

Jim Trett, Mayor
Shelley Engle, City Council President
Greg Sheppard, City Councilor
Eric Page, City Councilor
Tim Luke, City Councilor
Michele Tesdal, City Councilor
Todd Smith, City Councilor



City of Detroit, Oregon
City Council Agenda
Reg Session/Public Hearing

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Kelly Galbraith, City Recorder

August 3, 2021
6:30 p.m.

Keizer Council Chambers

Via Zoom

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- I. Call to Order**
- II. Roll Call**
- III. Approval of the Agenda**
- IV. Special Orders of Business**
- V. Committee Reports**

This time is set aside for committees established by law, ordinance or other authority to report to the City Council on the committee's ongoing work.

VI. Public Comments

This is the time set aside for comments from the public on matters not on the agenda. Commenters are limited to three (3) minutes. Time may not be yielded. Questions from the Council or staff to commenters shall not be counted against the allotted three (3) minutes.

- VII. Public Hearings - Supplemental Budget Hearing**
- a. Resolution 628 – A RESOLUTION ADOPTING A SUPPLEMENTAL BUDGET FOR CHANGES TO THE FISCAL YEAR 2021-22, Staff Contact: Chris Eppley)
- VIII. Resolutions, Orders and Administrative Action**
- a. Detroit Service Replacement and Agreement, Staff Contact: Chris Eppley
- IX. Consent Calendar**
- a. Approval of the Minutes of the Detroit City Council – June 1, 2021 Special Session, July 6, 2021 Regular Meeting, July 14, 2021 Special Session.
 - b. Approval to Pay the Bills
- X. Staff Reports**
- a. Marion County Community Development Manager
 - b. City Recorder
 - c. City Clerk
 - d. City Finance Officer
 - e. Planning – Mcrae Carmichael
 - f. Marion County Sheriff’s Office
 - g. USFS
 - h. Idanha-Detroit Rural Fire Protection District
 - i. North Santiam Sewer Authority
 - j. City Attorney
 - k. Other
- XI. Mayor’s Report**
- XII. Councilor Reports**
- XIII. Other Business**
- XIV. Upcoming Meetings**
- a. City Council Regular Session September 7, 2021 @ 6:30 p.m., location TBD
 - b. Work Session – September 21, 2021 @ 6:30 p.m. location TBD (if needed)
- XV. Adjourn**



Staff Report

TO: City Council
FROM: Christopher Eppley, Marion County Community Development Manager
DATE: June 29, 2021
SUBJECT: Supplemental Budget, Water Fund

In developing the FY 2021-22 Budget, staff estimated water sales conservatively because it was unclear at the time how many customers would be returning to service and at what time frame. Customer reactivation has occurred more rapidly and with a greater number of customers than was used to project revenues. As a result, it is now anticipated that the City can conservatively anticipate an additional \$27,600 in water sales than were adopted in the budget.

In addition, due to such a high level of uncertainty regarding potential revenues for this year, staff developed the budget assuming there would only be resources available to provide a standard cost of living increase of 2% this year for the City's Water System Technician. With these additional resources, it is now apparent that a modest merit increase could be provided if warranted by both by the market and due to performance. For future budget purposes, staffing costs for the Water Fund need to be supported by the City's water rate structure, thus staff will be reviewing long-range resource and requirement projections for the Water Department and will make rate adjustment recommendations to the Budget Committee during future budget processes.

Oregon budget law provides for a Supplemental Budget process for the City to amend adopted budget resource and requirements within a department due to unexpected circumstances throughout the course of the Fiscal Year. The attached Resolution identifies the line items in the Water Fund Budget that need to be altered in order to appropriate both the unexpected resources identified due to higher than anticipated water sales, and also allocate these funds for personnel costs and place the remainder into Operating Contingency should additional needs come up throughout the remainder of the Fiscal Year.

RECOMMENDATION:

It is recommended that the City Council adopt the attached Resolution appropriating unanticipated resources and allocating those resources as outlined in the resolution and attached spreadsheet.

RESOLUTION NO. 628

A RESOLUTION ADOPTING A SUPPLEMENTAL BUDGET FOR CHANGES TO THE FISCAL YEAR 2021-22 ADOPTED BUDGET

Whereas ORS 294.471 permits the governing body of a municipality to make a supplemental budget for one or more of the following reasons:

- a. An occurrence or condition which had not been ascertained at the time of the preparation of a budget for the current year which requires a change in financial planning.
- b. A pressing necessity which was not foreseen at the time of the preparation of the budget for the current year which requires prompt action.
- c. Funds were made available by another unit of federal, state or local government and the availability of such funds could not have been ascertained at the time of the preparation of the budget for the current year; and

Whereas water sales for the FY2021-22 Budget were estimated on the best information available at the time; and

Whereas it is projected that actual water sales will be approximately \$27,600 more than projected in the FY 2021-22 Adopted Budget; and

Whereas it is necessary to appropriate these additional revenues so as to provide for unanticipated increased expenditures in the Personnel Services and Transfers to Other Funds categories of the Water Department's Requirements.

Now, therefore be it resolved in accordance with the provisions stated above, that the Mayor and City Council of the City of Detroit determine that it is necessary to adopt a supplemental budget, establishing the following amendments:

<i>Water Fund</i>	Additional Appropriations	
<u>Line Item</u>	<u>\$ Appropriation</u>	<u>\$ Resource</u>
Water Personnel Services	6,240	
Payroll Expenses and Benefits	2,122	
General Operating	19,238	
Contingency		
Water Service Fees		27,600

All other provisions of the adopted 2021-2022 budget not specifically amended or revised in this Supplemental Budget remain in full force and effect as stated therein.

