

RESOLUTION NO. 631

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 the City of Detroit has received a direct allotment of Coronavirus Relief funds from the State of Oregon as a pass-through agency from the US Department of the Treasury; and

Whereas in order to appropriately receive, appropriate and track the use of these funds the City needs to create a new fund and to appropriate revenues and expenditures; and

Whereas the city intends to use these funds to pay for equipment that makes it more efficient to conduct remote and electronic meetings for both training and public meeting purposes.

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 fund and appropriations:

<i>Coronavirus Relief Fund</i>	Additional Appropriations	
<u>Line Item</u>	<u>\$ Appropriation</u>	<u>\$ Resource</u>
Materials and Services Coronavirus Relief Funds	25,000	25,000

All other provisions of the adopted 2021-22 BUDGET not specifically amended or revised in this Supplemental Budget remain in full force and effect as stated therein.

The above resolution statements were approved and declared adopted by the City Council of the City of Detroit, Marion County, Oregon on this 5th day of October, 2021.

James R. Trett, Mayor

Kelly Galbraith, City Recorder

RESOLUTION NO. 632

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 the City of Detroit will receive a direct allotment of American Recovery Plan Act (ARPA) funds from the State of Oregon as a pass-through agency from the US Department of the Treasury; and

Whereas in order to appropriately receive, appropriate and track the use of these funds the City needs to create a new fund and to appropriate revenues and expenditures; and

Whereas the city intends to use these funds to pay for materials and services as of yet to be determined that will meet the rules and guidelines as put forth by the US Department of the Treasury for the appropriate expenditure of ARPA Funds.

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 fund and appropriations:

<i>American Recovery Plan Act Fund</i>	Additional Appropriations	
<u>Line Item</u>	<u>\$ Appropriation</u>	<u>\$ Resource</u>
Materials and Services ARPA Funds	50,000	50,000

All other provisions of the adopted 2021-22 BUDGET not specifically amended or revised in this Supplemental Budget remain in full force and effect as stated therein.

The above resolution statements were approved and declared adopted by the City Council of the City of Detroit, Marion County, Oregon on this 5th day of October, 2021.

James R. Trett, Mayor

Kelly Galbraith, City Recorder

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, OR, for the current fiscal year, will be
(District name)

held at Keizer, OR City Hall.
(Location)

The hearing will take place on October 5, 2021 at 6:30 a.m. p.m.
(Date) (Time) The purpose

of the hearing is to discuss the supplemental budget with interested persons.

A copy of the supplemental budget document may be inspected or obtained on or after September 24, 2021 at
(Date)

2340 Martin Dr. #103, Stayton OR 97383, between the hours of 8:00 a.m. p.m. and 5:00 a.m. p.m.
(Location)

SUMMARY OF PROPOSED BUDGET CHANGES

AMOUNTS SHOWN ARE REVISED TOTALS IN THOSE FUNDS BEING MODIFIED

FUND: Coronavirus Relief Fund

Resource	Amount	Expenditure—indicate Org. unit / Prog. & Activity, and Object class.	Amount
1. <u>Coronavirus Relief Funds</u>	<u>\$ 25,000</u>	1. <u>Materials and Services</u>	<u>\$ 25,000</u>
2. _____		2. _____	
3. _____		3. _____	
Revised Total Fund Resources	\$ 25,000	Revised Total Fund Requirements	\$ 25,000

Explanation of changes:

The City received a direct allotment of \$25,000 from the State of Oregon acting as the pass through agency for the US Treasury. The City needs to create an account to receive and track the revenues and also to expend them. These funds can only be expended per US Treasury Department rules. They will be used to pay for equipment that will allow the City to conduct remote training and public meetings more effectively.

FUND: America Rescue Plan Act Fund

Resource	Amount	Expenditure—indicate Org. unit / Prog. & Activity, and Object class.	Amount
1. <u>American Rescue Plan Act</u>	<u>\$ 50,000</u>	1. <u>Materials and Services</u>	<u>\$ 50,000</u>
2. _____		2. _____	
3. _____		3. _____	
Revised Total Fund Resources	\$ 50,000	Revised Total Fund Requirements	\$ 50,000

Explanation of changes:

The City will receive a direct allotment of \$50,000 from the State of Oregon acting as the pass through agency for the US Treasury. The City needs to create an account to receive and track the revenues and also to expend them. These funds can only be expended per US Treasury Department rules. They will be used for materials and services in accordance with US Treasury Department rules.

Staff Report

TO: City Council
FROM: Christopher Eppley, Marion County Community Development Manager
DATE: September 29, 2021
SUBJECT: Municipal Court Judge Appointment

Topic:

The City of Detroit has been without a Municipal Court Judge since the wildfire of 2020. As the community is working to build back, it has become apparent more than once that it will be useful from time to time to issue citations of infractions of municipal codes so as to improve the general appearance and safety of the community.

Chapter III, Section 10 of the City of Detroit Charter of 2012 identifies that the Mayor may appoint, with the consent of a majority of the City Council, a Municipal Court Judge to adjudicate infractions of municipal code.

Deryl Nielsen is a property owner in Detroit who is also a semi-retired attorney in good standing with the Oregon State Bar Association. Mr. Nielsen has expressed both an keen interest and willingness to act in the capacity of Municipal Court Judge for the City of Detroit. Mr. Nielsen understands that this role would be volunteer in nature. He has also expressed a desire to give back to Detroit by offering limited legal advice on various issues to the City Council from time to time as long as that service does not interfere or create a conflict with his role as Municipal Court Judge, should the mayor and Council appoint him to that position.

Recommendation:

It is recommended that the Mayor appoint Deryl Nielsen as Municipal Court Judge and that the City Council concur with this appointment.

RESOLUTION 633

A RESOLUTION FORMING A CHARTER REVIEW TASK FORCE

Whereas, the City of Detroit, OR is a municipal corporation in the state of Oregon that operates under a home rule charter; and

Whereas, the City Charter forms the basis by which the City operates as a corporate entity and defines the rights, responsibilities, powers, duties, and form of governance that the City of Detroit utilizes to operate; and

Whereas, it is appropriate from time to time to review the City's charter document so as to make certain that it is reflective of the current needs and desires of the community.

Now, therefore, be it resolved by the City Council in open session of the October 5th, 2021 regular meeting of the City Council, that the Council does hereby form a task force, known as the Charter Review Task Force of the City of Detroit, OR.

Be it further resolved that the Charter Review Task Force shall review the City's Charter document and make recommendations to the City Council in an appropriate amount of time so that the City Council may review the recommendations and determine whether or not a ballot measure should be submitted for the November, 2022 General Election to modify the City Charter with the proposed changes identified by the Charter Review Task Force, and/or other modifications that the City Council may deem appropriate.

Be it further resolved that the members of the Charter Review Task Force shall be comprised of the Mayor, two City Councilors, and two citizens at large appointed by the Mayor with the consent of the City Council. One of the Citizens at large shall be a full-time resident and one shall be a part-time resident so as to broadly represent the interests of most citizens of Detroit.

Be it further resolved that the Charter Review Task Force shall sunset once it has formally presented recommendations to the City Council based on the work it has performed in reviewing the City's charter document.

James R. Trett, Mayor

Kelly Galbraith, City Recorder

Staff Report

TO: City Council
FROM: Christopher Eppley, Marion County Community Development Manager
DATE: September 28, 2021
SUBJECT: DLCD Technical Assistance Grant for Long-Range Planning

Topic:

Each year the Mid-Willamette Valley Council of Governments (MWVCOG) makes application to the Department of Land Conservation and Development (DLCD) to help fund the City's costs associated with land use planning through COG. DLCD asks that the MWVCOG obtain either letters or resolutions of support from those member cities who will be benefitting from the work supported through the annual grant.

Recommendation:

It is recommended that the City Council approve the attached resolution of support for the MWVCOG to apply to DLCD for a Technical Grant to help fund long-range land use planning efforts in the City of Detroit.

RESOLUTION No. 634

Resolution to authorize the Mid-Willamette Valley Council of Governments (MWVCOG) to make an application for grant funds from the Department of Land Conservation and Development (DLCD) TA Grant.

WHEREAS, the City of Detroit is a member of the Mid-Willamette Valley Council of Governments (MWVCOG) and has an active contract for planning services for the 2021-2022 fiscal year; and

WHEREAS, the Oregon Department of Land Conservation and Development (DLCD) grant programs have funding for various grants, including Technical Assistance, Planning Assistance, and Periodic Review; and

WHEREAS, MWVCOG has identified that the City qualifies for technical assistance grant funding for completion of long-range planning activities; a code analysis with recommended code updates for the zoning code.

NOW, THEREFORE, BE IT RESOLVED by the Detroit City Council as follows:

Section 1. Authorization to Apply for Funding

The City Council of Detroit hereby grants authority to the Mid-Willamette Valley Council of Governments to apply for technical assistance grant funding from the Oregon Department of Land Conservation and Development on the City's behalf.

Section 2. Severability

If any portion (section, subsection, paragraph, sentence, phrase or clause) of this resolution is found to be invalid by a court of competent jurisdiction, the remaining portions of this resolution shall remain in full force and effect.

Section 3. Effective Date

This Resolution shall take effect immediately upon approval by the City Council.

PASSED and ADOPTED by the City Council of the City of Detroit this 5th day of October, 2021 by the vote of __ ayes and __ nays.

APPROVED:

James R. Trett,
Mayor

ATTEST:

Kelly Galbraith
City Recorder

CITY OF DETROIT, OREGON

CORRECTIVE ACTION PLAN RESULTING FROM AUDIT FINDINGS FOR THE YEAR THAT ENDED JUNE 30, 2020

AUDIT FINDING – DEFICIENCIES IN THE CITY’S INTERNAL CONTROL.

