Report – Shelley Engle reported there were two residential and two commercial permits in July and that work is coming along at the new sub-division.

7.6. Parks & Rec Commissioner's Report – Mayor Trett called on Greg Ellison, pastor for Detroit Community Church regarding the Howard Memorial. He stated that they love the memorial and use it for Sunday school when the weather is good. That he understands there is an issue with the flag and would like to see it meet flag etiquette and would be willing to be apart of that as a church. That they appreciate that people have put effort into the flowers and trees, it was a waste land. That it is a part of volunteerism and a tradition to try and make things better and thinks this is part of that tradition and thinks the intent of that tradition and employs a certain amount of protection under that tradition. Councilor Sheppard added that they have already gotten \$140 of donations for the lights for the flags. Eric Page reported on the progress of getting the weeds under control at the park, and that he thinks at the next parks meeting they will probably be looking at taking a stronger position. That we have been working in conjunction with the Forestry on this park and the three times a year weeding they are supposed to be providing does not quite come into play with what we need to deal with right now. He said we received a great donation of \$300 from the can can club to seal the park benches and picnic tables. That we will need volunteers for that.

7.7. Emergency Preparedness Commissioner's Report – Jim Trett, nothing to report

7.8. Commissioner At Large – Vickie Larson-Hills nothing to report

7.9. Planning Commission Report – Summer Recess

7.10. Public Comments – Ron Lierman stated that he wanted to read a letter he and his wife had written to the city council because its long and wanted it put on the public record. That he and his wife own the property at 325 Humbug Street. That they are here to present a problem that is in part caused by the city. He said some time ago water service was connected to their property and assume the water meter was placed on the property by the city, which was done prior to their ownership in 1997. That they connected their home to the city water supply at the location where the current meter sits in the middle of Humbug Street. The location of the meter is the problem. The plumbing code states that the water meter is to be located on the property line. That they have driven around a major portion of Detroit and found no residential meters in the street. Currently their meter sits 30-feet from the property line to the middle of the street. This had never been a problem until the storage facility unit development was approved by the city. Prior to that only light vehicles drove to the end of the street. Since completion of the project heavy trucks have used this street for landscaping materials were driving over the meter. In the conditions of approval for the storage units, was that the contractor was required to install a 15-foot deep manhole in the center of Humbug Street, which is 10-feet away from the meter. The purpose of the manhole to collect and redirect water from the year-round stream in front of their property and believes this was done at the direction of the city's engineer. That the creek had to be diverted because normal went across the storage units building site. It was diverted to the area between Humbug and Highway 22, which was originally plated as Santiam Street. He said the manhole sits 10-feet from the meter and is between the meter and their property line. In July his wife contacted city hall because the water bill had gone up two months in a row. When staff accessed their account, they advised us it appeared they had a leak. In the 20-years they've lived here they have never even used the minimum amount. After trying to locate the leak they contact Dan's Leak Location LLC. The leak was located five feet from the manhole. That they were advised by city staff that any leakage or problems between the meter and the property line is the owner's responsibility, he asked if this mean any leak in the future from the water meter to the property line were to cause damage to Humbug would also be their responsibility. That during the course of digging on Humbug, the meter box on the adjoining property was moved to the property line from the street which they also own. Since the city staff has been aware of their meter's location being 30-feet from the property line, the question needs to be asked why the error wasn't corrected. He said Three Kings the contractors, had to reroute their waterline from the meter around the manhole and why wasn't the meter moved at that time. The water department employee was on site when the reconnect was completed. This appears to be the area of the leak approximately 15-feet from their property line. His question is where we go from here. The options are the city relocates the meter in question to the property line at 325 Humbug Street, which is code or replace the plastic pipe from the

meter to the property line with metal pipe which is also a code requirement or pass a city ordinance which would relieve all current and future owners of 325 Humbug for any and all leaks, breaks and or damage to or by the piping of water from the meter to the property line. He thanked council for their time and service to our community that is appreciated. Discussion followed and council and the city engineer agreed the meter needed to be moved to the property line. Recorder Pavoni stated that staff would work with the engineer to determine if they were a reason the meter was placed there and move forward from there. Mayor Trett informed the Lierman's that they would not be charged for those extra usage fees from the leak. Pam Lierman stated that they feel Three Kings Construction has caused the leak, that they are waiting to know if the city is going to move the water meter. That they did not dig where the hole is because the leak detecting company with their equipment, said they estimated it was between 4-5 feet deep and could not do that themselves. That one of the owners, Ron King of Three Kings said if they come down and dig it up and find it's their fault there is no charge, if it's not then they will be charged for it.

8. UNFINISHED BUSINESS

8.1. Rotating Meeting Schedule – Fire Department – Chief Will Ewing reported on activities they have been working on within the department (inaudible). **North Santiam Sewer** - Ken Woodward reported on the progress of the sewer project. The RFQ that was sent out has to be in by September 10th, on the 25th they will sit down and go over them all. That things are moving along. **Federal Lakes** – Meeting was canceled. **DLRABA** – Dean O'Donnell reported on the plans they have for the Cruz-In on Labor Day weekend.

8.2. ATV Ordinance Violations – Mayor Trett reported a large placard was posted in the kiosk at the city park along with the park rules. He said he and Councilor Sheppard met with Jan Caldwell with the Oregon Parks and Rec Department in July to see the terrain and how he might could help us. That we found out that senate bill 344 which was passed in the 2017 regular session that you can cross at an intersection legally.