James R. Trett, Mayor

Kelly Galbraith, City Recorder

City of Detroit Supplemental Budget Detail (08/03/2021)

		Water Fund			
Revenues	<u>Line Item</u>	<u>Budget</u>	<u>Supplemental</u>	<u>Revised</u>	
	Water Service Fees	\$ 90,000	\$ 27,600	\$ 117,600	
	Total Resources	\$ 405,086	\$ 27,600	\$ 432,686	
Requirements	<u>Line Item</u>	<u>Budget</u>	<u>Supplemental</u>	<u>Revised</u>	
	PERSONAL SERVICES				
	Water System Personnel	\$ 53,564	\$ 6,240	\$ 59,804	
	Payroll Expenses and Benefits	\$ 34,129	\$ 2,122	\$ 36,251	
	TRANSFERRED TO OTHER FUNDS				
	General Operating Contingency	\$ -	\$ 19,238	\$ 19,238	
	TOTAL EXPENDITURES				
	Total	\$ 405,086	\$ 27,600	\$ 432,686	

NOTICE OF SUPPLEMENTAL BUDGET HEARING

- Use for supplemental budget proposing a change in any fund's expenditures by more than 10 percent.

A public hearing on a proposed supplemental budget for the City of Detroit, Oregon, for the current fiscal year, will be held at 930 Chemawa Road, NE Keizer, OR.

(District name) (Location)

The hearing will take place on August 3, 2021 at 6:30 a.m. p.m.. The purpose of the hearing is to discuss the supplemental budget with interested persons.

(Date) (Time)

A copy of the supplemental budget document may be inspected or obtained on or after 7/26/2021 at 2340 Martin Dr, # 103, Stayton OR 97383, between the hours of 8:30 a.m. p.m. and 4:00 a.m. p.m..

(Date) (Location)

SUMMARY OF PROPOSED BUDGET CHANGES

AMOUNTS SHOWN ARE REVISED TOTALS IN THOSE FUNDS BEING MODIFIED

FUND: Water Fund

Resource	Amount	Expenditure—indicate Org. unit / Prog. & Activity, and Object class.	Amount
1. <u>Water Service Fees</u>	<u>\$ 117,600</u>	1. <u>Water System Personnel</u>	<u>\$ 59,804</u>
2. _____	_____	2. <u>Payroll Expense and Benefits</u>	<u>\$ 36,251</u>
3. _____	_____	3. <u>Gen. Operating Contingency</u>	<u>\$ 19,238</u>
Revised Total Fund Resources	\$ 432,686	Revised Total Fund Requirements	\$ 432,686

Explanation of changes:

More customers than expected reconnecting to water service is estimated to yield an additional \$27,600 in water service fees than estimated for the adopted budget. This allows the City to provide a wage increase of \$3/hour or \$6,240/year based on merit to the City's Water Technician. There is a corresponding increase required for Payroll expenses and benefits. In addition, \$19,238 will be placed in contingency for unexpected expenses throughout the year.

FUND: _____

Resource	Amount	Expenditure—indicate Org. unit / Prog. & Activity, and Object class.	Amount
1. _____	_____	1. _____	_____
2. _____	_____	2. _____	_____
3. _____	_____	3. _____	_____
Revised Total Fund Resources	_____	Revised Total Fund Requirements	_____

Explanation of changes:



CITY COUNCIL SPECIAL SESSION
Tuesday, June 1, 2021 – 6:30 PM
ZOOM Meeting

1. **CALL TO ORDER** – Mayor Trett called meeting to order at 6:32 PM via ZOOM.
2. **CITY COUNCIL ROLL CALL** - Mayor Trett, Councilor Smith, Councilor Sheppard, Councilor Tesdal, Councilor Page, Councilor Luke
Staff present – Kelly Galbraith
3. **APPROVAL OF THE AGENDA** – No Changes.
4. **SPECIAL ORDERS OF BUSINESS** –
 1. Mayor Trett: City of Keizer presentation – from International Institute of the Municipal Clerks, IIMC Foundation 2021 Wall of Honor; presented to Kelly Galbraith, City Recorder. Congratulations by Mayor Trett.
5. **COMMITTEE REPORTS** - None
6. **PUBLIC COMMENTS** –
 - Cort Baker: He is at 220 Lakecrest in Detroit. Property is on the lake. Notified of problems getting building and septic permits. Spoke with McGray; got some information, but information is coming to light now. Owned for 50 years and did not know anything about floodplain. Neighbors/sellers and title companies did not know anything about it; costs about \$2,000 per year for floodplain insurance. If own property for 20 years and not notified, and you can be fined \$40,000. Problem for people in future. He is a contractor and works in Detroit area. He would like to build on his lot which is 1,600 feet elevation; the floodgate on the dam is 1,580 feet elevation. They will be lowering the floodgate. He wants to know why the burden of proof is on citizens.

Response by Ross Day, land use lawyer (real estate lawyer): The floodplain laws were enacted in early 1977. If you already have a structure in the floodplain, you were grandfathered in. If you rebuild, the law allows it to be rebuilt, but will have to get flood insurance. It is a federal law. There is not a lot the city can do about it. It is a Federal Law for 40 years. The property can be destroyed once, but once you rebuild, flood insurance is required. Floodplain maps are available online. Mr. Day understands it is a problem. Determination of floodplain can be done by an engineer. Cort Baker: He brought up burden of proof again regarding him and other homeowners. Cort said he would like to prove he is above the floodplain submit permit applications for construction to begin in two months or less.