A critical component of internal controls is segregation of duties. Segregation of duties provides a safeguard of the City’s assets and the ability to detect and correct material misstatements caused by error or fraud. The duties that need to be segregated include:

1. Custody of the asset
2. Reconciliation
3. Authorization
4. Recordkeeping

Each duty should be performed by a separate individual within a transaction class or cycle. Every significant transaction class or cycle should include the proper segregation of these four duties. In performing the audit of the financial statements for the year ended June 30, 2020 it was noted that City employees perform multiple duties within a transaction class or cycle. Given the size of the City, adequate segregation of duties may not be possible. Additionally, the cost of implementing proper segregation of duties might outweigh the benefits.

Finding 1. – Custody of the asset.

Assuming that Asset in this situation refers to monetary assets, such as money held in bank accounts, the Detroit City Council acts as custodian of these assets. Monthly reports are provided to all Council members to stay informed of all financial movement. A Bills Payable list is provided to Council at each monthly meeting to be approved prior to two Council members signing checks. Council members only have check signing authority.

Implementation Date: Standard City practice.

Finding 2. – Reconciliation.

The Financial Officer resigned on May 7, 2021. The City Recorder will now take over the financial duties. The reconciliation duties will be performed by the City Clerk.

Implementation Date: Standard City practice since May 8, 2021.

Finding 3. – Authorization

The City Recorder position is the top administrative position for the City of Detroit which includes staff supervision as well as authority to make administrative decision. The position now includes direct handling of monies, bookkeeping, financial reporting, or budgeting. Therefore, staff finds the following recommendations in the best interest of the City:

- a. The City requires purchase orders for all routine purchases, all departments. In addition to the City Recorder signing off to verify that the funds are available.
- b. As before, major or unusual purchase requests require Council approval.

- c. City Recorder to review all bills payable (checks and invoices) prior to submission to Council for approval and check signing.
- d. City Clerk to open mail and review payments received prior to execution (deposit) by City Recorder.

Implementation Date: Items a. b. c. and d already implemented.

Finding 4. – Recordkeeping

The City Recorder acts as budget officer, annual audit officer, and financial officer to maintain city bank accounts; report monthly balances for all funds to City Council; prepare deposits; compare audit deposit records with checking account balance; administer grant and loan funds; pay monthly bills; collect city-imposed fees and taxes; prepare statements for liens or bills owed to the City of Detroit; maintain electronic lien files; prepare quarterly Transient Occupancy Tax (TOT) returns; file State-mandated monthly Criminal Fines and Assessments Return with the Oregon Department of Revenue; ensure that all accounts balance at the close of business each month.

Implementation Date: Standard City practice since May 8, 2021.

The above Corrective Action Plan statements were approved and declared adopted by the City Council of the City of Detroit, Marion County, Oregon on this 5th day of October, 2021.

Effective date: October 5, 2021

Ayes: _____ Nays: _____ Absent: _____

ATTEST

Signed: _____
James R. Trett, Mayor

By: _____
Kelly Galbraith, City Recorder

7.2

MEMORANDUM

City of Detroit, Oregon
E-mail: detroit@wvi.com

September 29, 2021

RE: Letter – In Regards to Changing RV Code

TO: Detroit City Council

Dear City Council,

You received an email from Russell and Traci Boland on 09/29/2021 as well as a letter drafted from citizens and business asking for change in the RV Code.

Staff recommends that it be referred to the Planning Commission for their review.

Thank You,

City of Detroit
Kelly Galbraith, City Recorder

CityClerk@wvi.com

From: Traci Boland <lakeviewrvdetroit@yahoo.com>
Sent: Tuesday, September 28, 2021 6:32 PM
To: cod_trett@wvi.com; cod_sheppard@wvi.com; cod_page@wvi.com; cod_engle@wvi.com; cod_tesdal@wvi.com; cod_luke@wvi.com; cod_smith@wvi.com; Michelle Connors
Subject: Pavilions, RV's, TOT Tax
Attachments: City of Detroit Letter.jpg

Council Members -

As property and business owners of Detroit, this email comes to you today with our firm support to the attached letter that was written by citizens and business owners of Detroit. I would like to add some additional comments for your consideration as well:

1. I have watched all council meetings, attended town halls, watched social media posts, met with Better Towns and attended the towns meeting with them as well as have had conversations with several people that hold positions with the City, County and different foundations in and for Detroit. With the information that I have gleaned, it is certain that Detroit will be in the rebuild stage for many years to come. The biggest hinderance being our sewer/septic issue. Now, I understand the City's position is that they want people to rebuild and think if such ordinance is modified it would keep people from rebuilding. I have a different opinion on that. I believe the people want to rebuild but have very big obstacles in their way.

- A. Material Costs
- B. Septic System - Do they invest \$20k - \$40k for a septic system just to have to invest in the sewer system a few years later.
- C. Dealing with the county, planning committee, codes, setbacks, etc. - Stress causers
- D. Lack of resources
- E. Unknown direction - Not wanting to build until they know direction of the town, water levels, etc.

These obstacles are causing the calamity for many residents on top of the fact that the feeling of loss is still so new. I feel that people want to be on their properties while these things find resolution and direction becomes clear. The way for them to do so is with their RVs.

2. It is most certainly on everyone's mind that we would like to have year round businesses and tourism in Detroit. Better Towns clarified that the masses actually voted for that and brought that to their attention during phone interviews. With that said, limiting RV's to only during the summer season with keep that from happening, especially in the current condition of Detroit. Not to mention that many owners, including Council members, are currently living full time in RV's.

3. It is also imperative that owners be able to protect the RV's from the weather. With many trees gone now, the lack of shade in the summer time was unhealthy at minimum. For the people living in RV's, during the 100 degree weather, it was like sitting in hot boxes. Air conditioners were not able to keep up and there wasn't many places to go to escape that heat. As we know, several people died in Oregon this year from the heat wave. A cover would create much needed shade, that in turn creates a temperature of about 15 degrees cooler.

9/26/2021

City Of Detroit Councilors

Pavilions – RVs – TOT TAX

The fire that destroyed Detroit has changed this community.

There has been some progress rebuilding personal homes; however, businesses may take longer to rebuild. Some business owners believe it may take up to 10 years to rebuild Detroit.

This letter was drafted by citizens and business owners from Detroit. The community is asking the Detroit City council to listen to them and to leave councilors own personal beliefs, wants and visions for Detroit out of the decision making when reviewing their request for changes.

This letter is asking the Detroit City council to revisit the Ordinances that apply to RVs:

1. Structures covering RVs.
2. Allow RVs to stay in Detroit year- round.

Residents of Detroit understand that the existing Ordinance requires the property owner to tear down any new structure that was constructed (after fire) on their property prior to their new home being built. Building a structure then having to tear it down does not make sense to the community.

Detroit City residents have invested their hard-earned money into RVs and they need to be able to protect their investment.

Pavilions or a structure that covers an RV, would give your constituents:

1. A way to protect their investment from the challenging weather in Detroit (winter 2008- summer 2021)
2. A covered area to sit and relax with neighbors
3. A covered area for children to play and study
4. A covered area for grandparents to entertain grandkids
5. This allows property owners to use their RV year-round

Allowing RVs to stay in Detroit year-round:

1. Local RV parks could invest in Pavilions/structures to accommodate winter tourism = TOT Tax
2. This would promote tourism during the winter months. Cross country skiers / skiers at Hudo/snow mobiliers
3. CPI would collect revenue year round on all usable properties
4. Detroit Business's would have revenue from visitors year round

With these changes to the Ordinances, the City Council would be promoting tourism year-around and growth for Detroit.

Detroit needs more people year round. Detroit needs revenue. Detroit needs unity.

Councilors, listen to your constituents, and think outside the box. It is important to the future of Detroit.

detroit@wvi.com

From: Ken Woodward <woodward-ken@comcast.net>
Sent: Wednesday, September 29, 2021 2:33 PM
To: COD_trett@wvi.com; COD_sheppard@wvi.com; COD_Page@wvi.com;
COD_Engle@wvi.com; COD_Tesdal@wvi.com; COD_Luke@wvi.com;
COD_Smith@wvi.com; detroit@wvi.com; cityclerk@wvi.com; Chris Eppley
Subject: Pavilions - RVs - TOT Tax
Attachments: City Of Detroit and Pavilions.docx

Mayor and Council Members,

We are in support of the attached letter. Detroit community needs unity.

The Ordinances that were put in place by Council, after the fire that destroyed Detroit, that were directed towards the use of RVs, and a time line for rebuilding, are to stringent for this community.

Many are concerned about infrastructure.

Many are concerned about the cost of materials for rebuilding.

Many are still dealing with this tragedy, and are having difficulty navigating the rebuilding process.

Some say it will be at least 5 years, if not 7 to 10 years before Detroit is rebuilt.

I am hoping that this tragedy will bring the community back together so all of us can work united and do what is best for Detroit.

Ken & Linda Woodward

Staff Report

TO: City Council
FROM: Christopher Eppley, Marion County Community Development Manager
DATE: September 27, 2021
SUBJECT: Invoice from Danielson Contractors

Topic:

The City recently went through a request for quotes to replace about 42 water service laterals.

Danielson Contractors was the apparent low quote with a price that was less than 50% of the other quotes received. Based on this wide distribution of prices, Council directed staff to rescind the notice of apparent low quote and to, instead issue a clarification to all quoters with additional information so as to make certain that all parties had the appropriate information to make an informed and accurate quote.

Through this clarification process, Danielson Contractors did not submit a new quote on the revised quote form, thus disqualifying them as a responsive quoter. Based on the evaluation formula, Olsen Contractors was selected as the successful quote and issued a notice of apparent low quoter.

