



**DETROIT CITY COUNCIL**  
**Special Session/ Executive Session Minutes**  
**April 28, 2020**

**1. CALL TO ORDER:** Mayor Jim Trett called the meeting to order at 10:25 AM PM at City Hall, 160 Detroit Avenue N., Detroit, Oregon.

**2. PLEDGE WAS RECITED**

**3. ROLL CALL – Councilor’s Present** – Vickie Larson-Hills, Jim Trett, Greg Sheppard, Shelley Engle, Julie Gunderson, Eric Page and John Manthe. **Absent** – None. **Staff Present:** Kelly Galbraith City Recorder, Bob Bruce, Water Technician and City Engineers HBH, Rob Henry & Kenny Cannady-Schultz. **Citizens Present by phone:** John Rasmussen and R&G Contractors Project Manager, Del Bilber

**4. Adopt Resolution 605, A Resolution Adding an Expiration Date to Resolution 604**

**Declaring a Local State of Emergency** - Mayor Trett explained that this is to add an expiration date of June 9, 2020 to resolution 604. Councilor Engle motioned to accept the expiration date of June 9<sup>th</sup> to resolution 604, motion was seconded, all favor; Larson-Hills, Trett, Sheppard, Engle, Gunderson, Page and Manthe, motion passed.

**5. Agreement between NW Fiber and City of Detroit for Installation of Broadband Conduit**

Councilor Manthe motioned to approve the contract between NW Fiber and the City of Detroit, motion was seconded. Councilor Page asked for discussion on how we got to this point, so they all understand. That the last formal vote council took, was that we would not be putting conduit in the ground. Then there was a meeting with Marion County where there was further discussion about some funding. As it stands right now, we have conduit partially in the ground, we have product sitting in town and the contractor is already installing it. He would like them to have some open information related to how we got from that point to this point, where we sit dollar wise and what the ownerships positions are going to be on this conduit. Mayor Trett stated that after council voted not to do the conduit, NW Fiber stepped up and said they would pay for it, which was talked about at the next meeting. That technically we are putting it in and they are paying for it, to which Engineer Kenny Cannady-Schultz confirmed. He stated that it is spelled out in the contract that the city is paying the contractor to put it in and then NW Fiber is paying the city back \$14,590 for installation and pipe on five streets and they would own the conduit and that is their intent to make use of it in the next five years or so, but were not firm on that number. Discussion followed. All in favor; Larson-Hills, Trett, Sheppard, Engle, Gunderson, Page and Manthe, motion passed.

**6. Update on Phase 2 of the Water Project** – Mayor Trett reported that we have had some problems with the contractor and did have a meeting with them, HBH Engineer Rob Henry & Kenny, Kelly and himself, where they had a discussion on expectations and problems. That Del and Kenny have a meeting every Thursday to address problems and concerns and addressing them and it’s gotten a little better. We’ve been hearing about street cleanup, that at the end of the contract before they leave, they have to clean streets and fixed the trenches. Kenny added that Del (R&G project manager) had told him they might be able to get all the streets overlaid instead of patched for about the same price as the trench patch. The reason is that overlaying is not nearly as labor intensive as trench patching. He said this hasn’t been firmly decided at this time. There were questions of why this wasn’t saw cut instead of being ripped up, that 3<sup>rd</sup> street looks like a war zone, which brings up concern of how these streets are going to turn out when