Chris Eppley: The city planner and he talked about these issues. One solution is for the resident to sign an agreement to acknowledge the issue, knows they must comply and will get a LOMA. Then the city will support issuing a building permit and the resident can work toward construction while getting the LOMA. Another issue looking at is to see if county can provide resources to hire a surveyor to get base elevations from properties. The floodplain is 1,578 feet above sea level. FEMA came to the city regarding floodplain program. If want to get insurance on house to get damage for disasters and if flood insurance purchased through the NFIP and went through this process, then it would be less expensive.

- Thomas Rose: Asked if noise ordinance in the City of Detroit. Mayor Trett: 7:00am to 10:00pm is open and after 10:00pm is supposed to be quiet.
- Keith Munn: He said he got a variance and asked how long it will take to get paperwork on it. Mayor Trett: he will see about getting him a written copy. McRae Carmichael: It is done, and a signed copy is to go to Keith. The decision is complete. It is now a matter of Keith getting a building permit.

7. PUBLIC HEARINGS

7.1.1 Mayor Trett: Detroit City Council, Rules and Procedures of Hearings, would like to open a public hearing at 7:09pm for public input on the consideration of Detroit City Council, a rewriting of rules and regulations of the city.

Ross Day: Memorandum, staff report, a draft of rules and procedures. Chapter 4, Section 13 of the Detroit City Charter requires that the council adopt rules and procedures by ordinance that govern the meetings and proceedings of council. He provided memorandum with attached rules and procedures. Rules and procedures ensure fairness and consistency, and helps people understand what the expectations are. These are meant to be a starting point. The goal is to have an ordinance for the city council to adopt later. Mayor Trett: Opening public hearing at 7:12pm for a comment on the above. No public comment at 7:13pm. Appointing committee of three to review. Volunteered: Councilor Engle, Councilor Tesdal and Councilor Luke.

8. RESOLUTIONS, ORDERS AND ADMINISTRATIVE ACTION

1. Mayor Trett asked if anyone from the foundation who would like to give a report (see agenda item: Discussion Regarding Defensible Spaces (City Council Agenda Packet Pages 38 through 59; Staff Contact: Chris Eppley/Ross Day). Nobody was present from the foundation, no discussion.
2. Resolution 621, adoption of a limited English proficiency plan
Chris Eppley: Reviewed grant from USDA million dollar regarding a temporary water treatment plant. Provided report. Mr. Eppley said that one of the strings include civil rights and other issues regarding being in line with current Federal law. This plan provides services to those attending city meetings who need services regarding English proficiency needs. A survey was done regarding the Americans with Disabilities Act, a self-evaluation of

the facilities. The park restroom is 100% ADA compliant. Opened to questions. No discussion. Motion passed unanimously.

3. Administrative action, wage rates for administrative staff.
Chris Eppley: Retirement of the city's chief financial officer. Looked at replacement options and ultimately looked at the city recorder and city clerk in the office. Will apply the CFO's salary to the wages of the two current administrative staff have the skills to fill this position. Recommended to adopt this resolution. Councilor Page made motion to make the wage rate modification immediately. Councilor Smith seconded. No discussion. Motion passed unanimously.
4. Administrative action, memo of understanding of Detroit Lake Foundation, Detroit Community Center. Ross Day explained Memorandum of Understanding (MOU) and lease negotiations. Intent is a negligible lease. If community center meets the needs of the City of Detroit, then the city would enter into a good faith negotiation to take over the community center. If the council agrees, then move that the city attorney enters into a Memorandum of Understanding to lease the community center. Councilor Page asked for elaboration of the MOU. Ross Day: An MOU includes an element of good faith negotiations or discussions later about entering into a contract. An MOU is not a binding contract. Ross Day recommends moving forward and the city will be first in line if the city wants to occupy the community center. Chris Eppley explained an MOU is two parties or more expressing intent to work together for a result. This is an office next to the community center. The city could be a tenant of the office. Councilor Engle motions to instruct the city attorney to enter an MOU with the Detroit Lake Foundation. Seconded by Councilor Smith. Discussion: Councilor Luke asked if there is an effect of the insurance money if this did not work out for the city. Chris Eppley: present building payout: that is the city's money. Councilor Luke asked about statute of limitations on the timeframe to build the building. Chris Eppley assured that the city will be well within the time limitation explained the cost would be approximately \$150,000 to bring the current office up to code. The insurance costed this out. No additional discussion. Mayor Trett asked for a motion to second. (*Inaudible if someone seconded*). Motion passed unanimously.
5. Administrative action, authorizing the mayor to enter into contract planning services with the Mid-Willamette Valley Council of Governments for services to be performed on behalf of the city. Ross Day discussed attached memorandum, staff report, regarding a planning contract between the COG and the City of Detroit to extend the contract to July 1, 2021, through June 30, 2022. Councilor Tesdal: Asked if there was a grant given by the county to the city to help cover costs. Chris Eppley: The county covers portion of costs, but a portion the city pays. There is also a grant through the Department of Land Conservation and Development for \$1,000 that helps offset costs. The county is covering the cost of planning services in current year for at least the next six months. Councilor Tesdal asked if citizens have discounts or pay a percentage. Chris Eppley: The general fund pays for building expenses. The county waived some fees. Everyone trying to waive as many fees as possible to make it reasonable to rebuild. Councilor Engle

made a motion to authorize the mayor to execute a contract with the Mid-Willamette Valley Council of Governments for planning services. Seconded by Councilor Page. No discussion. Motion passed unanimously.