8.3. Wayfinding Grant – Marion Cultural Development Corporation (MCDC) – Mayor Trett reported the project was completed and explained that the county was doing grants for cities to show walking trails with maps, which we have two of.

8.4. Road Dedication 105 Patton Road – Mayor Trett reported that the maps and documents were submitted to Renata Wakeley at COG to work on the Uniform Relocation Act process. A notice letter went to the property owner. That Renata is waiting to hear from the surveyor to move forward. The Mayor explained for the citizens that there is a portion of Patton Rd. that doesn't belong to the City and we are working on getting that portion dedicated to the city so we can get the water pipe in there.

8.5. Ballot Measure for Charter Change – Mayor Trett reported the measure is scheduled to be on the May 2020 Ballot to allow a third part-time resident on council. Work will begin in January/February 2020.

8.6. Public Works Building Restoration – Mayor Trett informed the public that we are looking at whether to refurbish or replace the public works building by the park. City Engineer Rob Henry went through the report on the inspection HBH did at the request from the city. He said the building does not meet current building code, but the bones are good. If the structural components for the structure and roof supports are not altered as part of the roof repair, aside from replacing any degraded members, replacing the roof with like materials or lighter materials will only require a re-roofing permit from Marion County. This permit does not require any structural analyses be performed; plans showing the new roofing and any frame repairs will need to be prepared. As such, the roof can be replaced without bringing the frame up to current code: only the beam with black mold should be replaced. A new building will last longer than the current structure but replacing the roof without replacing the structure is the preferable option and will have lower upfront costs. There was discussion on how much money there was to spend for this project. That the budget last meeting we had \$47,400 and that due to an unforeseen expense dropped it to \$38,400. Councilor Engle asked what the unforeseen expense was and Recorder Pavoni explained that it was for the paving from the ODOT grant, that one street came in higher and the other two lower. Councilor Sheppard added that each street was a separate project, so we had to pay some for the higher street. Pavoni said Greg really worked hard on that and we ended up only having to pay \$3,000 so we now back to \$44,400 for the project. Deputy Recorder Galbraith reported that she spoke to a Civil and Structural engineer and he suggested a pole building, so she looked into the cost for that, which was \$13,400 that include the engineering, sheeting the roof and delivery, with a 40-year warranty and we

would have to hire somebody to put it together. This doesn't include the cost to tear down the current building. After discussion, council agreed staff try and get three requests for quote and bring back to the September meeting.

9. NEW BUSINESS

9.1. Ordinance No. 261 – An Ordinance Amending Ordinance 213 Sections 12 & 16 – Mayor Trett stated ordinance 261 is adopting the Oregon State Fire Code and declaring an emergency. That section 12 was the Fire Department's policy 46 which has been obsolete for quite some time that needs removed. Section 16 is a change of ORS numbering only. He read ordinance 261 in full and then by title only. Councilor Page motioned to adopt ordinance 261, motion was seconded, all in favor; Eric Page, Vickie Larson-Hills, Julie Gunderson, Jim Trett, John Manthe, Greg Sheppard and Shelley Engle, motion passed

9.2. Anderson Memorial Park Improvements – Recorder Pavoni stated that a complaint was received from a group of citizens who felt the park looks too busy and one complaint specific to the flags not being illuminated at night, and it was taken to the park committee. The park committee felt it should go to council. Councilor Larson-Hills commented that the church just committed to remedy the flag complaint by putting in lights for the flag(s). Councilor Sheppard gave a brief background about when it was dedicated as the Anderson Memorial Park and how it came to be. That this year he and a few citizens volunteered to try and make it look better by planting more trees and putting in the flags. After discussion staff to research the memorial park and the portion of the land off highway 22 by the welcome sign known as the Rose Garden, if a park or right of way and our responsibility.

10. CORRESPONDENCE – City Recorder, Deputy Recorder, City Clerk – **Letters Sent** – No Comments or questions. **Letter Received** – Councilor Engle regarding 10.2.5. the email from Emergency Management. She asked if the city has any rules where you have to have a certain amount of defensible space for a fire break, being a Firewise City if we don't have anything if it is something we should be looking at. Clerk Hastings stated that Firewise does recommend a defensible space. Mayor Trett responded that the City does not have a defensible space requirement, that this is something we should maybe put on the burner. Discussion followed.

➤ Ron Lierman stated that they also have a \$300 bill from a leak detecting service (regarding Humbug Street meter relocation and leak), and asked where they could expect to get recourse on that. Pam Lierman said they were going after Three Kings because they're sure they caused the leak, but now the city is going to relocate their meter to the property line (inaudible). Recorder Pavoni stated this would be a legal issue so there is nothing they can say or promise. They thanked the council for all their time.

11. ADJOURN REGULAR SESSION TO GO INTO EXECUTIVE SESSION - Purpose: to consider a complaint brought against a public officer pursuant to ORS 192.690(2)(b). Motion was made by Councilor Manthe to adjourn the regular session at 1:32 PM, motion was seconded, all in favor; Eric Page, Vickie Larson-Hills, Julie Gunderson, Jim Trett, John Manthe, Greg Sheppard and Shelley Engle, motion passed

Attest

Signed: _____
James Trett, Mayor

Christine Pavoni, City Recorder