R&G Contractors issued a protest to the process in order to obtain additional information regarding the method used to evaluate the quotes. This information was provided and they decided not to continue with the protest. Ultimately Olsen Contractors was issued a notice to proceed.

On or about September 14, The City was issued an invoice by Danielson Contractors in the amount of \$4,203.75 stating they had ordered material based on the original notice of apparent low quote and had incurred cost in mobilization, etc. I have attached the invoice for your review.

As this is unusual, staff is asking Council to provide guidance on how to proceed. The apparent options are as follows:

- Pay the entirety of the invoice as presented.
- Pay a portion of the invoice as determined to be reasonable by Council.
- Pay none of the invoice based on Council's determination that it is invalid.

Recommendation:

It is recommended that the City Council review the invoice submitted by Danielson Contractors and provide direction to staff on how to proceed.

Danielson Contractors, Inc.
 5106 SE 99th Ave
 Portland, OR 97266
 CCB # 151125
 503-519-5135/ddanie7@msn.com

Invoice

Bill To
City of Detroit Oregon

Date	Invoice No.	P.O. Number	Terms	Project
08/05/21	2002	520005434		

Item	Description	Quantity	Rate	Amount
MOB	MOBILIZATION & DE-MOBILIZATION/ Staging Cost		1,000.00	1,000.00
Materials	Purchase 3/4 inch Waterline & Deliver to Shop and Return to vendor	1	1,912.50	1,912.50
Profit & Overhead	Labor for staging Job authorized to start By City of Detroit		1,291.25	1,291.25
			Subtotal	\$4,203.75
			Sales Tax	\$0.00
			Total	\$4,203.75

Recipient: City of Detroit

Project Number: C2021510

CHECKLIST OF CONTRACT DOCUMENTS AND INSTRUCTIONS

Please use the following checklist to ensure that all documents have been completed, and return all contract documents as soon as feasible, but not later than 60 days.

1. **Contract** signed and dated by the authorized official. Please return signature page only.
2. **Signature Card** with certification by the authorized official. Please return the complete document.
3. **Deposit Option Notification** form. Please return the complete form. If you choose to have funds electronically deposited in a financial institution (and not the Local Government Investment Pool), please follow the provided link and send a **Direct Deposit Authorization** form (SFMS ACH-1) to the Oregon Department of Administrative Services.

Please let your Regional Project Manager know how you would like to receive the final contract documents, once signed by the Oregon Business Development Department, at which time we will also provide you with a **Disbursement Request Form** for your future use. This form is provided in Excel format for you to fill out and submit to your Regional Project Manager as needed once your project is underway.

Later in your project, your Regional Project Manager will provide any necessary report forms.

Authorized Signature Card for Cash Payments on Oregon Business Development Department Awards	
Recipient City of Detroit	Project Number C2021510
Signatures of Delegated Authorized Individuals to Request Payments (Two signatures are required to request disbursement of funds)	
_____ Typed Name and Title (1) a _____ Signature (Highest Elected Official must <u>not</u> sign here)	_____ Typed Name and Title (1) b _____ Signature (Highest Elected Official must <u>not</u> sign here)
Additional Signatures (if desired)	
_____ Typed Name and Title (1) c _____ Signature (Highest Elected Official must <u>not</u> sign here)	_____ Typed Name and Title (1) d _____ Signature (Highest Elected Official must <u>not</u> sign here)
I certify that the signatures above are of the individuals authorized to draw funds for the cited project. _____ Typed Name, Title and Date (2) _____ Signature of Highest Elected Official or duly authorized official for the Recipient (Must not be listed in item (1) a through (1) d above)	Agency Use Only: Date Received:

Oregon Business Development Department/Authorized Signature Card

Preparation of the Authorized Signature Card Form: If a mistake is made, or a change is necessary during the preparation of the signature card form, please prepare a new form, since erasures or corrections of any kind will not be acceptable. If you want to change individuals authorized to draw funds from the project, then please submit a new signature card. Any updated signature card will replace the previous one, so please be sure to include the names of all authorized individuals.

Item # Explanation

- (1) a-d Type the names and titles, and provide the signatures of the officials of your organization who are authorized to make draws on project funds. (Note: Two signatures are required. We recommend showing three or four signatures to allow adequate signature coverage.)
- (2) Enter the typed name, title, date and signature of the Highest Elected Official, or other official duly authorized by the governing body of the Recipient, certifying the authenticity of the signatures of individuals listed in Item (1) a through (1) d. The person signing here **must not be listed in Item (1) a through d.**
- (3) Leave blank—Oregon Business Development Department will sign here.

Complete one form and return it to: Oregon Business Development Department
 775 SUMMER ST NE STE 200
 SALEM OR 97301-1280

GRANT AGREEMENT

Project Name: 2020 Wildfire Staffing and Operational Needs

Project Number: C2021510

This grant agreement (“Contract”), dated as of the date the Contract is fully executed, is made by the State of Oregon, acting by and through its Oregon Business Development Department (“OBDD”), and City of Detroit (“Recipient”) for financing of the project referred to above and described in Exhibit B (“Project”). This Contract becomes effective only when fully signed and approved as required by applicable law. Capitalized terms not defined in Section 1 and elsewhere in the body of the Contract have the meanings assigned to them by Exhibit A.

This Contract includes the following exhibits, listed in descending order of precedence for purposes of resolving any conflict between two or more of the parts:

- Exhibit A General Definitions
- Exhibit B Project Description

Pursuant to Oregon Laws 2021, Chapter 669, Section 195(2) (“the Act”), OBDD is authorized to make an award to assist in financing the Costs of the Project.

SECTION 1 - KEY TERMS

The following capitalized terms have the meanings assigned below.

Grant Amount: \$521,000.

Project Close-Out Deadline: 90 days after the earlier of the Project Deadline.

Project Completion Deadline: June 30, 2023.

SECTION 2 - FINANCIAL ASSISTANCE

The OBDD shall provide Recipient, and Recipient shall accept from OBDD, a grant (the “Grant”) in an aggregate amount not to exceed the Grant Amount.

Conditions Precedent. The OBDD’s obligations are subject to the receipt of the following items, in form and substance satisfactory to OBDD and its Counsel:

- (1) This Contract duly signed by an authorized officer of Recipient; and
- (2) Such other certificates, documents, opinions and information as OBDD may reasonably require.

SECTION 3 - DISBURSEMENTS

- A. Full Disbursement. Upon satisfaction of all conditions precedent, OBDD shall disburse the full Grant to Recipient.
- B. Financing Availability. The OBDD’s obligation to make, and Recipient’s right to request, disbursements under this Contract terminate on the Project Close-out Deadline.
- C. Conditions to Disbursements. As to any disbursement, OBDD has no obligation to disburse funds unless all following conditions are met:
 - (1) There is no Default or Event of Default.

- (2) The representations and warranties made in this Contract are true and correct on the date of disbursement as if made on such date.
- (3) The OBDD, in the reasonable exercise of its administrative discretion, has sufficient moneys in the Fund for use in the Project and has sufficient funding, appropriations, limitations, allotments and other expenditure authority to make the disbursement.
- (4) The OBDD (a) has received a completed Disbursement Request, (b) has received any written evidence of materials and labor furnished to or work performed upon the Project, itemized receipts or invoices for payment, and releases, satisfactions or other signed statements or forms as OBDD may require, (c) is satisfied that all items listed in the Disbursement Request are reasonable and that the costs for labor and materials were incurred and are properly included in the Costs of the Project, and (d) has determined that the disbursement is only for costs defined as eligible costs under the Act and any implementing administrative rules and policies.
- (5) Any conditions to disbursement elsewhere in this Contract are met.

SECTION 4 - USE OF FINANCIAL ASSISTANCE
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- A. Use of Proceeds. The Recipient shall use the Financing Proceeds only for the activities described in Exhibit B.
- B. Costs of the Project. The Recipient shall apply the Financing Proceeds to the Costs of the Project in accordance with the Act and Oregon law, as applicable. Financing Proceeds cannot be used for costs in excess of one hundred percent (100%) of the Grant Amount.
- C. Costs Paid for by Others. The Recipient may not use any of the Financing Proceeds to cover costs to be paid for by other financing for the Project from another State of Oregon agency or any third party.

SECTION 5 - REPRESENTATIONS AND WARRANTIES OF RECIPIENT
--

The Recipient represents and warrants to OBDD:

- A. [RESERVED]
- B. Organization and Authority.
 - (1) The Recipient is a Municipality, and validly organized and existing under the laws of the State of Oregon.
 - (2) The Recipient has all necessary right, power and authority under its organizational documents and under Oregon law to (a) execute and deliver this Contract, (b) incur and perform its obligations under this Contract, and (c) receive financing for the Project.
 - (3) This Contract has been authorized by an ordinance, order or resolution of Recipient's governing body that was adopted in accordance with applicable law.
 - (4) This Contract has been duly executed by Recipient, and when executed by OBDD, is legal, valid and binding, and enforceable in accordance with their terms.
- C. Full Disclosure. The Recipient has disclosed in writing to OBDD all facts that materially adversely affect the Project, or the ability of Recipient to perform all obligations required by this Contract. The Recipient has made no false statements of fact, nor has it omitted information necessary to prevent any statements from being misleading. The information contained in this Contract, including Exhibit B, is true and accurate in all respects.