6. Administrative action, resignation via email by Christine Pavoni, Chief Finance Director for the City of Detroit. Councilor Engle made a friendly motion to accept the resignation effective May 7, 2021. Friendly seconded by Councilor Smith. Motion passed unanimously.

9. COUNCILOR REPORTS

1. Councilor Engle stated she received the monthly report of finalized permits from the county for month of May. Electrical: 18 residential; 1 commercial. Mechanical: 3 residential; 1 commercial. Plumbing: 1 residential. Total 23 permits finalized in May. She commented on excitement over seeing and hearing building going on.
2. Councilor Sheppard commented on application received for 2022 ODOT paving grant. If we do not have enough money to complete the Forest Avenue paving and walkway project, he will put in for the remainder of it for the project to be finished next year. He will get bid out for the Scott Avenue paving project. He addressed question on updated paving schedule for R&G to pave and cap the unpaved trenches dug months ago. Chris Eppley is discussing with City Manager Kenneth Cannady-Schultz and hazard tree removal accomplished before paving projects. Met with ODOT and it looks like within three to four weeks, the hazard tree removal will be completed. Kenneth (Kenny) agreed to wait on paving until after tree removal and discussed. Chris Eppley stated he understands Councilor Sheppard's concerns.
3. Councilor Page shared that the park was used this weekend and great to see the activity. He commented on use of park over Fourth of July. Using sprinkling and volunteers are weeding. Goal of getting bark chips. Researching the restroom repair. It is functioning, but he will find out about damage and where FEMA is on that. The damaged sidewalk was removed and will be poured within the next week. Looking as to the status of the replacement sign. An update will occur regarding the amphitheater for a formal presentation to council. Councilor Engle asked about a group to contribute or donate of playground equipment. Councilor Page referred to people who had a vacation spot in Detroit for years and lost cabin on far side of Santiam; they are in touch with the idea of donating a full playground.
4. Councilor Tesdal stated the ribbon cutting was fun over the weekend. She talked about the fishing derby, fire corps seeking volunteers and raising money for the fire department, restaurants functioning at high capacity. Referred to upcoming fire report and fact there was an unattended burn pile.
5. Councilor Luke discussed water being purified at 70 gallons a minute. They are averaging about 43,000 gallons a day. He received reports that people were watering lawns and washing things; he stated this should not be done until more water is available. Wi-fi available at the purification system so West-Tek can perform modifications remotely. Councilor Luke has been working with a water specialist with ODOT for valuable information. He also learned that the City of Detroit does not have water rights to the reservoir

since founding fathers never asked for it. He will look into obtaining water rights through other cities. Before solutions found, he emphasized need to conserve water. A map is on the website of tests and related color coding. Water is still undrinkable.

6. Councilor Smith commented on the weekend and that it was exciting. Restaurants swamped. Received complaints about noise, dogs unleashed, dog fights and truck airhorns at night. Roads with dust are a problem.

10. MAYOR'S REPORT –

1. Mayor Trett reported on Town Hall on May 22nd, and complimented the format, since people did not have to stand up and ask questions in front of everybody. The ribbon cutting happened on Friday at Mountain High and Driftwood Drill, and on Saturday at Kane's, Detroit Lake Marina and Connor's BBQ. Information was on the website, and it is our way of telling people that Detroit is coming back. Mayor Trett was involved in a recovery from disaster symposium put on by League of Oregon Cities on May 7th. News stories by the Statesman and KGW, including asking people to be respectful of neighborhoods and people's property. Mayor Trett is a member of the Camp Silver Creek Foundation. Every year they have a golf tournament. He was contacted about this year sending all canyon-area kids from ages 6-14 to the camp. The foundation contact cell number 503-559-5958 for more information regarding kids impacted by the fire.

11. STAFF REPORTS –

1. Shawn Rivera, United State Forest Service, Detroit Ranger District: Detroit has a pulse. Detroit is still at stabilization mode, focused on public and employee safety, getting danger trees down, but in holding pattern; waiting for forest-wide danger CE to get signed, then can take down trees, assessing recreation areas to see what can open. Fire-closure orders will remain. Highway 46 will remain closed to all traffic into the fall due to several projects. Fire restoration: starting to do short-term restoration: stabilizing banks, replanting, evaluating water quality issues, no evidence of landslides. Looking at restoration in form of decades versus years. Has enough seed to restore entire district. Long-term restoration plan focused on whatever the land allocation is for each tract. Offered for meeting attendees to reach out to him with questions.

Greg Sheppard: Worked in timber 29 years ago at Detroit. Concerned about trees dropped on two acres in Detroit. He asked if these trees could be removed. Shawn Rivera said this is being addressed. Greg Sheppard asked Shawn could do green sheet sale. Greg Sheppard will investigate.

Tim Luke: Curious about trees decked on street that goes down to the flat. A resident talked to him about fact the resident talked to the forest service.

Shawn Rivera: will talk to fire crews to see if they plan on handling.
Eric Page asked Shawn what the status is of the Floyd Creek. Shawn Rivera: different parts of creek burned at different burn severities. Shawn is not sure and said it will be some time before gets a full picture of everything. Shawn will provide answers on these questions. Greg Sheppard asked Shawn Rivera if any plans to handplant trees in Mackie Creek. Shawn

Rivera: no plans yet until danger trees down.

