

Jim Trett, Mayor
Greg Sheppard, City Councilor
Eric Page, City Councilor
Tim Luke, City Councilor
Michele Tesdal, City Councilor
Todd Smith, City Councilor
Denny Nielsen, City Councilor

Michelle Connor, City Recorder



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

April 11, 2023

6:30 p.m.

345 Santiam Ave W.

Detroit, Oregon

Streaming Live on City of
Detroit Facebook page

Mailing Address:
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Detroit, Oregon 97342

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

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

VII. 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.

VIII. Public Hearing – Supplemental Budget Hearing

- a. **Resolution 648** – A Resolution adopting a Supplemental Budget for changes to the fiscal year 2022-2023 adopted budget

IX. Resolutions, Orders and Administrative Action

- a. **Resolution 649** – A Resolution Adopting the City of Detroit’s Representation in the updates to the Marion County Multi-Jurisdictional Hazard Mitigation Plan
- b. **Ordinance 270** – An Ordinance replacing and repealing Ordinance 211, City of Detroit’s franchise agreement with Ziply Fiber Northwest, LLC
- c. **Authorize Liason to DLF - (Denny Nielsen & James Trett)**
- d. **Finalize Building Transfer with DLF** – Mayor Trett
- e. **Insurance Status** – Eric Page
- f. **Establish a Council Work Session Schedule** – Denny Nielsen
- g. **Clean up Day** – Michelle Connor

X. Consent Calendar

- a. Approval of the Minutes of the Detroit City Council – Regular Monthly Meeting, March 14, 2023
- b. Approval to Pay the Bills

XI. Staff Reports

- a. HBH Engineering
- b. City Recorder
- c. City Clerk
- d. Planning
- e. Marion County Sheriff’s
- f. USFS – No update
- g. Idanha-Detroit Rural Fire Protection District
- h. North Santiam Sewer Authority

Councilor’s Report

XII. Mayor’s Report

XIII. Other Business

XIV. Upcoming Meetings

- a. Regular Session – May 9, 2023 – Detroit City Hall 6:30 PM.

XV. Adjourn



Staff Report

TO: City Council
FROM: Michelle Connor, City Recorder
DATE: April 6, 2023
SUBJECT: Supplemental Budget

In developing the FY 2022-23 Budget, staff estimated the beginning balance of the Marion County Fire Recovery Fund to be \$239,362. The actual balance was \$263,672 leaving \$24,310 unallocated. As a result, the beginning balance will be adjusted and placed into the General Fund to cover Staffing and Payroll expenses. Marion County will reimburse these expenses if submitted by 6/30/23 when the funding expires.

In addition, \$50,000 of the Water SDC fund and \$26,000 of the Street SDC fund were used to cover the street pavement damage repair from the water distribution project. These resources will be placed into the Water System Improvement fund to cover the paving costs.

The attached spreadsheet identifies the line items in the budget that need to be altered in order to appropriate the funds described above.

RECOMMENDATION:

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

RESOLUTION NO. 648

A RESOLUTION ADOPTING A SUPPLEMENTAL BUDGET FOR CHANGES TO THE FISCAL YEAR 2022-23 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 is required to supplement the budget for the 2022-2023 fiscal year in order to recognized both additional revenues and expenditures, and

WHEREAS, pursuant to ORS 294.471, following due and proper notice, the Detroit City Council may adopt a supplemental budget at a regular meeting, and

WHEREAS, the FY2022-23 budget was estimated on the best information available at the time; and

WHEREAS, conditions have changed since the adoption of the 2022-2023 fiscal year budget, and

WHEREAS, the Detroit City Council as the governing body of the City of Detroit may, in accordance with ORS 294.471 , appropriate by resolution, unanticipated revenues and expenditures.

BE IT HERE RESOLVED AS FOLLOWS:

The Detroit City Council hereby adopts the supplemental budget summarized below and makes the appropriations shown in the summary.

All other provisions of the adopted 2022-2023 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 11th day of April, 2023.

James R. Trett, Mayor

Michelle Connor, City Recorder

REBUILDING FUND - MARION COUNTY FIRE RECOVERY FUNDING

REVENUE

MC Fire Recovery Funding	33OR-10	\$	239,362.00	\$	24,310.00	\$	263,672.00
TOTAL			\$ 239,362.00		\$ 24,310.00		\$ 263,672.00

EXPENSE

MC Fire Recovery Transfer to GF	E33-100	\$	90,000.00	\$	24,310.00	\$	114,310.00
MC Fire Recovery Transfer to Street SDC	E33-300	\$	30,362.00	\$	-	\$	-
MC Fire Recovery Transfer to WF	E33-200	\$	85,000.00	\$	30,362.00	\$	115,362.00
TOTAL			\$ 205,362.00		\$ 54,672.00		\$ 260,034.00

GENERAL FUND

REVENUE

Transfer from Marion County Fire Recovery	1OR-37	\$	90,000.00	\$	24,310.00	\$	114,310.00
TOTAL			\$ 90,000.00		\$ 24,310.00		\$ 114,310.00

EXPENSE

Personnel Services - City Recorder	E1-001	\$	25,000.00	\$	10,000.00	\$	35,000.00
Personnel Services - City Clerk	E1-003	\$	23,000.00	\$	8,000.00	\$	31,000.00
Payroll Expense and Benefits	E1-004	\$	20,060.00	\$	6,310.00	\$	26,370.00
TOTAL			\$ 68,060.00		\$ 24,310.00		\$ 92,370.00

SYSTEM DEVELOPMENT CHARGES - WATER FUND

EXPENSE

Reserved for Future Expenditures	E11-700	\$	163,041.00	\$	50,000.00	\$	113,041.00
Transfer to Water Fund	E11-800	\$	-	\$	50,000.00	\$	50,000.00
TOTAL			\$ 163,041.00		\$ 100,000.00		\$ 163,041.00

SYSTEM DEVELOPMENT CHARGES - STREET FUND

EXPENSE

Reserved for Future Expenditures	E10-700	\$	68,364.00	\$	26,000.00	\$	42,364.00
Transfer to Water Fund	E10-800	\$	-	\$	26,000.00	\$	26,000.00
TOTAL			\$ 68,364.00		\$ 52,000.00		\$ 68,364.00

WATER FUND

REVENUE

Transfer from SDC Water	2OR-64	\$	-	\$	50,000.00	\$	50,000.00
Transfer from SDC Street	2OR-65	\$	-	\$	26,000.00	\$	26,000.00
Transfer from Marion County Fire Recovery	2OR-63	\$	85,000.00	\$	30,362.00	\$	115,362.00
TOTAL			\$ 85,000.00		\$ 106,362.00		\$ 191,362.00

EXPENSE

System Improvements	E2-200	\$	-	\$	50,000.00	\$	50,000.00
Systems Improvements	E2-200	\$	-	\$	26,000.00	\$	26,000.00
Systems Improvements	E2-200	\$	-	\$	30,362.00	\$	30,362.00
TOTAL					\$ 106,362.00		\$ 106,362.00

		\$	829,189.00	\$	468,016.00	\$	1,114,843.00
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Resolution # 649

A Resolution Adopting the City of Detroit Representation in the Updates to the Marion County Multi-Jurisdictional Hazard Mitigation Plan

Whereas, the City of Detroit recognizes the threat that hazards pose to people, property and infrastructure within our community; and

Whereas, undertaking hazard mitigation actions will reduce the potential for harm to people, property and infrastructure from future hazard occurrences; and

Whereas, an adopted Natural Hazard Mitigation Plan is required as a condition of future funding for mitigation projects under multiple FEMA pre- and post-disaster mitigation grant programs; and

Whereas, the City of Detroit has fully participated in the FEMA prescribed mitigation planning process to prepare the *Marion County, Multi-Jurisdictional Hazard Mitigation Plan (HMP)*, which has established a comprehensive, coordinated planning process to eliminate or minimize these vulnerabilities; and