- D. Pending Litigation. The Recipient has disclosed in writing to OBDD all proceedings pending (or to the knowledge of Recipient, threatened) against or affecting Recipient, in any court or before any governmental authority or arbitration board or tribunal, that, if adversely determined, would materially adversely affect the Project or the ability of Recipient to perform all obligations required by this Contract.
- E. No Defaults.
 - (1) No Defaults or Events of Default exist or occur upon authorization, execution or delivery of this Contract.
 - (2) The Recipient has not violated, and has not received notice of any claimed violation of, any agreement or instrument to which it is a party or by which the Project or its property may be bound, that would materially adversely affect the Project or the ability of Recipient to perform all obligations required by this Contract.
- F. Compliance with Existing Agreements and Applicable Law. The authorization and execution of, and the performance of all obligations required by, this Contract will not: (i) cause a breach of any agreement or instrument to which Recipient is a party or by which the Project or any of its property or assets may be bound; (ii) violate any provision of the charter or other document pursuant to which Recipient was organized or established; or (iii) violate any laws, regulations, ordinances, resolutions, or court orders related to Recipient, the Project or its properties or operations.
- G. Compliance with Tax Laws. Recipient is not in violation of any Oregon tax laws, including but not limited to a state tax imposed by ORS 320.005 to 320.150 and 403.200 to 403.250 and ORS chapters 118, 314, 316, 317, 318, 321 and 323 and local taxes administered by the Department of Revenue under ORS 305.620.

SECTION 6 - COVENANTS OF RECIPIENT

The Recipient covenants as follows:

- A. Notice of Adverse Change. Recipient shall promptly notify OBDD of any adverse change in the activities, prospects or condition (financial or otherwise) of Recipient or the Project related to the ability of Recipient to perform all obligations required by this Contract.
- B. Compliance with Laws. The Recipient shall comply with all applicable laws, rules, regulations and orders of any court or governmental authority that relate to this Contract, the Project and the operation of the road, water, and waste water systems of which the Project is a component. In particular, but without limitation, Recipient shall comply with the following, as applicable:
 - (1) Oregon Tax Laws, (as defined in Section 5.G).
 - (2) State procurement regulations found in the Oregon Public Contracting Code, ORS Chapters 279A, 279B and 279C.

These laws, rules, regulations and orders are incorporated by reference in this Contract to the extent required by law.

- C. Books and Records. The Recipient shall keep accurate books and records and maintain them according to generally accepted accounting principles established by the Government Accounting Standards Board in effect at the time. Recipient shall have these records audited annually by an independent certified public accountant, which may be part of the annual audit of all records of Recipient.

- D. Inspections: Information. The Recipient shall permit OBDD and any party designated by OBDD: (i) to inspect, at any reasonable time, the property, if any, constituting the Project; and (ii) at any reasonable time, to inspect and make copies of any accounts, books and records, including, without limitation, its records regarding receipts, disbursements, contracts, investments and any other related matters. The Recipient shall supply any related reports and information as OBDD may reasonably require.
- E. Records Maintenance. The Recipient shall retain and keep accessible all books, documents, papers, and records that are directly related to this Contract, the Project or the Financing Proceeds for a minimum of six years, or such longer period as may be required by other provisions of this Contract or applicable law, following the. If there are unresolved issues at the end of such period, Recipient shall retain the books, documents, papers and records until the issues are resolved.
- F. Economic Benefit Data. The OBDD may require Recipient to submit specific data on the economic development benefits of the Project and other information to evaluate the success and economic impact of the Project, from the date of this Contract until six years after the Project Completion Deadline. The Recipient shall, at its own expense, prepare and submit the data within the time specified by OBDD.
- G. Disadvantaged Business Enterprises. ORS 200.090 requires all public agencies to “aggressively pursue a policy of providing opportunities for disadvantaged business enterprises, minority-owned businesses, woman-owned businesses, businesses that service-disabled veterans own and emerging small businesses...” OBDD encourages Recipient in any contracting activity to follow good faith efforts as described in ORS 200.045, available at https://www.oregonlegislature.gov/bills_laws/ors/ors200.html. Additional resources are provided by the Governor’s Policy Advisor for Economic and Business Equity. Also, the Certification Office for Business Inclusion and Diversity at the Oregon Business Development Department maintains a list of certified firms and can answer questions. Search for certified MWESB firms on the web at: <https://oregon4biz.diversitysoftware.com/FrontEnd/VendorSearchPublic.asp>.
- H. [Reserved.]
- I. Notice of Default. The Recipient shall give OBDD prompt written notice of any Default as soon as any senior administrative or financial officer of Recipient becomes aware of its existence or reasonably believes a Default is likely.
- J. Indemnity. To the extent authorized by law, Recipient shall defend (subject to ORS chapter 180), indemnify, save and hold harmless OBDD and its officers, employees and agents from and against any and all claims, suits, actions, proceedings, losses, damages, liability and court awards including costs, expenses, and attorney’s fees incurred related to any actual or alleged act or omission by Recipient, or its employees, agents or contractors; however, the provisions of this Section are not to be construed as a waiver by Recipient of any defense or limitation on damages provided for under Chapter 30 of the Oregon Revised Statutes or under the laws of the United States or other laws of the State of Oregon.

SECTION 7 - DEFAULTS

Any of the following constitutes an “Event of Default”:

- A. Any false or misleading representation is made by or on behalf of Recipient, in this Contract or in any document provided by Recipient related to this Grant or the Project.
- B. Recipient fails to perform any obligation required under this Contract, other than those referred to in subsection A of this section 7, and that failure continues for a period of 30 calendar days after

written notice specifying such failure is given to Recipient by OBDD. The OBDD may agree in writing to an extension of time if it determines Recipient instituted and has diligently pursued corrective action.

SECTION 8 - REMEDIES

- A. Remedies. Upon any Event of Default, OBDD may pursue any or all remedies in this Contract and any other remedies available at law or in equity to enforce the performance of any obligation of Recipient. Remedies may include, but are not limited to any one or more of the following:
- (1) Terminating OBDD's commitment and obligation to make the Grant or disbursements of Financing Proceeds under the Contract.
 - (2) Barring Recipient from applying for future awards.
 - (3) Withholding amounts otherwise due to Recipient for application to the payment of amounts due under this Contract.
 - (4) Requiring repayment of the Grant and all interest earned by Recipient on those Grant funds.
- B. Application of Moneys. Any moneys collected by OBDD pursuant to section 8.A will be applied first, to pay any attorneys' fees and other fees and expenses incurred by OBDD; then, as applicable, to repay any Grant proceeds owed; then, to pay other amounts due and payable under this Contract, if any.
- C. No Remedy Exclusive; Waiver; Notice. No remedy available to OBDD is intended to be exclusive, and every remedy will be in addition to every other remedy. No delay or omission to exercise any right or remedy will impair or is to be construed as a waiver of such right or remedy. No single or partial exercise of any right power or privilege under this Contract will preclude any other or further exercise thereof or the exercise of any other such right, power or privilege. The OBDD is not required to provide any notice in order to exercise any right or remedy, other than notice required in section 7 of this Contract.
- D. Default by OBDD. In the event OBDD defaults on any obligation in this Contract, Recipient's remedy will be limited to injunction, special action, action for specific performance, or other available equitable remedy for performance of OBDD's obligations.

SECTION 9 - MISCELLANEOUS

- A. Time is of the Essence. Recipient agrees that time is of the essence under this Contract.
- B. Relationship of Parties; Successors and Assigns; No Third Party Beneficiaries.
- (1) The parties agree that their relationship is that of independent contracting parties and that Recipient is not an officer, employee, or agent of the State of Oregon as those terms are used in ORS 30.265.
 - (2) Nothing in this Contract gives, or is to be construed to give, directly or indirectly, to any third persons any rights and benefits greater than those enjoyed by the general public.
 - (3) This Contract will be binding upon and inure to the benefit of OBDD, Recipient, and their respective successors and permitted assigns.
 - (4) Recipient may not assign or transfer any of its rights or obligations or any interest in this Contract without the prior written consent of OBDD. The OBDD may grant, withhold or impose conditions on such consent in its sole discretion. In the event of an assignment,

Recipient shall pay, or cause to be paid to OBDD, any fees or costs incurred because of such assignment, including but not limited to attorneys' fees of OBDD's Counsel. Any approved assignment is not to be construed as creating any obligation of OBDD beyond those in this Contract, nor does assignment relieve Recipient of any of its duties or obligations under this Contract.

- (5) Recipient hereby approves and consents to any assignment, sale or transfer of this Contract that OBDD deems to be necessary.

C. Disclaimer of Warranties: Limitation of Liability. The Recipient agrees that:

- (1) The OBDD makes no warranty or representation, either express or implied, as to the value, design, condition, merchantability or fitness for particular purpose or fitness for any use of the Project or any portion of the Project, or any other warranty or representation.
- (2) In no event are OBDD or its agents liable or responsible for any direct, indirect, incidental, special, consequential or punitive damages in connection with or arising out of this Contract or the existence, furnishing, functioning or use of the Project.

D. Notices and Communication. Except as otherwise expressly provided in this Contract, any communication between the parties or notices required or permitted must be given in writing by personal delivery, email, or by mailing the same, postage prepaid, to Recipient or OBDD at the addresses set forth below, or to such other persons or addresses that either party may subsequently indicate pursuant to this Section.

Any communication or notice by personal delivery will be deemed effective when actually delivered to the addressee. Any communication or notice so addressed and mailed will be deemed to be received and effective five (5) days after mailing. Any communication or notice given by email becomes effective 1) upon the sender's receipt of confirmation generated by the recipient's email system that the notice has been received by the recipient's email system or 2) the recipient's confirmation of receipt, whichever is earlier. Notwithstanding this provision, the following notices may not be given by email: notice of default or notice of termination.