2. Chris Eppley discussed Santiam's School District's trailer by the park and whether we should lease it. He asked FEMA and they can fund with a rate between the difference of what insurance does not cover. The amount FEMA could fund is very few dollars. Mr. Eppley does not consider it to be a good avenue. If the council wants to rent it, it would be out of the general fund, plus insurance cost, ADA compliance and volunteers. Mr. Eppley was asked if he can add time before voting on something. Typically, citizens are offered times to speak two times. One is early in the agenda; the other time is in a public hearing. Mayor Trett said he was asked by the school district superintendent if we want the trailer or not; if not, they would remove it. Councilor Page motioned to have the Mill City School District remove the trailer. Councilor Engle seconded. Councilor Page said the liability and expense with the trailer and the potential plan with an amphitheater (for the trailer to be removed). Discussion: Councilor Engle said the gym will meet the needs for reasons we had to keep the trailer. Motion passed 6 to 1.
3. City Recorder Kelly Galbraith reported need to pay the bills. July dates are unavailable for upcoming meetings in the chamber. Motion to pay the bills by Mayor Trett. Seconded by Councilor Smith. Discussion: Councilor Engle said there are an enormous amount of bills regarding water, which she listed, and totals \$142,300. She asked where the money comes from. Kelly Galbraith said the insurance company (CIS) pays the labor, flushing paid by FEMA, and the rest of it is paid. She asked for report and asked if we will be sending out water bills. Kelly Galbraith said bills will be printed beginning tomorrow. The time frame will be mid-April through May. Councilor Luke said the peak usage was over 100 gallons per minute this week and the water use this weekend was 43,100 gallons per day was the peak usage, and we can produce 79,800 if it is running 24 hours. No loss information available. Kenneth Cannady-Shultz said the losses are in the single digit per minute. Michelle Connor, City Clerk stated all information is covered. Her and Kelly have been paying bills and payroll and learning how to do other financial responsibilities. Working on providing online bill payment. Motion passed unanimously.
4. Marion County Community Development Manager Chris Eppley said to Kelly Galbraith and Michelle Connor they are doing a great job, in response to Mayor Trett reiterating that the finance officer resignation was just accepted.
5. Planning, McRae Carmichael, Mid-Willamette Valley Council of Governments (MWVCOG): update on equitable servitude document to move forward. Came up with process with Marion County to help respond to people coming in with lot issues with buildable lots, and confusion. The county decided to use the historical way people dealt with their properties in the past. Determination made for people who are rebuilding, they will look at the land as they rebuild it. Consolidation of lots discussed. Posted on Facebook page for people to be able to contact McRae Carmichael directly; this is going well. She averages about six calls a day. She helps property owners through their inquiries to her, Kelly and Michelle. Staff report for

FEMA and floodplains: moving forward, everyone within a floodplain overlay zone (about 45 properties) should get a floodplain development permit, which is a Type 1 land use permit, \$500 fee. This application from a property owner shows where their elevation is, and where they are building, their first floor. Exact elevation is 1,578 feet. The application is reviewed to see the property owner is building above the base flood elevation. No fee for the LOMA application. The first floor needs to be one foot above the base. She asked Ross what she can bring back to the council if they are interested in a fee waiver for the floodplain development permit for people who are impacted by the fire. Ross Day: Land use fees established and are ordinarily set by resolution. He said there is probably a resolution regarding planning fees. Ross would come back with a resolution to waive the permit fee after the city council makes a motion for him to do this and instructing staff so they would accept the plans without a fee. Chris Eppley disagreed and suggested we choose to charge the fee, and if the council chooses to waive the fee, we will refund the permit fees retroactively. Councilor Page: He asked for development on property that never had a structure, would we handle it the same way? Chris Eppley said no, and this would only apply for only for replacement of structures. The resolution would need to be written that way, this would only apply to rebuilds of previously existing structures. Ross Day: he referred to the replacement clause. Mayor Trett asked for a motion. Councilor Engle motioned to direct city council to develop a resolution to waive fees for floodplain development and to accept the processing permits, take the fee, and if the council determines to waive the fee, we will then reimburse. Seconded by Councilor Page. No discussion. Motion passed unanimously.

6. Marion County Sheriff's Office, Deputy Olson asked if council would like to participate in Neighborhood Night Out in August. It was a busy weekend at the lake. Regarding the noise and train horns on vehicles, the sheriff's office will deal with it if they witness it. Detroit and Idana evacuation plan: These two cities are on FireWise. Regarding new planting on lots, he wants to look at defensible space at properties beforehand. Mayor Trett said it is usually on the second Tuesday, but it would be great to have it on Saturday, August 7th. Ross Day suggested to Mayor Trett that it does not need a motion.
7. Idana/Detroit Fire Protection District, per Mayor Trett: Not present.
8. North Santiam Sewer Authority: Shelley Engle spoke. The sewer authority is working on setting up financials. Created board rules. Had work session. The sewer authority will meet on the first Thursday. Looking at starting the process of Mill City and Gates first, then create Idana/Detroit connection later. Mayor Trett shared that the county commissions asked the Oregon Legislature for \$80 million to put in high-tech treatment systems for people that do not have the money to put in systems. By end of June, we should have new then.
9. City Attorney: No update.

12. OTHER BUSINESS

1. Councilor Engle: requested agenda items for next month's meeting.

- 12.1.1 Address noise ordinance – revisit and make public.
- 12.1.2 Nuisance complaints – properties that need to be deemed a nuisance. Home affected by the fire and properties which FEMA has not cleaned up the properties.
- 12.1.3 Speed on Patton Road is extremely high, mostly by ATVs.
- 12.1.4 To discuss if it is time to create an ordinance to address defensible space in the city of Detroit.