Whereas, the City of Detroit has identified hazard risks and prioritized a number of proposed actions and programs needed to mitigate the vulnerabilities of the City of Detroit to the impacts of future disasters within the *Marion County, Multi-Jurisdictional Hazard Mitigation Plan*; and

Whereas, these proposed projects and programs have been incorporated into the *Marion County, Multi-Jurisdictional Hazard Mitigation Plan* that has been prepared and promulgated for consideration and implementation by the cities of Marion County; and

Whereas, the Oregon Office of Emergency Management and Federal Emergency Management Agency, Region X officials have reviewed the *Marion County, Multi-Jurisdictional Hazard Mitigation Plan* and pre-approved it (dated, April 14, 2017) contingent upon this official adoption of the participating governments and entities;

Whereas, the HMP is comprised of comprised of three volumes: Volume I -Basic Plan, Volume II – City Addenda, and Volume III - Appendixes, collectively referred to herein as the HMP; and

Whereas, the HMP is in an on-going cycle of development and revision to improve its effectiveness; and

Whereas, City of Detroit adopts the HMP and directs the City Recorder to develop, approve, and implement the mitigation strategies and any administrative changes to the HMP.



FEMA

March 17, 2023

Ms. Anna Feigum
State Hazard Mitigation Officer
Oregon Military Department
Office of Emergency Management
P.O. Box 14370
Salem, Oregon 97309

Dear Ms. Feigum:

The Federal Emergency Management Agency (FEMA) Region 10 completed a pre-adoption review of the draft Marion County Hazard Mitigation Plan. The attached Mitigation Plan Review Tool documents the Region's review and compliance with all required elements of 44 CFR Part 201.6, as well as identifies the jurisdictions participating in the planning process. This letter serves as Region 10's commitment to approve the plan upon receiving documentation of its adoption by participating jurisdictions.

Formal adoption documentation must be submitted to FEMA Region 10 by at least one jurisdiction within one calendar year of the date of this letter, or the entire plan must be updated and resubmitted for review. Once FEMA approves the plan, the jurisdictions are eligible to apply for FEMA Hazard Mitigation Assistance grants.

Please contact Erin Cooper, Regional Mitigation Planning Program Manager, at 202- 856-1927 or erin.cooper@fema.dhs.gov with any questions.

Sincerely,

WENDY L SHAW

Digitally signed by WENDY L
SHAW
Date: 2023.03.17 11:26:10 -07'00'

Wendy Shaw, P.E.
Risk Analysis Branch Chief
Mitigation Division

Enclosures

WS:v1

3 City of Detroit Addendum

3.1 Purpose

This document serves as Detroit 's Addendum to the Marion County Multi-Jurisdictional Hazards Mitigation Plan (HMP). The purpose of this addendum is to guide the implementation of mitigation actions by the City of Detroit to improve the resilience of the community. Please note that mitigation planning is a long-term endeavor—one that requires broad internal involvement and community engagement to be successful. Finally, please refer to the information contained in Volume I (Basic Plan) and Volume III (Appendices) of this HMP, which provides additional information (particularly regarding participation and mitigation strategy) and forms the basis of this addendum.

3.2 Plan Process, Participation, and Adoption

In 2021 and early 2022, Marion County partnered with the Oregon Department of Land Conservation and Development (DLCD), the Oregon Department Emergency Management (OEM) and Marion County cities, including the City of Detroit, to update the August 2017 Marion County Multi-Jurisdictional Hazard Mitigation Plan (Marion County HMP), an update which includes the City of Detroit to update their addendum to the Marion County Hazard Mitigation Plan, which expired August 16, 2022.

By developing this addendum to the Marion County NHMP, locally adopting it, and having it approved by FEMA, the City of Detroit will gain eligibility for FEMA Hazard Mitigation Assistance funding that includes three programs: BRIC (Building Resilient Infrastructure and Communities), formerly the Pre-Disaster Mitigation grant program, Hazard Mitigation Grant Program (HMGP), and Flood Mitigation Assistance grant program funds. This project is funded through the Federal Emergency Management Agency's (FEMA) FY19 Pre-Disaster Mitigation Competitive Grant Program (PDMC-PL-10-OR-2019-003).

The City of Detroit joined the Marion County HMP update by executing an intergovernmental agreement with DLCD on September 21, 2021. On October 18, 2021, City of Detroit Mayor, Jim Trett, City of Detroit City Recorder Kelly Galbraith, Marion County Emergency Preparedness Coordinator Mike Hintz, and DLCD Planner Tricia Sears conducted a risk assessment meeting with the City of Detroit that included a Hazard Vulnerability Assessment ranking. City staff met again with DLCD on March 31, 2022, to update this addendum.

City of Detroit staff attended HMP Steering Committee meetings on October 5, 2021, November 21, 2021, January 4, 2022, March 1, 2022, and May 4, 2022. The city staff promoted the HMP outreach efforts throughout the plan update by posting the initial flyer provided by DLCD to the city's website throughout the update process.

3.3 Risk Assessment

A risk assessment is intended to provide the “factual basis for activities proposed in the strategy to reduce losses from identified hazards” (Department of Homeland Security, Federal Emergency Management Agency, 2023). This section of the HMP addendum can serve as the factual basis for addressing Oregon Statewide Planning Goal 7 – Areas Subject to Natural Hazards.

3.4 Community Profile

This section provides information on city specific assets and populations. For additional information on the characteristics of Jurisdiction, in terms of geography, environment, population, demographics, employment and economics, as well as housing and transportation see Volume III, Appendix C, Community Profile. Many of these community characteristics can affect how hazards impact communities and how communities choose to plan for hazard mitigation. Considering the city specific assets during the planning process can assist in identifying appropriate measures for hazard mitigation.

3.4.1 Community Characteristics

The City of Detroit is located approximately 50 miles east of Salem, bordering the Detroit Reservoir. It is the third largest community in the North Santiam River Canyon with a population in 2020 of 203 people in 45 households (U.S. Census, 2020). With an elevation of 1630 feet, the climate of Detroit is moderate; the average monthly temperatures range from 51 – 79 degrees in July and August, and 31-42 degrees in December and January. Detroit receives approximately 68 inches of rain and 10 inches of snow each year. The city’s topography is relatively flat but does possess sloped terrain adjacent to Detroit Reservoir. Outside of city limits, steep slopes surround the city on all sides.

Detroit benefits from its location along State Highway 22, a major east-to-west transportation route connecting Salem to Bend. It serves as a recreation hub with two marinas, restaurants, and lodging, for residents of the North Santiam Canyon and the traveling public along the State Highway 22 corridor. Historically, Detroit prospered from the development of the railroad and dam, which helped spur growth in manufacturing and logging. Today, the economy relies upon the recreational opportunities available through state/federal lands, and Detroit Lake.

3.5 Critical and Important Facilities

3.5.1 Transportation

Oregon State Highway 22 is the major transportation route for auto, public transit, and emergency vehicle access throughout the Santiam Canyon. State Highway 22 extends about 50 miles west, connecting Detroit to Salem and the remainder of the Willamette Valley. To the east, the highway connects to Idanha, and ends at the Santiam Pass interchange.

The Cherriots Canyon Connector is the only existing public transit service in the Santiam Canyon. This service runs four round trips on weekdays with buses running twice in the morning and twice in the afternoon. Detroit residents must drive to Gates to utilize these services, as the Canyon Connector does not reach Detroit or Idanha.

In case of a major State Highway 22 closure, Detroit residents will have to rely on alternate routes for supplies and to receive emergency medical services. The cities alternate routes are limited with NF-46, also known as Highway 46 Breitenbush Road and north of Detroit, French Creek Road. Depending on weather conditions, these roads may be unpassable. Alternatively, Life flight operates out of McNary Airport in Salem and can provide medivac if needed with a flight time of less than 10 minutes from Detroit.