If to OBDD: Assistant Director, Economic Development
Oregon Business Development Department
775 Summer Street NE Suite 200
Salem, OR 97301-1280

If to Recipient: City Recorder
City of Detroit
PO Box 589
Detroit, OR 97342

- E. No Construction against Drafter. This Contract is to be construed as if the parties drafted it jointly.
- F. Severability. If any term or condition of this Contract is declared by a court of competent jurisdiction as illegal, invalid or unenforceable, that holding will not invalidate or otherwise affect any other provision.
- G. Amendments, Waivers. This Contract may not be amended without the prior written consent of OBDD (and when required, the Department of Justice) and Recipient. This Contract may not be amended in a manner that is not in compliance with the Act. No waiver or consent is effective unless in writing and signed by the party against whom such waiver or consent is sought to be enforced.

Such waiver or consent will be effective only in the specific instance and for the specific purpose given.

- H. Attorneys' Fees and Other Expenses. To the extent permitted by the Oregon Constitution and the Oregon Tort Claims Act, the prevailing party in any dispute arising from this Contract is entitled to recover its reasonable attorneys' fees and costs at trial and on appeal. Reasonable attorneys' fees cannot exceed the rate charged to OBDD by its attorneys.
- I. Choice of Law; Designation of Forum: Federal Forum. The laws of the State of Oregon (without giving effect to its conflicts of law principles) govern all matters arising out of or relating to this Contract, including, without limitation, its validity, interpretation, construction, performance, and enforcement.

Any party bringing a legal action or proceeding against any other party arising out of or relating to this Contract shall bring the legal action or proceeding in the Circuit Court of the State of Oregon for City of Detroit (unless Oregon law requires that it be brought and conducted in another county). Each party hereby consents to the exclusive jurisdiction of such court, waives any objection to venue, and waives any claim that such forum is an inconvenient forum.

Notwithstanding the prior paragraph, if a claim must be brought in a federal forum, then it must be brought and adjudicated solely and exclusively within the United States District Court for the District of Oregon. This paragraph applies to a claim brought against the State of Oregon only to the extent Congress has appropriately abrogated the State of Oregon's sovereign immunity and is not consent by the State of Oregon to be sued in federal court. This paragraph is also not a waiver by the State of Oregon of any form of defense or immunity, including but not limited to sovereign immunity and immunity based on the Eleventh Amendment to the Constitution of the United States.

- J. Integration. This Contract (including all exhibits, schedules or attachments) constitutes the entire agreement between the parties on the subject matter. There are no unspecified understandings, agreements or representations, oral or written, regarding this Contract.
- K. Execution in Counterparts. This Contract may be signed in several counterparts, each of which is an original and all of which constitute one and the same instrument.

SIGNATURE PAGE FOLLOWS

The Recipient, by its signature below, acknowledges that it has read this Contract, understands it, and agrees to be bound by its terms and conditions.



STATE OF OREGON
acting by and through its
Business Development Department



CITY OF DETROIT

By: _____
Chris Cummings, Assistant Director
Economic Development

By: _____
James Trett, Mayor
City of Detroit

Date: _____

Date: _____

APPROVED AS TO LEGAL SUFFICIENCY IN ACCORDANCE WITH ORS 291.047:

 /s/ Wendy Johnson per email dated 8 September 2021
Wendy Johnson, Senior Assistant Attorney General

EXHIBIT A - GENERAL DEFINITIONS

As used in this Contract, the following terms have the meanings below.

“Costs of the Project” means Recipient’s actual costs (including any financing costs properly allocable to the Project) that are (a) reasonable, necessary and directly related to the Project, (b) permitted by generally accepted accounting principles to be Costs of the Project, and (c) are eligible or permitted uses of the Financing Proceeds under applicable state statute and rule, including but not limited to the Act.

“Counsel” means an attorney at law or firm of attorneys at law duly admitted to practice law before the highest court of any state, who may be of counsel to, or an employee of, OBDD or Recipient.

“Default” means an event which, with notice or lapse of time or both, would become an Event of Default.

“Financing Proceeds” means the proceeds of the Grant.

“ORS” means the Oregon Revised Statutes.

EXHIBIT B - PROJECT DESCRIPTION

The 2021 Legislature, in HB 5006 (Oregon Laws 2021, Chapter 669, Section 195(2), granted Recipient, through OBDD, \$521,000 in financial assistance due to the 2020 wildfires. The grant funds are specifically to be used for Recipient’s staffing and operational needs associated with the 2020 wildfire season (Project).

Staff Report

TO: City Council
FROM: Christopher Eppley, Marion County Community Development Manager
DATE: September 27, 2021
SUBJECT: Phase-1 Water Treatment Plant building winterization

Topic:

Originally staff was hoping to be able to have the treatment plant structure built prior to the winter but that has become impossible given the modifications we have made to the FEMA Public Assistance and Mitigation project applications to fund the upgrade of Reservoir-A from a cast in place rectangular 190,000-gallon basin with a wooden roof to a 527,000-gallon pre-stressed cylindrical concrete tank. This change caused the application and review process to process more slowly than originally anticipated but the end result will be much more beneficial for Detroit.

As a result, it has become necessary to winterize the existing rigid metal building that the Phase-1 membrane system treatment plant is occupying. HBH Engineering has requested informal quotes from a number of companies under the State's intermediate procurement rules. Those quotes will be received on Thursday, September 30th and will be provided to you for your review at the October 5th Council Meeting, but are unavailable at the time of the writing of this staff report.

Gross order of magnitude for the project is approximately \$30,000 and will include insulating the existing treatment plant metal building, constructing one or more new wood framed building(s) around the three existing storage tanks on site with insulation in the walls and ceiling(s), and insulating all external piping to prevent freezing. Funding for the winterization project will be through our USDA Temporary Water Treatment Plant grant.

Recommendation:

It is recommended that the City Council review the quotes received and award the project to the company that provides the lowest responsible quote.

MEMORANDUM

City of Detroit, Oregon
(503) 854-3496
E-mail: detroit@wvi.com

September 28, 2021

RE: August 3, 2021 Minutes

TO: Detroit City Council

The request from the City Council to review the August 3rd 2021 minutes has been done. The conversation between Mr. Rose and Mayor Trett was correct word for word. There was text on the backside of one of the pages of the minutes that was not included with your board packet.

Thank You,

City of Detroit
Kelly Galbraith, City Recorder



CITY COUNCIL MEETING
Tuesday, August 3, 2021 – 6:30 PM
ZOOM Meeting

1. **CALL TO ORDER** – Council President Engle, called meeting to order at 6:32pm on August 3, 2021, via ZOOM.
2. **CITY COUNCIL ROLL CALL** – Mayor Trett, Councilor Engle, Councilor Smith, Councilor Sheppard, Councilor Michelle Tesdal, Councilor Page, Councilor Luke
Staff present – Kelly Galbraith, Chris Eppley, Chris Eppley, and Michelle Connor
3. **APPROVAL OF THE AGENDA** – Approved unanimously
4. **SPECIAL ORDERS OF BUSINESS** – Mayor Trett gave the update from the Overhead Team as of 2:00 pm on August 3, 2021. Following a small round of lightning on the afternoon of August 2nd, four new fires were identified on the south-end of Mt. Hood National Forest. Three of the fires: Janus, Kola and Ridge Fires are in the southeast corner of the Bull of the Woods Wilderness in the Janus Butte area. The largest fire, Janus fire, is estimated to be 250 acres, but the other fires are estimated to be less than an acre. The fourth, Round Lake fire, appears to be outside of the wilderness boundary and is in the vicinity of Round Lake. Firefighters are apparently cutting out road systems to access the Round Lake Fire. All four fires have full suppression objectives with clear intent to commit resources only where they have high probability of success and can operate safely and effectively. Additional personnel and logistical support are being ordered to be able to implement this plan. A team is already in place to coordinate this. Air support has been requested. Mayor Trett stated they had a helicopter onsite last night and he presumes again today. These fires are burning ten miles north of Detroit. There may be smoke visible in the Detroit area and in the Santiam Canyon. An information line has been established at 503-427-8239. Please follow updates on the Mt. Hood National Forest Facebook page at <https://www.facebook.com/mthoodnf>, the Twitter page at <https://twitter.com/mthoodnf>, updates will be shared on the Willamette National Forest page at <https://www.facebook.com/willamettenf>. Mayor Trett shared that the Detroit Ranger District will be posting updates in Detroit on the reader board outside of Mountain High and other places in the canyon. Mayor Trett will receive another update from the Overhead Team this evening.
5. **COMMITTEE REPORTS** – None
6. **PUBLIC COMMENTS**

- Thomas Rose – Noticed City Council are meeting on September 7th, the date of last year's fires. He inquired if the city is going to be recognizing this and if we have an informational person who can contact media, so they do not look like they are special, like KATU did with announcing the post office burned down when the (reporter) was pointing at the post office when it was standing. Mayor Trett responded and said there is not much we can do about this unless it is grossly negligent. Mr. Rose asked if we are going to do anything about celebrating the new beginning of Detroit over the last year. Mayor Trett responded that the foundation is looking at doing something on Labor Day Weekend to celebrate the rebirth, and that we are resilient and coming back.
- Elaine DeGeorge – Ms. DeGeorge stated there are huge issues on Main Street. She stated she does not want to be the restroom police anymore. She provided updates on signage use directing people to the park restroom, and that people are ignoring this going behind the hotel and elsewhere. She ordered signs for private property, which will direct people to the park restroom. Mayor Trett said he will have staff work on this.