- 2. Councilor Page expressed appreciation to Chris Eppley, Ross Day, COG, Marion County Commissioners and all of the people who worked city-wide, the support group for the City of Detroit, the council in getting procedures in place, and a big thank to all of those who have continued with the fight.

13. UPCOMING MEETINGS

- 1. Mayor Trett reported the next meeting is the third Tuesday (June 15, 2021, at 6:30pm, in the Keizer Chamber. If cancellation occurs, it would be placed on the website.
- 2. Budget Committee June 4th, at 3:00pm, via Zoom. This is a city council meeting and will open a public hearing on the budget.

14. ADJOURN

Councilor Luke made a motion to adjourn. Seconded by Councilor Sheppard. Motion carried without dissent at 8:44pm.

Meeting minutes transcribed by Janet Toman, contractor with the Mid-Willamette Valley Council of Governments, on July 16, 2021.

Signed:

James R. Trett, Mayor

Attest:

Kelly Galbraith, City Recorder



CITY COUNCIL MEETING
Tuesday, July 6, 2021 – 6:30 PM
ZOOM Meeting

1. **CALL TO ORDER** – Council President Engle, called meeting to order at 6:30pm on July 6, 2021, via ZOOM.
2. **CITY COUNCIL ROLL CALL** – Mayor Trett, Counselor Engle, Councilor Smith, Councilor Sheppard, Councilor Michelle Tesdal, Councilor Page, Councilor Luke
Staff present – Kelly Galbraith
3. **APPROVAL OF THE AGENDA** – Approved
4. **SPECIAL ORDERS OF BUSINESS** – None
5. **COMMITTEE REPORTS** – None
6. **PUBLIC COMMENTS**
 - Thomas Rose – Thanked the Detroit City Council, donors, the sheriff and other people involved for allowing the fireworks on July 4th. He expressed his appreciation for the Friday night barbecue, fireworks and parade. He thanked the sheriff for handling a parking situation.
 - Don Tesdal – He thanked everyone and volunteers who had a part to the weekend activities including concert and pancake feed. Thankful that Detroit has come together to heal the wounds from the fire. He addressed the dust abatement issue, heavy equipment over gravel roads due to lack of wind protection. He discussed dust abatement issue solutions to occur as soon as possible.

Chris Eppley replied to Mr. Tesdal – He said he is working with Marion County Public Works, and they recognize we do not have the funding to do a dust abatement program this year. He believes they will accomplish the work in a few weeks. Mr. Eppley will notify the council when this will occur so it can be posted on the city’s website.
 - Councilor Page – Following up on Mr. Eppley’s comments. He would like the council to remind the contractors performing the digging to tamper the work regarding the current digging conditions.

Chris Eppley – Agrees with Councilor Page and for anyone on council to identify who the contractors are; then for that person to notify Kelly who they are so she can notify them to remind them of that statute.
7. **PUBLIC HEARINGS** – None scheduled
8. **RESOLUTIONS, ORDERS AND ADMINISTRATIVE ACTION**

1. Resolution 625 – Declaring HBH Engineering as the engineer of record for the City of Detroit, Oregon.
Mr. Eppley: Administrative comments. During the fires, the city council building burned down, including paper records. The last signed contract with HBH Engineers was lost in the fire. The only copy of the contract dates back to 2006. No contract with anyone else since then. For the city to qualify for the reimbursement of the time and effort that HBH Engineering have put into the project, FEMA needs to know that they are acting on our behalf as the city engineer of record. This first item is stating through an affidavit as a resolution which states the city council believes to the best of their knowledge, that HBH Engineering has been acting as the engineers of record throughout the course of reconstruction efforts after the fire and doing work for the city as the city engineer so they can qualify for reimbursement through FEMA. Mayor Trett asked if a motion to adopt Resolution 625, stating that the council believes that has been acting as the engineer of record throughout the reconstruction project for the City of Detroit. Councilor Page made the motion. Councilor Engle seconded. Motion passed unanimously.
2. Resolution 626 – Authorizing the mayor to enter into a contract with HBH Engineering, Inc. for engineering services.
Mr. Eppley: This resolves the issue for the last contract which burned up in the fire. He also said it is appropriate to go out for RFPs for engineering services. Suggests we adopt the resolution as amended and add in that the contract will be for a time period of two years, with the ability to re-up for two additional one-year periods. This will give time to get through FEMA work, and get the project built, and then go out for RFPs for engineering services. Also, when projects with a federal agency, they require contracts with subcontractors incorporate current civil rights language adopted through the federal government. This contract has been rewritten to be FEMA-friendly. No questions. Motion by Councilor Luke to adopt Resolution 626 as amended for a two-year term with a possibility of two, one-year extensions. Seconded by Councilor Smith. Discussion by Councilor Luke: Grateful to Rob, Kenney and Matt for their persistence on this and going the extra mile in a lot of ways. Wants to go on record with appreciation, but with grave concerns, including the capabilities to navigate the next two years. He hopes that for everyone in Detroit, and to use resources and ask for help. He stated he believes that (the council) should have asked for second and third opinions; seek out local resources; work together. He said he does not want the water system in to continue to be a learning platform.
Mayor Tret: Hearing that the motion to adopt Resolution 626, authorizing the mayor to enter into a contract as amended with HBH Engineering for engineering services. Motion passed unanimously.