Table 3-1, Bridges in the City of Detroit

Structure Name	Year Built	Structural Condition	Seismic Vulnerability
Tumble Creek; Bridge ID 07295	1949	Fair	Potentially vulnerable
Breitenbush River; Bridge ID 07017	1949	Fair	Potentially vulnerable

Source: 12021 Dashboards Interactive Bridge Report, Oregon Department of Transportation, consulted June 2022
Oregon Department of Transportation: Bridge Condition Report: Bridge: State of Oregon

Strengths:

- Proximity to ODOT facility may increase access to public works services.
- Docked boats along Detroit Lake can be utilized to transport residents to safety during concentrated hazard events (ex. hazardous materials, and wildfire).
- Fuels reduction measures have been taken along Weber Street to minimize risk to water system infrastructure.

Weaknesses:

- The loss of Breitenbush River bridge would isolate Detroit from the remainder of the Santiam Canyon and the Willamette Valley.
- Alternate routes are long, and most likely impassable in winter months.
- Hwy 22 closures could make travel outside of North Santiam Canyon extremely difficult.
- Public transportation options are limited and only reach to the City of Gates.
- The city’s drain and culvert infrastructure is old and getting to the point where some won’t flush a lot of water away anymore (street maintenance person keeps them in best shape and unclogs them when needed).

3.5.2 Dams

Two dams sit below Detroit, Detroit Dam and Big Cliff Dam. Previous steering committees have concluded that the likelihood of Dam Failure is Low. Current conditions still represent the previous decision. If Dam failure occurred in either dam, Detroit would most likely lose access to the western portion of Hwy 22.

3.5.3 Energy and Utilities

Detroit receives energy and utility services from Consumer Power Inc. There are no substations located in Detroit. One main power line runs along Hwy 22, connecting to Gates and Mill City.

Strengths:

- Gas stations with fuel storage exist within Detroit and possess both gasoline and diesel fuel.
- An electric car powering station and a Tesla electric car powering station exists within city limits; the capability to utilize this infrastructure is unknown.

Weaknesses:

- Gas stations possess below ground tanks which cannot be pumped without electricity.
- Gas stations do not currently possess backup diesel generators to pump fuel from storage tanks.
- No alternate sources of energy (wind, solar) exist to power basic services.
- Citizens rely on propane and there is limited access to propane during a disaster.

3.5.4 Water

The City of Detroit has two water sources which include Mackie Creek and the Breitenbush intake. Mackie Creek is Detroit's main water source in the winter months, located approximately 1/3 mile uphill from the water treatment plant. The Breitenbush intake, located approximately 1/3 mile up from Breitenbush Road, is utilized in the summer months.

Detroit's water treatment facility is located at the top of Gaymore, with a backup propane generator. The generator is accompanied by a 500-gallon propane storage tank and can power water facilities for approximately one week.

Detroit has two treated water storage tanks equaling 440,000 gallons (200,000 and 240,000). The city also has one un-treated water storage tank which holds 35,000 gallons. The water level in this tank is maintained from the Breitenbush intake and is gravity fed from the treatment plant.

Strengths:

- Two (2) water intake sources (Mackie & Breitenbush).
- One (1) backup propane generator on-site.
- Two (2) above-ground storage tanks located near water treatment facility. This is equivalent to 440,000 gallons or 3-4 days of water storage in summer months or 4-8 days in winter months.

Weaknesses:

- The current backup generator runs on propane.
- Water intake sources are susceptible to wildfire damage.
- The city is losing approximately 40% of water distributed through leaky pipes. Roughly 40% of the water travelling through the water pipes is lost due to deficient infrastructure.
- Water usage estimates are 60,000 gallons in the winter and 120,000 gallons in the summer.

3.5.5 Wastewater

Detroit does not have any municipal waste-water infrastructure. The city’s residents and business owners rely on individual septic tanks. These septic tanks can be up to 60-years old and could be leaching hazardous material into the ground water/ Detroit Reservoir.

3.5.6 Emergency Services

Detroit receives emergency service support from Marion County Sheriff’s Office and the Idanha- Detroit Rural Fire Protection District. Both are located at 160 Detroit Avenue, Detroit, OR.

Strengths:

- Detroit possesses emergency services for fire and law enforcement.
- An emergency propane generator with 70-gallons of storage exists inside City Hall; utilized by both fire and law enforcement.

Weaknesses:

- Fire and law enforcement rely on City Hall facilities to operate.
- Ambulance services must travel from the City of Lyons.
- First responders are very limited to basic life monitoring services.
- Currently, emergency services do not have trained HAM radio operators.

3.5.7 Environmental / Historical Preservation Sites

Detroit is surrounded by environmental preservation sites including federal land, state parks and designated wilderness areas. The housing stock in Detroit was built after the 1950s and does not contain any sites of historical significance. The city does possess the Detroit Ranger Station, Detroit State Park, and Detroit Lake, which help to bring in a high volume of recreational tourism in the summer months.

Strengths:

- Proximity to pristine state and federal land could attract residents or business.
- Some remnants remain of the old Detroit location (now at the bottom of Detroit Lake)

Weaknesses:

- Detroit lacks buildings with historical “timber”.

3.5.8 Communication / Information Technology

There is currently one communication provider in Detroit. Zippy Fiber, formerly Frontier, provides phone service, and broadband internet with limited fiber infrastructure adjacent to Hwy 22.

Strengths:

- Limited fiber internet infrastructure already presents along Hwy 22.
- Cellular Tower (AT&T/Verizon) east of Detroit, past the ranger station, with diesel generator backup.
- AT&T cellular tower at entrance of town.
- Public Works possesses low range walk-talkie access (>1/2) mile.

Weaknesses:

- Limited communication access including internet and phone.
- Currently no known HAM radio operators in the community.
- Main communication line runs down Hwy 22 and is susceptible to downed trees and wind.
- Phone lines are both buried and overhead, which could prove difficult for maintenance.

3.5.9 Agriculture and Food

Although Detroit is home to the Detroit Market and Mountain High Grocery the closest large- scale grocery is in Stayton approximately 37 miles east on State Highway 22. While other restaurants and lounges are located on Detroit’s Main Street, the loss of State Highway 22 as a transportation route would cause serious concern for residents and food accessibility. The city is surrounded by steep slopes that are state and federal land. There is no agricultural capability other than small-scale “urban” farms within city limits.

Strengths:

- Private sector entities possess limited (1-2 days) food supplies.

Weaknesses:

- No major, full-service grocery store inside of city limits.
- Surrounding land not suitable for agricultural purposes.

3.5.10 Banking and Finance

Detroit's nearest option for banking services is in Mill City. This one-story structure sits along Hwy 22 and could be utilized for emergency financial services during a hazard event. Detroit does not have any financial services within city-limits.

Strengths:

- Cash flow from nearby businesses could possibly be utilized.

Weaknesses:

- Lack of banking/financing institutions within city limits.
- Full "urban" financial services unavailable.

3.5.11 Hazardous Materials

The city resident's reliance on propane as a backup fuel source can be hazardous in certain conditions. These above ground propane tanks can be susceptible to leaking after an earthquake or to explosion during a wildfire.

The City of Detroit does not contain any large manufacturing firms that possess hazardous materials. By consulting the Department of Environmental Quality Environmental Cleanup Site Information (ECSI) database this plan has identified one brownfield, defined as a vacant or underused property where actual or perceived environmental contamination complicates its expansion or reuse. The former Detroit Elementary School heating oil tank brownfields currently require no further action. Remediation was completed in 2011.

Strengths:

- There are currently not enough known hazardous materials to cause major concern.
- Brownfield site could be utilized and attract private sector development.