they are done. Water Tech Bob Bruce stated that part of the reason it got tore up so bad was because of their big equipment. City Engineer Kenny stated that the grinding would have left a trench edge, but the state of the street would still be what it is, that the street is extremely heavily damaged and no matter what we were to put back, that portion near the trench due to construction activities was going to be torn to pieces with the heavy equipment they have to have on hand to do rock excavation in that area. That a lot of the damage was unavoidable just to the particulars in that area. Councilor Engle stated that if in fact their equipment has demolished 3<sup>rd</sup> street; we should request a full pave and not an overlay. City Engineer Rob Henry stated that in part of the contract documents, that at the end of the project that it is expected that the streets are to be in the same condition as they were at the start. He said that part of the issue on Front Street is, portions of it were in pretty bad shape, it looked good, but part of it was really starting to fail. That saw cutting is very difficult. Councilor Engle asked about a change order that was done in the first phase and why it is considered a change order now which was talked about at the last meeting. Rob Henry explained that it was a previous change order on the previous contract in phase 2A, that when they put these progress reports together the IFA likes to see a running progress report, so anything that's new is shaded, that it is all stuff they have been through in the past and the shaded stuff is the current contract and that phase 2A will still be shown in this report. Councilor Page asked about boil water notice on how long they have to be posted or when you can go back to using it. Rob responded that you have to have a clear coliform test within 48-hours. Eric stated he didn't think this was being adhered to, that he's had a couple of concerned citizens ask him about that. Recorder Galbraith and Rob Henry stated that it doesn't always take 48-hours it can be less, Kelly said last time it only took 24-hours for the results to come back. Councilor Engle also addressed the unaccounted water lost reported each month and has been told for a long time that most of the loss is from the line to ODOT, she asked if this line was going to be addressed during this project. Rob said yes, but although they are putting the lines in, they are not connecting to the new lines right away. Recorder Galbraith stated that's just part of the problem and Councilor Larson-Hills said they have also been told the meter were part of the problem. Discussion followed. Councilor Engle asked before people start coming up for the summer if the construction company could clean some of the streets such as dust mitigation and sweeping as they finish each street before they pave because its going to be nasty here in town, that nothing good can come of this if they don't. Councilor Manthe stated that one of the problems is they don't finish a street and move on to the next leaving it all torn up. Kenny reported that they have talked to the contractor about this and at this point they have not made many meaningful strides to improve the cleanliness. Councilor Page also included complaints about gravel being dumped in people's properties and asked what the chain of command was, that it is a smoldering mess right now but it's only going to get worse as we move deeper into this and we need to think about this chain of command being put into place sooner rather than later, because there are some problems and they are not abated. Engineer Rob Henry stated that they have an inspector onsite making sure what they are putting in the ground, and that another thing they are trying do is get R&G to clean up their site. That he understands the stuff on top of the ground is a concern and annoying and is what can be seen, but he is more concerned about the stuff going into the ground for 80-years, so that's what they've first focused on getting that right. They are putting pressure on R&G to clean up their act. Gravel in people's driveways are completely unacceptable and has been communicated many times, and that he's not happy the way the streets look and understands everyone being upset, that he's also very upset about that. Their tool box for making sure this stuff happens is essentially bugging them and bugging them, then it comes to shutting the project down. Councilor Page asked what the proper chain of command is, that it is direct reflection of council that these issues are not getting resolved and dealt with, and needs to know where the door stops at. Engineer Rob Henry responded that their chain of command is their inspector Matt, Kenny is running the project for HBH and that he himself is the principal for the engineering, that it stops with him and then the city is his boss. Discussion followed on how complaints should be dealt with and the city giving a formal response. It was decided to let citizens know if they have a complaint or issue regarding the

project, to contact the city and those issues will be passed on to Kenny and cc'd to the Inspector and Rob, then Kenny would let the contractor know what the complaints are. In addition, the city will post on nextdoor (social media) updates on the project each week. Discussion continued on water loss and what the protocol for dealing with the response on water breaks or leaks were, because there was one reported on a meter box that was not fixed until days later. Councilor Page voiced concerns with the water loss in the city and the city needing to find out what needs to be done to find out where the loss is coming from. Water Tech Bob Bruce explained the situation about the leak on Lake Street and tries to get to them as soon as he can. Mayor Trett stated that at the next meeting he would like he and Kelly to talk about comp and overtime policies. That if he is being forced to take his flex time when something needs to be done, by the Budget Director, then they need to look at how much overtime and comp time he can carry. Councilor Engle requested that they discuss at the next meeting, to dig into the water loss. That she wants them to really address the conversation about water meters. City Engineer Rob Henry reported that right now it looks like we're about \$300,000 under budget of that 3.2 million, that is the forgivable loan portion. Two things they are looking at is meter replacement and explained what the life of the meters are and the other item is look at boring across Forest Avenue across the highway, that's the weakest points of the system.

**7. Close Special Session to go into Executive Session to consider the employment of a public officer, employee, staff member or individual agent per ORS 192.690 (2)(a)** - Mayor Trett closed the special session at 11:44 AM.

**8. Reopen Special Session** – Mayor Trett reopened the special session at 11:59 AM.

**9. Council Decision** – Councilor Gunderson made a motion to offer Candidate 1, Heidi Lamb for the city clerk position, motion was seconded, all in favor; Aye (6) Trett, Sheppard, Engle, Gunderson, Page and Manthe (1) absent Larson-Hills left at 11:30 AM, motion passed.

**10. Adjourn** – Councilor Manthe motioned to adjourn and was seconded, all in favor; Aye (6) Trett, Sheppard, Engle, Gunderson, Page and Manthe (1) absent Larson-Hills left at 11:30 AM, motion passed. Meeting adjourned at 12:00 PM.

Signed:

Attest:

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James R. Trett, Mayor

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Kelly Galbraith, City Recorder