9. CONSENT CALENDAR

1. Subjects on the calendar include minutes from Detroit City Council of June 15th and approval of the bills. Mayor Trett asked if there are questions or comments, to please bring them up. Councilor Engle made a motion to adopt the consent calendar for June. Seconded by Councilor Page. No discussion. Motion passed unanimously.

10. COUNCILOR REPORTS

1. Councilor Engle stated she received the June report on the first of July. Marion County permits: 12 electrical; 2 mechanical; 2 certificate of occupancy issued. In addition, received report about wildfire recovery: there were 45 building permits issued, which is 14% of the homes that were destroyed, and 75 second permits issued, which is 25% of the homes.
2. Councilor Sheppard concurs with Don Tisdal on the dust abatement issue, specifically in East Detroit. Boulder, Tumble and Kenny Streets are heavily populated, there is a lot of traffic, and the valley is a wind tunnel issue, which is becoming a health issue. Hazzard tree issue: he hopes this project gets speeded up. Knife River did a good job of paving and

- capping the open trench lines in West Detroit. Hoping we do not forget about East Detroit. There is a 500-foot strip on Kenny that needs to be capped. Also, we need to fill up deep holes on Second Street. He hopes the overlay gets done on Third Street. The downed timber on ground for over four months at the end of Kinney and Tumble: he hopes we can remove that; it is a fire hazard; he hopes it can be yarded out through the back way in overflow parking lots above Detroit Marina. Main Street: He hopes we can help the businesses recover, possibly defer taxes for five to ten years and get businesses to build and invest in our commercial district.
3. Councilor Smith: He received a couple requests from residents on Third and Fourth Streets to get the dust problems addressed, to remind people to slow down on those streets. He suggested a 10 MPH sign. Councilor Engle referred to signage in East Detroit. Councilor Luke suggested sandwich signs. Chris Eppley concurred that this would be more of a message.
 4. Councilor Page discussed the use of the park over the weekend. He appreciated the volunteerism, attendees, multiple events, and the way people took care of the area. He heard no complaints or issues of illegal activities. The concrete patching on the Burns sidewalk was completed in time. City employee Mike was valuable in making the event happen. Councilor Page was alerted that if overtime occurred, that the foundation would like to square that with the city. The pancake feed fund goes to fire department apparatus. We ran out of everything, which he stated is a good indication. He discussed street patching with Councilor Sheppard and addressed the brush pile on Scott Avenue as a fire hazard, and he asked whose brush pile it is. Councilor Sheppard said it needs to be chipped or hauled away. It is in a paving zone and needs to be taken care of.
 5. Councilor Luke gave the water report. He received conflicting information. He prefers no watering until fire season is over. He asked for people to be responsible and conserve, and to be aware of fire hazard. There is no pump to pump water out of Detroit Lake to a fire truck; we have to go to Idanha to do that.
 6. Councilor Tesdal discussed the dust concerns and the fact it is unavoidable. She suggests we need help and more money in the streets account if we are going to build for four to eight years. She wrote a grant application for the Oregon Community Foundation. It was for rebuilding Reservoir A, which is by a landowner's property. She thanked Matt from HBH for the comprehensive recovery plan that she used. She thinks if we get water storage, we could help water the dust down, get trees growing and help get Detroit back to what it was in five years. She addressed the time frame on the downtown recovery and what it will look like. She would like to find out how that is progressing, so the information can be made public. She suggested that update information be posted on the website. She asked about half-time employee for the water department. Chris Eppley replied that the budget includes funding for a half-time employee. The idea is to train someone to be certified, for coverage, and to also have the person in line to step into the role of the person who will be retiring. Water technicians are in great demand, so difficult to hire now, especially for a part-time position. He is researching utilizing a half-time employee currently with Gates. Should be posting for the position within the next week. He said the weekly updates can be made public, or anything he shares.
 7. Councilor Smith concurred that last weekend was amazing. He talked with the fireworks company. Deputy Chief Faust and his volunteers prepped the area and helped get the relative humidity down saw the Mark 3 in action; a great tool to have on hand with our fire department, with Idanha and Detroit. He worked with the forestry department. Amy Snook will work for the department. He discussed things to improve on: garbage cans, unleashed dogs, and animal waste being left behind on properties. He discussed how to work with ordinances.

11. MAYOR'S REPORT

1. Mayor Trett made a call to Representative Schrader's office requesting that he call Mayor Trett to discuss the lake issue.
2. Mayor Trett thanked everyone involved including Elizabeth Smith and Candi Page regarding making last weekend a success. It was a community effort. He gave positive input on the fireworks.

12. STAFF REPORTS

1. Marion County Community Development Manager Chris Eppley – He has another engineering matter to discuss. The first step to take in rebuilding the water system is to get a geo technical engineer to study the site we are going to put infrastructure; rebuilding water reservoir and the treatment plant building. Insurance will cover most of it. He has a geo tech engineer bid to get in front of council for a special city council meeting. Mr. Eppley will email council for the best time for everyone.
2. City Recorder Kelly Galbraith – She was impressed that people did not light off fireworks during the weekend.
3. City Clerk Michelle Connor – No updates
4. MWVCOG Planning, McRae Carmichael – No updates
5. Marion County Sheriff's Office – Not present
6. United States Forest Service (USFS) – Not present
7. Idanha-Detroit Rural Fire Protection District – Not present
8. North Santiam Sewer Authority, Ken Woodward – He stated they will be given \$50 million for this project. There will be a July 14th meeting when this will be announced. Councilor Engle said we are excited about the work. McRae Carmichael encouraged members to let people know there will be a July 14th Zoom town hall meeting, will be broadcasted. The most important thing now is public participation. It will be posted on the Detroit website, or North Santiam Sewer for the link. Encourages questions and feedback. Ken Woodward said the plan will be final in up to four weeks.
9. City Attorney – Not present
10. Other – None