7. PUBLIC HEARINGS – SUPPLEMENTAL BUDGET HEARING

1. Resolution 628 – Adopting a supplemental budget for changes to the fiscal year 2021-22, Staff Contact: Chris Eppley. Mr. Eppley stated in developing the 2021-22 budget this year, we estimated water sales very conservatively because it was unclear how many customers would be returning to service and at what timeframe. Customer reactivation has occurred more rapidly and with a greater number of customers than was used to project revenues. It is anticipated the city can conservatively anticipate an additional \$27,600 in water sales than were adopted in the budget. Due to such a high level of uncertainty, staff developed a budget assuming there would resources to provide a cost-of-living increase of 2% this year for the city's water system technician. It is now apparent that a modest merit increase could be provided if warranted by both 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, and thus staff will be reviewing long-range resources and requirement projections for the Water Department. Mr. Eppley 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 an adopted budget resourced 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 to appropriate the unexpected resources identified due to higher than anticipated water sales, and to allocate these funds for personnel costs, and then place the remainder into operating contingency should additional needs come up throughout the remainder of the fiscal year. It is recommended the city council hold a public hearing and then adopt the attached resolution appropriating unanticipated resources and allocating those resources as outlined in the resolution and the attached spreadsheet.

Mayor Trett announced holding a public hearing, will recess the council meeting at 6:48pm, and will open a public hearing at 6:48pm. He asked for anyone from the public to comment on the recommendation of staff regarding resolution adopting a supplemental budget for changes to the

fiscal year 2021-22. No public comments. Mayor Trett closed the public hearing at 6:49pm and reopened the city council meeting at 6:49pm and asked if there is a motion regarding Resolution 628. Councilor Sheppard made a motion to adopt Resolution 628. Seconded by Councilor Smith. Discussion: Councilor Engle confirmed that what Mr. Eppley is proposing is since we received more money than we anticipated, we pay the water technician more money. Mr. Eppley confirmed, based upon the performance evaluation. Councilor Smith inquired as to why he was not included in the increase of salary when council divvied up Christine Pavoni's salary. Mr. Eppley stated the increase for office staff was not based on merit but based on the fact we were changing their jobs and they were adopting additional responsibilities and duties and absorbing the financial piece into their jobs they did not previously have, and it applied to those two positions. Councilor Luke asked how the \$6,000 and some change was divided. Mr. Eppley said the water technician's wage is at \$23.56 per hour, which is about 20% below the lowest market for small cities in Oregon. Mr. Eppley budgeted a \$3.00 per hour increase, so the increase shows in salary and benefits. Councilor Tesdal suggested that if there is overtime, that it be turned into credit time. She stated a concern about adding overtime and the fact we are a small city. Mr. Eppley said the technicians must do rounds on the weekends, and since we only have one person now, the overtime is unavoidable. When we get the half-time position filled, it will help. Councilor Luke asked if it requires a full day every day and is also concerned about the overtime concern that Councilor Tesdal stated and suggested that the weekend time comes out of working an hour per day during the week toward the weekend time. He also suggested that Bob lock the gate and open the gate each time for protection purposes. Mr. Eppley said they will do his best to minimize overtime and agrees regarding the gate. Discussion ensued about the position's time off and that the position would be unmanned. Concern was expressed that when vacation time is given, that Bob has an opportunity to leave and enjoy it. No further discussion. Motion passed unanimously.

8. RESOLUTIONS, ORDERS AND ADMINISTRATIVE ACTION

1. *Detroit Service Replacement and Agreement.* Chris Eppley invited Kenny with HBH Engineering to speak when necessary. This contract is for replacement of the laterals, which are the water service lines from the city's main to the city's side of the customer's meter. 92 of these were contaminated because of the fire. HBH Engineering out together a project and put it out for three quotes. Based on their estimate, HBH determined quotes can be done faster than sealed bids. The lowest quote for \$71,280 is from Danielson Contractors. Mr. Eppley's recommendation is that the council award the contract to Danielson with the provision that they are required to procure a performance bond for the project. Councilor Page asked what the other two quotes are. Kenny with HBH Engineering identified the three quotes: Olson LLC at \$160,000; Pacific and R&G quotes were close to each other and around \$190,000. The engineer's estimate was quoted to be \$70,000, which Danielson quoted. Councilor Page addressed the differences. Kenny considered throwing out Danielson's quote as being too low but confirmed it and that Danielson said they were acting on the assumption there would be minimal excavation. Kenny said they are taking a gamble and Kenny told them if it does not work out, they should not expect

any mercy or to have Kenny alter the price. Councilor Page said we have had some issues with Danielson's prior and expressed concern going forward. Kenny explained the performance bond and other mechanisms in place to enforce timeliness and performance of the work. HBH staff will provide daily inspection services. The contract will commence on August 4, 2021, and will end in 45 days. If after 45 days more excavating is needed and there is a lot more work, Danielson's would be charged liquidated damages and there is a point that if they would not be able to complete the contract, the contract would be severed. Our spec to all quoting packages is at 45 days completion. The Pacific and R&G contractors could not begin work until September or October. Mr. Eppley addressed the concern of Danielson's bid being so much lower and discussed the other side of it, as to the other bids being so much higher. Mr. Eppley said the contract controls the risk and difference is in the timelines. Mr. Eppley responded to Councilor Page's concern about the state's threshold of \$150,000 and the other three bids were above it. Mr. Eppley also stated no information about the other cost estimates to Danielson. Councilor Luke discussed his concerns but commends Chris and HBH for putting performance bonds into place. Councilor Luke motioned to accept awarding of the lateral replacement contract of Danielson Contractors pursuant to the contract proposal written as stated. Seconded by Councilor Tesdal. Councilor Engle clarified that these monies will be provided by FEMA because these lines were damaged by the fires. The city has the fiscal authority of being responsible and being the stewards how this money will be spent and will assure the citizens that the lines are replaced properly, accurately, well done and in a timely manner. Mr. Eppley confirmed, and that staff's emphasis is this will be done in a timely manner. Councilor Engle emphasized that the goal is it will be well done in a timely manner. Councilor Page referred to a past contract and is concerned we are opening that door again. Kenny stated Danielson had some copper on hand, and at that point, copper prices tripled to quadrupled, and having on-hand materials made a difference in their ability to lower the cost. Also, the difference renting the Vactor truck versus having an excavator onsite doing the work, that cost difference is substantial. Kenny believes there is justification in Danielson's bid being lower. Councilor Smith addressed the conditions of the roads. Mr. Eppley said Danielson will be required to replace the roads to the existing condition, including if it requires dust control and should be in the contract language. Kenny said HBH staff will provide the inspector onsite and will be paid for out of the grant. Councilor Luke wanted to ensure that if something happens that does not go right, that it would not come out of the city's budget. Mr. Eppley responded to Councilor Luke's concern if something happens that does not go right, it will come out of the city's budget, and Mr. Eppley said the intent of the contract would be it would cost Danielson's \$100 per day after the 45th day. Councilor Page stated that a prior contract ended up costing the city \$55,000. Mr. Eppley assured that any additional costs would be FEMA's cost, not the city's cost. Matt with HBH stated there are federal and local shares of the FEMA cost toward the project. Mr. Eppley said this is being covered through a grant through Business Oregon. All the work being done is subject to a 75% FEMA match and that as far as what the city would have to pay, we do not know yet. Mr. Eppley responded to Councilor Page's concern as to why the council have not been presented with the bid details,

although Danielson was the lowest bid. Mr. Eppley said there is no reason we should not have given the bid details to Council. Councilor Sheppard commented on the disparity of bids, and there was a contractor in town that already has equipment here. No further discussion. Per Mayor Trett, the motion before us is to award a water lateral service line replacement to Danielson's Contractors Inc. and the bidding process is not to exceed a contract price of \$71,280. Motion passed with five votes in favor and two against. Councilor Page stated that if Councilor Sheppard is sitting at Dave Danielson's property, Councilor Sheppard should recuse himself of a vote. Councilor Sheppard said he talked to Mr. Eppley about this earlier. Councilor Page retracted his statement and said there is a perceived conflict of interest. Councilor Tesdal commented she had paid Danielson Contracting and wanted to know if she should abstain from this vote and called Mr. Eppley to ask about it because she wanted to do the right thing. Mr. Eppley said she would not receive a financial benefit or as a result of this contract, and that she should identify she had work done and there would be a potential or perceived conflict of interest.

9. CONSENT CALENDAR

1. Subjects on the calendar include approval of the Minutes of the Detroit City Council; June 1, 2021, Special Session; July 6, 2021, Regular Meeting; July 14, 2021, Special Session, and approval to pay the bills. No questions or concerns. Motion by Councilor Luke to approve the consent calendar. Seconded by Councilor Engle. No discussion. Motion passed unanimously.

10. STAFF REPORTS

1. Marion County Community Development Manager Chris Eppley – No comments
2. City Recorder Kelly Galbraith – No updates
3. City Clerk Michelle Connor – No updates
4. MWVCOG Planning, McRae Carmichael – Not present
5. Marion County Sheriff's Office – Not present
6. United States Forest Service (USFS) – Not present. Mayor Trett stated we received their report earlier and will stay on top of that.
7. Idanha-Detroit Rural Fire Protection District – Not present
8. North Santiam Sewer Authority, Ken Woodward –We have a master plan and are reviewing and critiquing it.
9. City Attorney – Not present
10. Other – None

11. MAYOR'S REPORT

1. Mayor Trett – reported the July 10th ribbon-cutting at the rebuilt gas station was on July 10th. He also attended the Mayor's Association Conference in North Bend, July 29th through July 31st. It was a no-cost cost to the city and covered the cost to all the cities affected by the fires and they paid for the conference registration and the hotel room. Mayor Trett paid for mileage and uncovered meals. He reported it was a good conference and was asked to participate in a new mayor forum. He also co-taught a session on social media; his part was working with traditional media. He facilitated a small mayor's roundtable.