Weaknesses:

- Propane tanks within city limits can be extremely hazardous.

3.5.12 Government Facilities

Detroit is in the process of constructing a new facility for City Hall located at 345 Santiam Avenue West. City Hall and the offices of the Fire Department were destroyed during the September 2020 wildfires. The facility will contain office space for all city services as well as the headquarters for the Detroit Fire District and space for Marion County Sheriff's Office staff. The city has a generator that assures continuance of city business, and provides power to the meeting hall (emergency center). This includes outlets for electric heaters and lights only.

- Detroit City Hall, 345 Santiam Avenue West
- Post Office, 170 Detroit Ave

Strengths:

- The new City Hall facility will have a kitchen, six (6) bathrooms, and one (1) emergency generator with two (2) 25-gallon propane storage tanks that work in unison.

Weaknesses:

- Propane fuel may be limited and could only power City Hall for a couple of days.

3.5.13 Education

The City of Detroit is part of the Santiam Canyon School District. This district encompasses all cities in the Santiam Canyon including Mill City, Gates, and Idanha. All the district's school facilities are in Mill City.

Strengths:

- School facilities could be utilized to shelter a large amount of community residents including Access and Functional Needs populations.
- School facilities possess needed infrastructure for a shelter which includes restrooms, showers, and a kitchen.
- School buses could be utilized for transportation after an emergency or disaster.

Weaknesses:

- Detroit is over 20 miles from school services.
- There are no current agreements or Memoranda of Understanding (MOU's) between the City and School District to utilize facilities after an emergency or disaster.

3.5.14 Healthcare and Public Health

Detroit's nearest medical services are in Mill City which contains one clinic with limited services. The nearest hospital and full-service health clinic are located in Stayton, Oregon. Emergency Medical Services (EMS) are in the City of Lyons.

Strengths:

- A clinic with minor services is located within the north Santiam canyon.

Weaknesses:

- Closest health services are located over 20 miles.
- No facilities with major life-saving equipment are currently located within city limits.
- Emergency health supplies are limited to what exists within the community.

3.5.15 Access and Functional Needs

Detroit’s vulnerable population consists of the elderly and those that may have mobility issues. About 7% of Detroit’s population is 75 or older, and over 6.9% of full-time residents are living below the poverty line (U.S. Census, 2020). The city is quickly turning into a 2nd home community, increasing the actual population to 1000+ (210 full-time, 790+ part-time).

Strengths:

- Over 65% of full-time residents are over the age of 45, this older population can volunteer and promote social cohesion in the community.

Weaknesses:

- No medical services exist for the aging population.

3.6 Plans and Polies

Table 3-2, Plans and Policies of the City of Detroit

Document Name	Year
City of Detroit Charter	2012
Detroit, Oregon Community Wildfire Protection Plan	2017
Former Elementary Site Park Plan	2013
Wastewater Feasibility Study	2014
Comprehensive Plan	Adopted in 1979, most recent
Transportation System Plan	2009
North Santiam Watershed Drought Contingency Plan	2018
Mid-Willamette Valley Council of Governments Comprehensive Economic Development Strategy	2018

3.7 Hazard Profile

Table 3-3, City of Detroit hazard profile

Community Overview							
Community Name	Population	# Of Buildings	Critical Facilities ¹	Total Building Value (\$)			
Detroit	205	315	1	69,925,000			
Hazus-MH Analysis Summary							
Hazard	Scenario	Potentially Displaced Residents	% Potentially Displaced Residents	Damaged Buildings	Damaged Critical Facilities	Lost Estimate (\$)	Loss Ratio
Flood ²	1% Annual Chance	0	0%	0	0	0	0%
Earthquake	Mt. Angel Mw 6.8 Deterministic	0	0%	2	0	186,986	0.3%
Exposure Analysis Summary							
Hazard	Scenario	Potentially Displaced Residents	% Potentially Displaced Residents	Exposed Buildings	Exposed Critical Facilities	Building Value (\$)	Exposure Ratio
Landslide	High and Very High Susceptibility	52	26%	78	0	18,032,000	26%
Channel Migration	Channel Migration Zone	0	0%	0	0	0	0%
Wildfire	High and Moderate Risk	120	59%	185	0	36,915,258	53%
Lahar	Medium Zone (1000 to 15000 – Year)	128	62%	198	0	47,132,000	67%
¹ Facilities with multiple buildings were consolidated into one building complex. ² No damage is estimated for exposed structures with “First floor height” above the level of flooding (base flood elevation).							
Critical Facilities							
Critical Facilities by Community	Flood 1% Annual Chance	Earthquake Moderate to Complete Damage	Landslide High and Very High Susceptibility	Channel Migration Zone	Wildfire High or Moderate Risk	Lahar Hazard	
None Reported							

Source: DOGAMI (2022)

¹Facilities with multiple buildings were consolidated into one building complex.

²No damage is estimated for exposed structures with “First floor height” above the level of flooding (base flood elevation).

3.8 Hazard Analysis

The methodology for assessing risk was the same for all jurisdictions and a detailed description of the BOLD planning methodology can be found in Volume I, a brief description is below. To complete the risk assessment, the jurisdiction representatives first updated the description, type, location, and extent of each hazard. Next, they updated the Hazard Vulnerability Analysis based on each hazard’s potential impact on the community using a calculated priority risk index (CPRI) methodology developed by BOLD Planning. This assessment method ranks the following factors to determine risk from the range of natural hazards identified:

1. Probability (frequency) of event,
2. Magnitude of event,
3. Expected warning time before event, and
4. Expected duration of event.

Score	Probability	Warning Time	Magnitude/Severity	Duration
4	Highly Likely	Less than 6 hours	Catastrophic	More than 1 week
3	Likely	6-12 hours	Critical	Less than 1 week
2	Possible	12-24 hours	Limited	Less than 1 day
1	Unlikely	24+ hours	Negligible	Less than 6 hours

The assessment identifies three levels of risk: High, Moderate and Low.

High - High probability of occurrence; at least 50 percent or more of population at risk from hazard; significant to catastrophic physical impacts to buildings and infrastructure; major loss or potential loss of functionality to all essential facilities (hospital, police, fire, EOC and shelters).

Moderate - Less than 50 percent of population at risk from hazard; moderate physical impacts to buildings and infrastructure; moderate potential for loss of functionality to essential facilities.

Low - Low probability of occurrence or low threat to population; minor physical impacts.

IMPACT	Range Values	
	Low CPRI	High CPRI
High	3.0	4.0
Moderate	2.0	2.9
Low	1.0	1.9

A summary of the risk assessment findings and rankings is presented below.

Table 3-4, City of Detroit Hazard Vulnerability Assessment – Natural Hazards

Hazard Profile Summary for the <i>City of Detroit</i> using BOLD Planning Analysis Scoring						
Natural Hazard	Probability	Warning Time	Magnitude	Duration	CPRI	2022 Local Planning Significance
Weight Factor	0.45	0.15	0.3	0.1		
Wildland Interface Fire	4	4	4	4	4.0	High
Earthquake	4	4	3	4	3.7	High
Landslide	4	2.5	2.5	3	3.2	High
Severe Weather/Storm	4	1	2	3	2.9	Moderate
Drought	3	1	2.5	4	2.7	Moderate
Extreme Weather - High Temperature	3	1	1	3	2.1	Moderate
Avalanche*	2	2	2	3	2.1	Moderate
Volcanic Eruption	2	1	2	4	2.1	Moderate
Flood**	2	1	2	3	2.0	Moderate
Tornado***	1	4	1	4	1.8	Low

Source BOLD Planning Risk Assessment Method: Analysis by the City of Detroit representatives to the NHMP update on 10/18/2021.