13. OTHER BUSINESS

- 13.1.1 Special Session will take place later this week.
- 13.1.2 Channel 2 news was at the City of Detroit on July 3rd regarding the fireworks and the disappearance of the lake.
- 13.1.3 Councilor Luke inquired about the lot on Main Street, southeast of the corner post, which used to be the chapel, and is a nuisance, which falls under the nuisance ordinance. Cleanup refusal. He also addressed the dust abatement and asked about an emergency fund to handle this. He suggested pulp liquor from the pulp mill. He uses this and spends \$2,000 per year for eight miles. He believes it would take up to \$10,000 to take care of this. He stated he believes this is a health hazard for the residents.

Chris Eppley reported that the county has done an evaluation and the roads are not in the kind of condition to put down a dust abatement and not have them immediately torn up thereafter. It will need to be scheduled in with the county's work, will take about two

weeks, and it is estimated to cost about \$25,000. Mr. Eppley will contact FEMA to see if this can be pushed into an emergency fund.

14. UPCOMING MEETINGS

1. Mayor Trett announced the next meeting is scheduled for July 20, 2021. If it is not needed, a cancellation notification will be made.
2. The next regular session will be August 3, 2021, at 6:30pm. The location will be determined.
3. There will be a special session on August 17, 2021, if needed.

15. ADJOURN

Councilor Luke made a motion to adjourn. Seconded by Councilor Smith. Motion passed unanimously and meeting adjourned at 7:40pm.

Signed:

Attest:

James R. Trett, Mayor

Kelly Galbraith, City Recorder

Meeting minutes transcribed by Janet Toman, contractor with the Mid-Willamette Valley Council of Governments, on July 22, 2021.



**CITY COUNCIL SPECIAL SESSION
Wednesday, July 14, 2021 – 12:00 PM
ZOOM Meeting**

1. **CALL TO ORDER** – Mayor Trett called meeting to order at 12:00 pm via ZOOM.
2. **CITY COUNCIL ROLL CALL** - Mayor Trett, Councilor Tesdal, Councilor Engle, Councilor Luke, Councilor Page, absent: Councilor Smith, Councilor Sheppard. Staff Present: Chris Eppley and Kelly Galbraith.
3. **APPROVAL OF AGENDA**- Councilor Page made a motion to approve the agenda as written. Councilor Engle seconded the motion. Aye votes heard from Councilor's Engle, Page, Luke, Tesdal and Mayor Trett. No nay votes were heard.
4. **PUBIC COMMENTS** – There were no public comments
5. **RESOLUTIONS, ORDERS AND ADMINISTRATIVE ACTION**
 - a. **AUTHORIZATION OF A CONTRACT FOR GEO-TECHNICAL ENGINEERING SERVICES FOR CONTROL BUILDING AND RESERVOIR-A CONSTRUCTION**
 - b. **Councilor Engle made a motion to authorize a contract for Geo-Technical Engineering services for Control Building and Reservoir-A construction. Councilor Luke** seconded the motion. Motion passed with aye votes heard from Councilors Engle, Page, Luke, Tesdal and Trett. No nay votes were heard.
6. **OTHER BUSINESS** – None.
 - a. **ADJOURN** – Councilor Engle made a motion to adjourn. Councilor Page seconded the motion. Motion passed with aye votes heard from Councilors Engle, Page, Luke, Tesdal and Trett. No nay votes were heard.

James R. Trett, Mayor

Kelly Galbraith, City Recorder

Staff Report

TO: City Council
FROM: Christopher Eppley, Marion County Community Development Manager
DATE: July 28, 2021
SUBJECT: Water Lateral Replacement

In September, 2020, the wildfires created significant damage to the City of Detroit's water distribution system. As such, a number of service laterals from the City's water mains to the meters at individual properties were burned and need to be replaced.

This project was competitively bid and the apparent low bidder is Danielson Contractors, Inc. with a total not to exceed bid of \$71,280.

This project is being submitted to FEMA for funding.

RECOMMENDATION:

It is recommended that the City Council award the Water Lateral Service Line replacement project to Danielson Contractors, Inc. as per the bidding process for a not to exceed contract price of \$71,280.

Notice to Proceed

Dated: 7/3/2021

Project: Contaminated Water Service Line Replacement	Owner: City of Detroit	Owner's Contract No.:
Contract: Contaminated Water Service Line Replacement		Engineer's Project No.: 2006-007.17

Contractor: Danielson Contractors Inc

Contractor's Address: [send Certified Mail, Return Receipt Requested]

5106 SE 99th Ave

Portland OR 97266

You are notified that the Contract Times under the above contract will commence to run on 7/3/2021. On or before that date, you are to start performing your obligations under the Contract Documents. In accordance with Article 4 of the Agreement, the number of days to achieve Substantial Completion is 60.

Before you may start any Work at the Site, you and Owner must each deliver to the other (with copies to Engineer and other identified additional insured's) certificates of insurance which each is required to purchase and maintain in accordance with the Contract Documents.

Also, before you may start any Work at the Site, you must:

Schedule and hold a Pre-construction Meeting

Submit a Project Schedule

Owner

Given by:

Authorized Signature

Title

Date

Copy to Engineer