12. COUNCILOR REPORTS

1. *President Engle* reported there were 15 building permits approved in July: 11 electrical, 2 commercial and 2 residential. She thanked the city staff who are shepherding and herding this through so it goes quickly catching any problems and circumstances, so the building and contractor can get going, but so the city knows they have done their due diligence. Fritz Graham called regarding the status of the United States Post Office opening, scheduled for August 1st. Mayor Trett explained the post office is not open since it failed the inspection by the county. President Engle also addressed the dust control on Third Street. Mr. Eppley said it was not listed in his notes. President Engle said Third was in the notes and is the most egregiously bad road in town because it is still cut up from the water pipes laid last August. Commissioner Sheppard stated one of the reasons is that it is a paved road and needs to be overlaid. President Engle addressed other unpaved roads. Commissioner stated that 1.5 miles of gravel roads were done, which are what they focused on. Commissioner Sheppard said they could have gone down the center of Third Street, but it should be overlaid and did not want to waste money.
2. *Councilor Sheppard* thanked Mr. Eppley for providing dust control on 1.5 miles of Detroit gravel roads, and thanked Matt Del Moro of Marion County, and Brad Russell for donating several yards of gravel on Tumble Street. They used 8,000 gallons of dust abatement fluid and he expressed his thanks to the county for paying for it. He thanked the people involved for cleaning up scrap metal between Anderson Memorial and what was the Detroit Community Church. He addressed forward movement about tree removal on Tumble and Kenny Streets, and north of Lakecrest Drive due to the fire hazard. This hazard tree issue is being held up due to the city's right of ways. He discussed the need to update street signs, especially signs pointing the way to restrooms in both parks. The business district is bearing the brunt of the restroom usage. He said this issue needs addressed as soon as possible. Councilor Sheppard discussed the fact we are over halfway through the paving season, with lots left to finish from last year, and that paving should have been completed last summer before the fire. Third Street needs overlaid, Second Street has severe sinkholes, there are several trench lines. The window of time for paving opportunities could be lost due to early fall rains. He addressed commercial zones on Breitenbush, Clester Road, Main and D Streets and said that for a future town, we need to support our surviving businesses; and for future investments, he believes we should consider economic opportunity zones to foster long-term investment in our infrastructure on our main street. He said we need help from Marion County commissioners, state legislature, our congressman, and our two U.S. senators. He said we need to get proactive. We are now dealing with severe water shortages, and we need to address increasing the (inaudible) in the marina. He suggested we could build a breakwater south of Kane's, which could be a combination ADA fishing ramp, a breakwater. There are high points between the flats and the island which we could turn into wildlife islands for birds. He would like to look for grants, and the six-month boating industry could be a shot-in-the-arm for the upper canyon and Detroit. We took hits the last two decades. He would like for council to take care of it. He took care of the 2022, \$100,000 paving grant on July 30th.
3. *Councilor Page* – no current parks report.

4. *Councilor Luke* gave the water report. HBH is working; Councilor Luke extended his thanks to Mr. Eppley and Matt Del Moro for the hard work, fighting for us, trying to get a 500,000-plus gallon water storage replacement for the 190,000 that we had. He acknowledged the award of the contract to Danielson's for 45 days to replace approximately 35 laterals. He said we could have easily lost the entire water system and that R&G should have everything overlaid and fixed by early September, including Third Street. He thanked the church for providing a spot for the scrap metal, and Dale Wurdinger for cleaning up the scrap metal, even with equipment problems. He mentioned the need to talk regarding the lake, amount of time, a program and parking. Regarding water usage for July, he believes the amount was 43,000 as a high, but the amount should be about 40,000 per day per the last information HBH had. Chris will ask Rob Bruce report this to Councilor Luke.
5. *Councilor Tesdal* reported there was a rekindled burn pile on the slope of North Butte Street on July 23rd, which was put out; the firetruck had to refill and used about 800 gallons and lost pressure at the hydrant. This was concerning and the firefighters now refilled in Idanha. Councilor Tesdal asked HBH if they could sample the water. She asked if they sample the whole town or the areas where they had previous high levels of contaminants. Kenny stated that plan is still being developed by OHA and us. He said sampling will only be done on lines that are being replaced. Councilor Tesdal addressed underground power being installed and getting light posts replaced. She suggested that citizens may consider the brightness and address these concerns if any. Senate Bill 762 with a 100-day deadline and a start date of July 19th, regarding wildland urban interface. Now they are going to cover the whole state and will impact the citizens and cities. Public comment is available. The Zoom link is on the Oregon Department of Forestry website, or she can provide the link to whomever requests it. They will designate areas of concern of high levels of fire and Councilor Tesdal said we are in it and need to be able to defend ourselves and we may not be able to afford the high cost of insurance to live here anymore.
6. *Councilor Smith* stated that Deputy Olson is on vacation and the marinas are done for the season, the traffic on the lake has gone down. He was at a meeting in Mill City and talked to people with Public Works and learned we received \$7 million to come up with a different way for emergency responders. The total is \$20 million and \$7 million is funded by the State of Oregon. We are also looking at a tsunami-type alarm system to be installed in the mountains to alert people, so we do not rely on social media or cell phones, which can go down at that time.

13. OTHER BUSINESS

1. Mayor Trett shared that a tree-planting event will take place on Saturday, October 30th. Weyerhaeuser will donate 10,000 trees to Detroit for residents and the city for trees lost during the fire. If citizens would like to plant more trees to replace trees lost on their lot, those trees will be free of charge. If we want to replant some of the city's right of way, we can organize volunteer groups. Weyerhaeuser will have staff on hand to show people how to plant trees. More information to come as plans are finalized.

14. UPCOMING MEETINGS

1. City Council regular session is scheduled for September 7, 2021, at 6:30pm. The location will be determined.
2. There will be a work session on September 21, 2021, at 6:30pm. The location will be determined. That meeting will occur only if it is needed.
3. Councilor Luke addressed the outdoor August meeting. Mayor Trett will look at doing that on August 17, 2021.

15. ADJOURN

Councilor Luke made a motion to adjourn. Seconded by Councilor Engle. Motion passed unanimously and meeting adjourned at 8:08pm.

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 August 9, 2021.

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

Kelly Galbraith, City Recorder



City of Detroit, Oregon
City Council Regular
Session/Public Hearing
Minutes
September 7, 2021
6:30 p.m.

Mailing Address:
P.O. Box 589
Detroit, Oregon 97342

(503) 854-3496
(503) 769-2947 fax

Email: detroit@wvi.com

Via Zoom

I. Call to Order – Mayor Trett called the meeting to order at 6:31 PM.

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II. Roll Call – Present – Councilor Engle, Councilor Page, Councilor Luke, Councilor Tesdal, Councilor Smith, and Mayor Trett. **Absent** – Councilor Sheppard. Staff Present – Chris Eppley, Kelly Galbraith, and Michelle Connor.

III. Approval of the Agenda – Councilor Page made a motion to approve the agenda as stated, seconded by Councilor Engle, motion passed unanimously.

IV. Special Orders of Business - None

V. Committee Reports - None

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.

- Ken Woodward is concerned about the temporary water facility not having backup power at the main facility up on Weber St., the Silver Bullet or at Breitenbush. Councilor Luke stated he has been working with Chris Eppley and HBH to figure out what type of generator we need to have for these facilities. They are looking into borrowing a generator from the county or possibly renting one. The long term plan for the facility will have back up power included.
- Chris Eppley stated Eric Gibson with Good City, who didn't appear to be logged into the meeting yet, wanted an opportunity to speak about the visioning process for the community. He wanted to introduce himself and the project and they are planning on being up in Detroit on September 24th from 5:00-7:00 to do a public outreach at the City Park. Look for this to be posted on Facebook.

VII. Public Hearings - Supplemental Budget Hearing – Mayor Trett opened the Public Hearing at 6:41 PM.

- a. Legislative Amendment to the Detroit Development Code – LA-21-01 – Mcrae Carmichael read the Staff Report. She recommends adoption of the Legislative Amendment. Mayor Trett closed the Public Hearing at 6:50 PM. Councilor Luke made a motion to accept the Legislative Amendment to the Detroit Development Code – LA-21-01, seconded by Councilor Page, motion passed unanimously.
- b. Resolution 629 – A RESOLUTION SUPPORTING AN APPLICATION FOR A PLANNING ASSISTANCE APPLICATION TO FUND LETTER OF MAP AMENDMENT APPLICATIONS TO FEMA TO CORRECT FLOODPLAIN ERRORS. – Chris Eppley read the Staff Report. Councilor Engle made a motion to accept Resolution 629, seconded by Councilor Page, motion passed unanimously.