Table 3-5, City of Detroit Hazard Vulnerability Assessment – Other Hazards

Hazard Profile Summary for the <i>City of Detroit</i> using BOLD Planning Analysis Scoring						
Non-Natural Hazard	Probability	Warning Time	Magnitude	Duration	CPRI	2022 Local Planning Significance
Weight Factor	0.45	0.15	0.3	0.1		
Cyberterrorism	3.5	4	4	4	3.8	High
Hazardous Materials - Transportation	4	4	3	3	3.6	High
Public Health	4	4	3	3	3.6	High
Chemical, Biological, Radiological, Nuclear, Explosive	2	4	2	4	2.5	Moderate
Fire - Residential / Commercial (Arson)	2	4	2	4	2.5	Moderate
Unauthorized Entry	2	4	2	4	2.5	Moderate
Terrorism/Active Shooter/Workplace Violence	2	4	2	3	2.4	Moderate
Agricultural Terrorism	2	1	2	4	2.1	Moderate
Hazardous Materials - Non-Transportation	1	4	2	3	2.0	Low

Source Hazard Profile Summary for the City of Detroit using BOLD Planning Analysis Scoring

3.9 Hazard Characteristics

Hazard History, Characteristics and Extent for Marion County apply also to the City of Detroit. Volume I, Section 2, Risk Assessment, adequately describes the characteristics of natural hazards, as well as the location and extent of potential events. This section identifies vulnerabilities specific to the City of Detroit recent localized hazard events and impacts and illustrates the basis for the city's HVA scores.

3.9.1 Avalanche

CPRI = 2.1, Risk Level: Moderate

Events: None during the effective period of the prior plan.

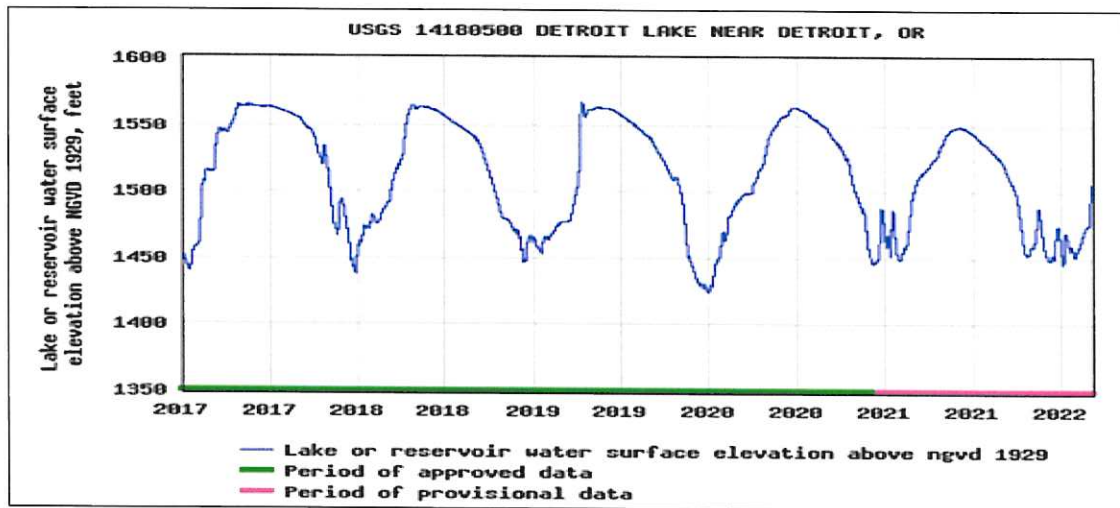
Vulnerability: None.

3.9.2 Drought

CPRI=2.7 Risk Level: Moderate

Events: During the effective period of the Marion County Multi-Jurisdictional NHMP, the City of Detroit did experience significant drought events during the effective period of the plan. However, the level of Detroit Lake dipped to its lowest level in the summer of 2020.

Figure 3-1, Detroit Lake levels 2016-2021



Source: [USGS Current Conditions for USGS 14180500 DETROIT LAKE NEAR DETROIT, OR](#)

3.9.3 Earthquake

CPRI = 3.7 Risk Level: High

Events: During the effective period of the prior NHMP a magnitude 2.8 earthquake occurred 6.8 miles (11 km) NNW of the City of Detroit on August 30, 2018, at a depth of 3.8 km. Detroit also experienced a crustal earthquake on August 19, 1961. A 4.5 magnitude earthquake struck 6 miles from Mill City, with shaking felt throughout the Santiam Canyon, up to Detroit.

Vulnerability: If another larger and more substantial earthquake occurs (Cascadia), Detroit could experience damage to buildings, utility (electric power, communication, water, wastewater, natural gas) and transportation systems (ex. bridges, and pipelines).

3.9.4 Extreme Heat

CPRI = 0, Risk Level: Low

Events:

Vulnerability: The Community Center will soon be operational as a cooling center.

3.9.5 Flood

CPRI = 2.0, Risk Level: Moderate

Events: Detroit experienced a major flooding event in 2006. Heavy rains and high winds caused damage in the Detroit, Idanha, and Breitenbush area.

Vulnerabilities: Impacts of flooding on the community included roofing damage, flooding of public facilities, sinkholes, erosion, and impacts to availability of drinking water. The water facility intake experienced clogging due to turbidity.

3.9.6 Landslides

CPRI = 3.2 Risk Level: High

Events: Historically, Detroit has not experienced major impacts from landslides within city limits. A rockslide blocked Hwy 22 during the effective period of the prior plan (2012-2017) that involved the Detroit Fire District to assist in removing debris. Areas in the east and northern portion of the city are susceptible because of steep mountains terrain. The western portion and remainder that border Detroit Lake are also at higher risk.

Vulnerability: Potential landslide-related impacts include infrastructure damages, economic impacts (due to isolation and/or arterial road closures), property damages, and obstruction to evaluation routes. Rain-induced landslides and debris flows can potentially occur during any winter in Marion County; throughfares beyond city limits are susceptible to obstruction as well.

3.9.7 Volcanic Eruption

CPRI = 2.1, Risk Level: Moderate

Events: Detroit has not been impacted previously by volcanic activity; however, Mount Jefferson is located east of the city into the Cascade Mountains and could produce lahars or ash if an eruption occurs.

Vulnerability: The city sits in the Mount Jefferson Moderate Hazard Zone and could experience ash fall, debris avalanches, pyroclastic flows, lahars, and slow-moving lava flows. City residents should be evacuated before an eruption begins in case of impassible roads and dangerous conditions.

3.9.8 Wildfire

CPRI = 4.0 Risk Level: High

Events: September 2020 Beachie Creek and Lionshead fires.

Vulnerability: The economy of the city was devastated by the 2020 Labor Day fires. The fires have left many dead and dying trees that will not be removed and will continue to be a source of wildfire hazard.

Marion County updated the Community Wildfire Protection Plan (CWPP) in 2016 and the City of Detroit prepared its own Wildfire Protection Plan in 2017. These plans mapped wildland urban interface (WUI) areas and developed actions to mitigate wildfire risk. The city is a participant in the county CWPP both of which identify hazard mitigation action items intended to reduce risk from wildfire hazard.

3.9.9 Severe Weather / Storms

CPRI = 2.9, Risk Level: Moderate

Severe Weather/ Storms encompasses both windstorms and severe winter storms that may bring snow and ice.

Events: About once or twice per year the city will experience a windstorm event that can interrupt services, down trees, and cause power outages. Typically, windstorms occur during winter months, they are sometimes accompanied by ice, freezing rain, flooding, and very rarely, snow.

An ice storm occurred in February 2021 that resulted in downed trees and some damage to homes, as well as power outages. The water plant continued to operate well during the storm.