VIII. Resolutions, Orders and Administrative Action

- a. Renata Wakeley, Mid-Willamette Valley City of Governments – Resource Assistance for Rural Environments (RARE). – Mcrae Carmichael stepped in for Renata who was not able to attend tonight. COG has selected and hired a RARE candidate, Sara Albin, that will be starting at COG in about two weeks for 11 months. This is a partnership with the University of Oregon. Her primary role and responsibility will be working with Detroit and Gates to find out Development Code discussions we've been having, the Main Street initiative, or any other programs you want her to be researching. She will be at the Town Hall on September 24th in the City Park.
- b. Danielle Gonzalez- North Santiam Sewer Authority Report – Danielle says the North Santiam Sewer Authority has approved the Master Plan. The legislature has approved \$50 Million for the project. For Idanha and Detroit they are looking at Forest Service property outside of Idanha for disposal. Total cost of the entire project is \$106 Million. They are looking at construction starting 49-60 months from today. A 4-5 year time frame. Councilor Tesdal asked if the new system will work with the septic systems that residents are installing now. Danielle says

- the answer is no but they are considering letting residents plumb their homes as they are rebuilding so they are able to attach to a sewer system down the road.
- c. Resolution 630 – A RESOLUTION ALLOWING INTER-FUND CONTINGENCY APPROPRIATION TRANSFERS FROM WATER GENERAL OPERATING CONTINGENCY TO WATER SYSTEM PERSONNEL LINE AND FROM WATER GENERAL OPERATING CONTINGENCY TO WATER PAYROLL EXPENSES AND BENEFIT LINES – Chris Eppley stated when developing the 2021-2022 budget he failed to calculate the cost of adding all of an additional .5 full time equivalent to the water fund to provide support to the water system technician so that person can learn the system and be in a position to help operate it. He has attached a resolution to transfer general operating contingency to the water system personnel line item and to the payroll expenses and benefits line item. In addition, although not specifically required by the state, staff believes that it is appropriate to verify the replacement of the water lateral service lines damaged in the 2020 wildfire that we are replacing now and just approved the contract for. That work appropriately solves the VOC concerns that resulted from damage of those lines. As such, we are proposing to randomly sample around 10% of those lines to provide piece of mind to the community. That requires a transfer of general operating contingency to the water analysis line item. If continued VOC issues are identified after lateral service line replacement is completed, we will continue to work toward identifying the source of contamination and remedying it. Staff recommends the City Council adopt Resolution 630. Councilor Engle made a motion that they accept Resolution 630, seconded by Councilor Page, motion passed unanimously.
 - d. Charter Review – Creating a Charter Review Committee – Mayor Trett stated that the Charter has not been looked at since 2012. He proposes we start a Charter Review Committee made up of three Councilors, one full time resident, and one part time homeowner. Anyone interested can e-mail the City expressing their interest.
 - e. Review Website Manager – Our current WebMaster, Laurie Gatley with LSK Graphics has a renewal coming up October 1, 2021. We don't have an actual contract with her. She just invoices us and renews once a year. Laurie wants to move to a new hosting service, Flywheel.com, which is \$25 more a year. Her rate is still \$20 a month. Councilor Luke motioned to continue using LSK Graphics at the new hosting rate of \$370 per year, seconded by Councilor Smith, motion passed unanimously.
 - f. Status of the Community Center – Detroit Lake Foundation – Councilor Page & Councilor Luke attended a meeting today. Chris Eppley stated that we were asked to reach out to the Detroit Lake Foundation and ask them where they are on their current construction schedule and what happens next. They are anticipating the shell will be ready for tenant improvements around the first of the year. The gym may be in advance of that maybe in late October or early November. There was a lot of discussion around the ownership of the building. The reality is that they are just trying to complete the building and have not gotten to the next piece yet, however they are getting close to having those discussions. Councilor Page

and Councilor Luke expressed some concerns regarding the separation between the City and the Idanha/Detroit Fire Depts and that hopefully everyone can come together in the end.

IX. Consent Calendar

- a. Approval of the Minutes of the Detroit City Council – August 3, 2021 Regular Session, August 6, 2021 Special Session, August 20, 2021 Special Session. – Councilor Engle stated that on the August 3, 2021 minutes the word “Councilor” is spelled incorrectly. Also, in the Public Comments, item 6, where Mr. Rose spoke, about two sentences in there is a paragraph about HBH?? Kelly Galbraith will review the audio and fix it. We will remove the approval of the Detroit City Council meeting minutes from August 3, 2021 until corrected.
- b. Approval to Pay the Bills - Councilor Luke motioned to approve the Consent Calendar with the exception of the August 3, 2021 minutes, seconded by Councilor Tesdal, motion approved unanimously.

X. Staff Reports

- a. Marion County Community Development Manager – Chris Eppley reminded everyone of the public outreach forum from 5:00-7:00pm on September 24, 2021 in the City Park.
- b. City Recorder – Kelly Galbraith reported that the CPI contractors have begun work on the underground lines on Butte, Boulder and Tumble today and are expected to last 6-8 weeks.
- c. City Clerk - None
- d. City Finance Officer - None
- e. Planning – Mcrae Carmichael - None
- f. Marion County Sheriff’s Office – Garrett Olsen says the summer was uneventful and that was a good thing.
- g. USFS - None
- h. Idanha-Detroit Rural Fire Protection District – Michele Tesdal says she has reached out to Laura due to the recent fires and asked her to be a part of our meetings again and they are interested in joining. She had some discussions with Laura about a warning system and there are specific laws that have to be followed regarding evacuations.
- i. North Santiam Sewer Authority - None
- j. City Attorney - None
- k. Other -

XI. Councilor Reports

- Councilor Engle – Says things have quieted down in the month of August. We had 14 total permits (9 electrical, 3 mechanical, and 2 others). She reported of a soft opening of the post office on Thursday, September 9, 2021.
- Councilor Sheppard was absent but Mayor Trett reported his only concern was getting some paving done before the weather goes bad.
- Councilor Page – There was an ice cream social in the park that was funded by a grant from Marion County. There was a fly-over the city but it was so smokey it

was hard to see. He gave credit to Mike Vetter for keeping the park tidy and helping at the events in the park.

- Councilor Luke – Reported that we purified 1,339,500 gallons this month. Our total consumption was 816,000 gallons. Average consumption was 26,323 per day. That leaves 523,500 gallons that are unaccounted for. Kelly Galbraith says she spoke with Bob Bruce and he mentioned that ODOT used some water for their boring project. He also had a couple other explanations like someone using water out of a hydrant. Councilor Luke will look into it this week and make sure we don't have a leak. He also reported that we do have a hydrant on front street that does not run off the purification system. It runs off the gravity from the Silver Bullet and the Breitenbush pump. Chris Eppley and HBH are still working with FEMA on a 500,000+ gallon storage tank to replace the 190,000 gallon current one.
- Councilor Tesdal – There's not a lot going on with tourism as we only have 4 hotel rooms in town. She is encouraging everyone to attend the event in the park with Better City. She is hoping we can get more playground items in the park. She is concerned about permanent residents having snow removal this winter since there are only about 30 permanent families right now.
- Councilor Smith – Reported that Labor Day was probably the least amount of people he has seen in Detroit on a holiday weekend. He reminded everyone that the Marion County Sheriff would like to have some office space in the new community center.
- **Mayors Report** – Mayor Trett reported that last Thursday he was escorted up by the Fire Marshal to the incident command center for the Bull Complex Fire. He was assured they have some really good containment lines on the south end. They are fairly comfortable saying this fire will not reach Detroit. If it reaches the Lionshead or Beachie Creek fire there is not enough ground fuel to continue. He attended the ice cream celebration and then went up to the celebration in Idanha. He also reported the “soft” opening of the post office on Thursday morning. They have some new equipment so they're not sure they will be able to provide all services at this time. He says he is so proud of our city for stepping up and accomplishing what it has in the last year. FEMA is scrambling to keep up with the pace.

XII. Other Business - None

XIII. Upcoming Meetings

- a. Work Session – September 21, 2021 @ 6:30 p.m. location TBD (if needed) - Chris Eppley says we will just reschedule the Work Session for 7:00 p.m. and call it a Special City Council meeting. We will be meeting directly after the Planning Commission as an opportunity to look at a land use action to be attended to so the Community Church on Detroit Ave. can rebuild. If we can hold our Public Hearing right after their Public Hearing we can push their schedule forward by

about 3 weeks. We want to accommodate them as well as we can so they can get dried in before the winter.

- XIV. Adjourn** – Councilor Luke made a motion to adjourn, seconded by Councilor Tesdal, motion passed unanimously. Meeting adjourned at 8:25 p.m.

Signed:

James R. Trett, Mayor

Attest:

Kelly Galbraith, City Recorder



CITY COUNCIL SPECIAL SESSION/PUBLIC HEARING

MEETING MINUTES

Tuesday, September 21, 2021 – 7:00 PM – Zoom Meeting

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1. **CALL TO ORDER** - Mayor Trett called the meeting to order at 7:04 PM.
2. **CITY COUNCIL ROLL CALL** – Present – Greg Sheppard, Tim Luke, Michele Tesdal, Eric Page and Mayor Trett. Absent – Todd Smith and Shelley Engle. Staff Present – Chris Eppley, Kelly Galbraith, and Michelle Connor.
3. **DECLARATIONS OF CONFLICT OF INTEREST AND EX-PARTE CONTACT** – None
4. **ANNOUNCEMENTS** - None
5. **PUBLIC HEARING TO DECIDE UPON THE FOLLOWING REQUEST**

Conditional Use/Site Design Review – 210 Detroit Avenue S. Detroit, Oregon

- 5.1.1 Mayor Trett opens Public Hearing for Planning Commission – Mayor Trett opened the meeting at 7:05 PM.
- 5.1.2 Hearing Disclosure Statement Read – Mcrae Carmichael, City Planner, read the Hearing Disclosure Statement.
- 5.1.3 Staff Report – McRae Carmichael, City Planner COG – Mcrae Carmichael read the Staff Report. A Site Design review is required due to the expansion of an existing use as they are adding about 750 sq. ft. for a kitchen area. The Planning Commission has reviewed the application and made a recommendation to approve the application. In conclusion the Staff also recommends the City Council accept the Planning Commissions recommendation to approve the application.

5.2 CLOSE PUBLIC HEARING

- 5.2.1 Mayor Trett closes Public Hearing – Mayor Trett closed the Public Hearing at 7:21 PM.

5.2.2 Decision – Tim Luke made a motion to accept the Planning Commission recommendation to approve variance 21-02, seconded by Eric Page, all in favor, motion passed unanimously.

ADJOURN – Tim Luke made a motion to adjourn, seconded by Eric Page, all in favor, motion passed unanimously. Meeting adjourned at 7:23.

Signed:

Attest:

James R. Trett, Mayor

Kelly Galbraith, City Recorder