Vulnerability: Winter storms are among the more frequent natural hazard events in Detroit and usually cause transportation issues and communication failures from downed trees and icy/snow filled roads. The ability to respond to these hazards quickly and effectively determines the potential impacts these regular occurrences will have in the community.

3.9.10 Tornado

CPRI = 1.8, Risk Level: Low

Events: None during the effective period of the prior plan.

Vulnerability: The location of the city at the head of Detroit Lake may allow winds to develop over the lake.

3.10 Mitigation Strategy

During the 2022 Marion County Hazard Mitigation Plan and Jurisdiction Addendum update process, Oregon Department of Land Conservation & Development and Jurisdiction developed a list of priority actions. These actions were prioritized and then reviewed internally by staff and city council during the spring of 2022.

Detroit developed a list of priority actions (Table 3.7), any actions that were not prioritized were placed in the Action Item Pool (Table 3.8) and will be considered during the semi-annual meetings.

3.10.1 Priority Actions

The city is listing a set of high priority actions to focus attention on an achievable set of high leverage activities over the next five years. The city's priority actions are listed below in the Priority Action Item table (Table 3.6)

3.10.2 Action Item Status Report

The city is carrying out several mitigation actions on an ongoing basis. These actions are identified in in the Action Item Status Report (Table 3.7)

3.10.3 Action Item Pool

This expanded list of actions is available for local consideration as resources, capacity, technical expertise and/or political will become available.

Many actions carry forward from prior versions of the Marion County NHMP and other local planning documents including the Community Wildfire Protection Plan, Drought Contingency Plan, and Mid-Willamette Economic Development study. They are grouped into Short Term and Long-Term action items.

3.10.4 City of Detroit Mitigation Action Tables

The following pages include the city's Priority Action Items (Table 3.6) and Action Item Status Report (Table 3.7).

Table 3-6, City of Detroit "Priority" Action Items

#	Hazard	Mitigation Action	Priority	Timeline	Cost	Description	Status
2022-MH-01	Multi-Hazard	Update planning documents (comprehensive plan, development code) to reflect new hazard information.	High	1-3 years	Staff time	The city is in the process of updating the development code. The 2020 wildfires expedited the need to update the code. The Mid-Willamette Valley Council of Governments (MWCOG) is assisting to address how the city wants to redevelop. Updating the Comprehensive Plan is progressing more slowly because there is so much else to do in issuing building permits as recovery happens.	Progressing
2022-MH-02	Multi-Hazard	City staff should assess the amount of KWH needed to run city facilities. City staff should purchase propane storage accordingly to run their generator.	High	1-3 years	Cost is being born by Detroit Lake Foundation ; General Fund, MWVCOG grants/loan s	A new, larger facility is being built for the Detroit Lake Foundation and then the developers will gift it to the city. The assessment of the KWH needed to run city facilities is being done as part of this project.	Progressing
2022-MH-03	Multi-Hazard	Create a reservoir to allow the back flush water from the city's membrane system to infiltrate slowly;	High	Timeline will be established when funding source is identified	Funding source needs to be identified	The city water system utilizes a membrane to filter water. This membrane needs to be back flushed to maintain the viability of the membranes. The city is in the process of identifying suitable locations for the reservoir. A potential location may be in Spotted Owl habitat that could impede its development.	New

Table 3-7, City of Detroit Action Item Status Report

#	Hazard	Mitigation Action	Description	Coordinating Organization	Status
2017-EQ-1	Earthquake	Promote Great Oregon Shakeout Awareness month in October. Participate in activities for schools, business, and industry. Participating with the Mid-Willamette Emergency Communications Collective on initiatives that are focused on household preparedness.		City of Detroit	On-going
2017-EQ-2	Earthquake	Collaborate with GROW EDC to develop relevant public-private partnerships with businesses that can contribute to response and recovery. (Multi-Hazard 4)	Remove, GROW EDC no long exits.	City of Detroit	Discontinue
2017-MH-1	Multi-Hazard	Develop an Energy Assurance Plan. The city has identified that the commercial “card lock” fuel station is the source of gasoline and there will be a propane tank located at the new Community Center that will be filled by company in the valley		City of Detroit	On-going
2017-MH-2	Multi-Hazard	Incentivize and assist local fueling stations to purchase diesel generators capable of pumping fuel from in-ground storage tanks.	Remove, this action no longer makes sense as only one fuel company remains after the fires	City of Detroit	Discontinue
2017-MH-3	Multi-Hazard	Assess the short and long term needs for sheltering access and functional needs populations for all hazards. This action will be completed when the Community Center is complete. It will serve as a shelter and will be ADA compliant. Cots and other materials will be added to support the use of the facility as a shelter.		City of Detroit	On-going
2017-MH-4	Multi-Hazard	Develop a MOU with community fuel stations to utilize fuel resources found in below-ground tanks after a hazard event.		City of Detroit	On-going
2017-MH-5	Multi-Hazard	Join Marion County CERT Team	Marion County does not host CERT teams	City of Detroit	Discontinue
2017-MH-6	Multi-Hazard	Develop a community education program – such as an all-hazard community outreach forum for students and residents. *	Remove because the 2020 Wildfires saw the city doing emergency response on their own w/o any special training.	City of Detroit	Discontinue

*Identified in Marion County Community Wildfire Protection Plan (Action Plan & Priorities)

**Identified in North Santiam Watershed Drought Contingency Plan (Priority Drought Mitigation Actions)

***Identified in Mid-Willamette Valley Council of Governments Comprehensive Economic Development Study (Appendix C)

#	Hazard	Mitigation Action	Description	Coordinating Organization	Status
2017-MH-7	Multi-Hazard	Expand auxiliary radio capabilities by developing a team of HAM Radio operators for EMS and interested public.		City of Detroit	On-going
2017-DR-1	Drought	Monitor economic impacts on recreation, tourism, and agriculture communities.	Long-term	City of Detroit	On-going
2017-DR-2	Drought	Collaborate with NSWC to complete WMCP's and improve community understanding of water usage and opportunities to increase efficiencies. **	Long-term	City of Detroit	On-going
2017-DR-3	Drought	Collaborate with Detroit Lake Recreation Area Business Association (DLRABA) to create a Detroit Lake Master Recreation Plan focused on economic drought resiliency. **	Long-term	City of Detroit	On-going
2017-DR-4	Drought	Collaborate with local Marina's and DLRABA to excavate marinas and allow for use at low water levels. **	Long-term	City of Detroit	On-going
2017-DR-5	Drought	Collaborate with Detroit Ranger Station to extend boat ramps that are usable year-round. **	Long-term	City of Detroit	On-going
2017-DR-6	Drought	Conduct leak detection surveys for the water system to increase efficiency and prevent further water loss. **	Long-term	City of Detroit	On-going
2017-MH-8	Multi-Hazard	Designate evacuation routes outside of Hwy 22 for EMS.	Long-term	City of Detroit	On-going
2017-MH-9	Multi-Hazard	Collaborate with Marion County to connect to a more resilient regional water/sewer system. ***	Long-term	City of Detroit	On-going
2017-MH-10	Multi-Hazard	Gather community support for the installation of resilient fiber communication infrastructure throughout the community. ***	Long-term	City of Detroit	On-going
2017-WF-1	Wildfire	Collaborate with Detroit Ranger District, ODF, and BLM to conduct fuel hazard reduction along the Wildland Urban interface and Hwy 22. *	Long-term	City of Detroit	On-going
2017-WF-2	Wildfire	Collaborate with ODF and Detroit RFD to develop strategic community fuel breaks. *	Long-term	City of Detroit	On-going
2017-WF-3	Wildfire	Collaborate with ODF and Idanha- Detroit RFD on the North Santiam River acres project to develop defensible space. *	Long-term	City of Detroit	On-going

#	Hazard	Mitigation Action	Description	Coordinating Organization	Status
2017-LS-1	Landslide	Integrate new DOGAMI landslide hazard information into land use zoning/development codes.	Long-term	City of Detroit	On-going
2017-FL-1	Flood	Collaborate with Marion County to survey and assess current culvert infrastructure most susceptible to natural hazards	Long-term	City of Detroit	On-going

Source: City of Detroit, 2022

detroit@wvi.com

From: Epley, Jessica <jessica.epley@ziply.com>
Sent: Wednesday, April 5, 2023 3:49 PM
To: detroit@wvi.com
Subject: RE: Ziplly Fiber Telecom Franchise - Detroit

Kelly:

We have signed a lease with CPI to occupy the conduit through the section of the City that was built underground. When can we move forward with getting the franchise approved?

Sincerely,

Jessica Epley
VP - Regulatory & External Affairs
(M) (503) 431-0458 | jessica.epley@ziply.com



www.ziPLYfiber.com

From: detroit@wvi.com <detroit@wvi.com>
Sent: Tuesday, October 18, 2022 7:29 AM
To: Epley, Jessica <jessica.epley@ziply.com>
Subject: RE: Ziplly Fiber Telecom Franchise - Detroit

Jessica,

That would be great. When can we talk about this?

I am available most of the day today, except from 12:30 – 1pm and will be unavailable after 3 pm.

The rest of the week I will be in the office from 7:30 am to 4 pm except from 12:30 pm to 1 pm.

Thank you,

*Kelly Galbraith, City Recorder
City of Detroit
PO Box 589
Detroit, OR 97342*

From: Epley, Jessica <jessica.epley@ziply.com>
Sent: Monday, October 17, 2022 4:30 PM
To: detroit@wvi.com
Subject: RE: Ziplly Fiber Telecom Franchise - Detroit

ORDINANCE NO. 270

AN ORDINANCE REPLACING AND REPEALING ORDINANCE 211, CITY OF DETROIT'S FRANCHISE AGREEMENT WITH ZIPLY FIBER NORTHWEST, LLC DBA ZIPLY FIBER. (FORMERLY VERIZON NORTHWEST AND FRONTIER COMMUNICATIONS NORTHWEST.)

AN ORDINANCE GRANTING TO ZIPLY FIBER SOMETIMES REFERRED TO AS "GRANTEE", ITS SUCCESSORS AND/OR ASSIGNS, THE FRANCHISE RIGHT AND PRIVILEGE TO PLACE, ERECT, LAY, MAINTAIN AND OPERATE IN, UPON, OVER AND UNDER THE STREETS, ALLEYS, AVENUES, THOROUGHFARES AND PUBLIC HIGHWAYS, PLACES AND GROUNDS WITHIN THE CITY OF DETROIT, POLES, WIRES WHETHER COPPER, FIBER OPTIC OR OTHER TECHNOLOGY, AND OTHER APPLIANCES AND CONDUCTORS FOR ALL TELEPHONE AND OTHER COMMUNICATION PURPOSES; FIXING THE CONSIDERATION TO BE PAID BY SAID GRANTEE UNDER SAID FRANCHISE, THE TERM THEREOF AND THE MODE OF ACCEPTANCE OF SAID GRANT BY SAID GRANTEE, AND DECLARING AN EMERGENCY

THE CITY OF DETROIT, OREGON ORDAINS AS FOLLOWS:

SECTION 1. There is hereby granted by the City of Detroit ("City") to Ziplly Fiber Northwest LLC., its successors and/or assigns, the exclusive right and privilege within said City to place, erect, lay, maintain and operate in, upon, over and under the streets, alley, avenues, thoroughfares and public highways within the said City, poles, wires whether copper, fiber optic or other technology and other appliances and conductors for all telephone and other communication purposes. Such wires and other appliances and conductors may be strung upon poles or other fixtures above ground, or at the option of the Grantee, its successors and/or assigns, may be laid underground in pipes or conduits or otherwise protected, and such other apparatus may be used as may be necessary or proper to operate and maintain the same. In locations where aerial or above ground utility facilities (including aerial cable supports) exist as of the effective date of this Franchise, Grantee shall be allowed to overbuild, upgrade, maintain, replace or add to its existing aerial facilities and supporting structures unless all facilities, in such area have been mandated to be placed underground per a plan as outlined by the City in accordance with ORS 758.210 – ORS 758.270. Grantee shall be allowed to place above ground, in locations approved by the City, its fiber distribution hubs, cross connect/digital subscriber line boxes and other cabinet type facilities that are normally placed above ground.

SECTION 2. It shall be lawful for Ziplly Fiber Northwest LLC, its successors and/or assigns to make all needful excavations and erections in any of such streets, alleys, avenues, thoroughfares and public highways, in said City for the purpose of placing, erecting, laying and maintaining poles or other supports or conduits, for said wires whether copper, fiber optic or other technology and appliances and auxiliary apparatus or repairing, renewing or replacing the same. All work, erections, erections of poles and appliances and laying of wires shall be done in compliance with such necessary rules, regulations, ordinances, or orders now in affect. City will enter discussions with Grantee to achieve acceptable solutions to issues identified by Grantee regarding proposed changes to City ordinances, resolutions, rules or orders whenever such discussions are practicable. Grantee must comply with future City ordinances, resolutions, rules and orders that generally apply to the reasonable management of the safety and use of public rights of way within the City. However, by entering this Agreement Grantee is not waiving its right to challenge or otherwise dispute the legality, validity, or enforceability of any changes to City ordinances, resolutions, rules or orders enacted after the effective date of this ordinance. In addition, this ordinance does not require Grantee to comply with existing or future ordinances, resolutions, rules or orders that conflict with any specific provision of this ordinance or that apply only to Grantee.

The word “necessary”, as used in the paragraph shall mean such rules, regulations, ordinances or orders as the City Council may deem necessary to manage the safety of the right of way and to protect the public and any member of the public residing within the City, who might be affected by any excavation work or installation of the Grantee. Grantee shall furnish to City at least annually a certificate of insurance insuring against the risks of personal injury, bodily injury and property damage in the minimum amounts and coverage provided for by City ordinance as of the effective date of this Ordinance, naming City as additional insured against those risks for any act or omission that is not an intentional wrongful act of City and including the following statement: “It is hereby understood and agreed that this policy may not be canceled nor the intention not to renew be stated until 30 days after receipt by the City, by registered mail, of a written notice addressed to the City of such intent to cancel or not to renew.” When City determines that the nature and performance of Grantee’s work on Property requires separate assurance that the work will be complete or that the work shall be maintained against defects in material or workmanship, after notice and an opportunity to Grantee to cure any defect, City may require Grantee to furnish City a performance or maintenance bond for the estimated value of all work on the Property for the stated interval to insure compliance by Grantee Ziply Fibr Northwest, LLC with rules, regulations, ordinances and orders of the Council relating to its operations within the City as provided for under this section.

Any act done by any contractor or subcontractor contracting with Grantee shall, for the purpose of this franchise, be deemed to be the act of Grantee.

Prior to commencing ordinary construction, extension, or relocation of any of the Grantee’s conduit facilities or pole leads in the streets or public places within the City, the Grantee shall give the City reasonable advance notice by advising the City’s Engineering and Building Department of the location of the proposed construction, extension or relocation for purposes of utility location in accordance with the Call Before You Dig requirements of the Oregon Revised Statutes. Grantee shall obtain approval from the City Engineer prior to commencement of such construction. Permit applications shall be signed by an authorized representative of Grantee and include a map or blueprint, as maintained in the ordinary course of business, showing the location of all proposed excavations, pipes, conduits or other apparatus. Grantee shall not be required to have the map, blueprint or permit application signed or stamped by a registered or professional engineer. Grantee shall not be required to obtain prior approval or provide notice of construction, permit applications or maps/blueprints for 1) Customer service connections/drops, repairs or maintenance that does not require cutting or breaking of the roadway, curb or sidewalk, and 2) Routine maintenance or repair of Equipment, and the installation of new replacement cables or wires on existing aerial facilities, when the installation, maintenance or repair will not impact vehicular traffic by closing or blocking a lane of vehicular travel for more than two (2) hours.

If requested by the City, Grantee shall furnish City with record drawings as maintained in the ordinary course of business showing Grantee’s facilities within the public right of way in a format (electronic or hard copy) acceptable to City and Grantee within 60 days after such work is complete. Drawings shall be certified by an authorized representative of Grantee and Grantee shall not be required to have the drawings signed or stamped by a registered or professional engineer. While it is not anticipated that the furnishing of record drawings would require disclosure of sensitive proprietary information of Grantee, in the event that such sensitive proprietary information is nevertheless included and Grantee requests confidentiality of such information the City will maintain confidentiality of such sensitive proprietary information to the extent permitted under Oregon Public Records Law including, without limitation, ORS 192.502(4).

SECTION 3. Whenever Grantee, its successors and/or assigns, shall disturb any streets, alleys, highways, or other public places for the purposes aforesaid, it shall restore the same to a condition at least equal to the condition which existed prior to construction, unless the City allows Grantee to restore such area to a lesser standard, as soon as practical without unnecessary delay, and failing to do so the City shall have the right

to set a reasonable time within which such repairs and restoration of streets and other public places shall be completed, and to notify Grantee in writing of its time requirement for repair and restoration, and upon failure of such repairs being made by said Grantee, its successors and/or assigns, within the time so reasonably prescribed, the said City may cause such repairs to be made at the expense of said Grantee, its successors and/or assigns after having provided Grantee, its successors or assigns, with written notice and an opportunity to cure. Restoration to the condition that existed before excavation or construction does not require Grantee to restore areas larger than the areas of excavation and construction.

The City may cause the Grantee to relocate, in a like manner, any pole, underground conduit or equipment belonging to the Grantee whenever the relocation is for public necessity, and the cost shall be borne by the Grantee unless such cost is chargeable by law or tariff to another party, necessitated for the benefit of a third party other than the City or for a commercial purpose of the City. Whenever it is a public necessity to remove a pole, underground conduit, or equipment belonging to the Grantee or on which a wire or circuit of the Grantee is stretched or fastened, the Grantee, shall, upon 60 days written notice from the City, meet with City representatives and agree in writing to a plan and date certain to remove such poles, underground conduit, equipment, wire, or circuit at Grantee's expense. If Grantee fails, neglects, or refuses to do so, the City, may remove it at Grantee's expense. "Relocation for public necessity" shall mean removal or relocation to accommodate the construction or reconstruction of transportation roadways that are undertaken and funded by the Oregon Department of Transportation or by the City; it shall not include relocation to accommodate private or third-party construction of public infrastructure that is required as a condition of approval of private property development or redevelopment. When facilities are relocated for aesthetic purposes; for commercial purpose of the City or for the benefit of a third party other than the City, the cost shall be borne by the party requesting relocation. "Third party activity" includes any activity conducted under a site/building development permit issued to a private party pursuant to the city code.

SECTION 4. Nothing in this ordinance shall be construed in any way to prevent the proper authorities of the City from putting in a sewer system, grading, rocking, paving, repairing, altering or improving any of the streets, alleys, avenues, thoroughfares and public highways, within the City in or upon which the poles, wires, or other conductors of said Grantee shall be placed, but all such work or improvements shall be done, if possible, so as not to obstruct or prevent the free use of said poles, wires, conductors, conducts, pipes or other apparatus.

SECTION 5. Whenever it becomes necessary to temporarily rearrange, remove, lower, or raise the wires, cables or other plant of Grantee for the passage of buildings, machinery or other objects, Grantee shall temporarily rearrange, remove, lower or raise its wires, cables or other plant as the necessities of the case require; provided, however, that the person or persons desiring to move any such buildings, machinery or other objects, shall pay the entire actual cost to Grantee of changing, altering, moving, removing or replacing its wires, cables or other plant so as to permit such passage, and shall deposit in advance with Grantee a sum equal to such cost as estimated by Grantee and shall pay all damages and claims of any kind whatsoever, direct or consequential, caused directly or indirectly by the changing, altering, moving, removing or replacing of said wires, cables or other plant, except as may be incurred through the sole negligence of Grantee. Grantee shall be given not less than thirty (30) days written notice by the party desiring to move such building or other objects. Said notice shall detail the route of movement of such building or other objects over and along the streets, alleys, avenues, thoroughfares and public highways and shall bear the approval of the City. Such moving shall be with as much haste as possible and shall not be unnecessarily delayed or cause Grantee unnecessary expense or waste of time. Neither the City nor any of its employees shall be held liable for the consequences of any act done in connection with the moving of a non-City owned building or non-City owned other object or rearrangement of wires or for the cost of rearranging the wires.

SECTION 6. In case it shall be necessary to cut or remove any of the said wires, cables, or other telephone conductors or equipment of the said Grantee, in order to get fire ladders or other apparatus to building during a city conflagration, the City shall not be liable for any damages done to such wires, cables or conductors or equipment.

SECTION 7. Grantee shall indemnify, defend and save harmless the City and its officers, agents and employees from any and all claims, damages, cost and expenses to which it or they may be subjected by reason of any wrongful or negligent act or omission of the Grantee, its agents or employees in exercising the rights, privileges and franchise granted by this ordinance. If both the Grantee and the City are found to be partially liable for damages, the Grantee's liability under this section shall not exceed its proportion of negligence or fault. City shall give Grantee prompt notice of any claim (or advance notice of claim) received by City as to which City seeks indemnity from Grantee and shall tender the defense of any such claim to Grantee. The aforementioned indemnity is not applicable to that which is attributable to or arises from the negligence or willful misconduct of the City and its officers, agents and employees. Neither party may bind the other to a settlement of any such claim or to payment of any of the costs of such claim without the written consent of the party to be bound.

SECTION 8. In consideration of the rights, privileges and franchise hereby granted, said Grantee, Grantee, its successors and/or assigns, shall pay to the City from and after the date of the acceptance of this franchise, and until its expiration, annually, a maximum of 5% per annum of its gross annual revenue for local exchange service rendered subscriber within the city limits, as defined in ORS 221.515 and 401.710, less net un-collectables Payment of said fee shall be made on or before the 1st day of August each and every year for the fiscal year (July 1 thru June 30) preceding, the first annual payment being due on or before August 1, 2023 and such 5% payment made by the Grantee will be accepted by the City from the Grantee, also in payment of any license, privilege or occupation tax or fee for revenue or regulation and in lieu of the free use of construction of telecommunications facilities and equipment or provision of other in-kind facilities or services, or any , registration, franchise application/review/renewal, permit or inspection fees or similar charges for street openings, installations, construction, or for any other purpose now or hereafter to be imposed by the City upon the Grantee during the term of this franchise and provided the Grantee accepts this franchise and makes said payment. All costs and charges associated with a review or audit or the privilege tax payments as specified in this agreement shall be the responsibility of the City. Any audit finding(s) that are mutually agreed to by the parties shall be corrected within 180 days after mutual agreement. Reasonable justification for a review or audit must be provided and mutually agreed upon by both parties. Written notice with reasonable justification for any audit review or other claim shall be provided within three years after the payment has been remitted by Grantee to the City.

SECTION 9. In further consideration of the rights and privileges herein granted, the Grantee, its successor and/or assigns hereby grants, to the City the right and privilege to suspend and maintain on poles placed by Grantee, its successors and/or assigns, in the streets, roads, alleys and thoroughfares, such wires as are necessary for the exclusive use of the City for non-commercial fire alarm and police purposes in accordance with the terms and conditions of Grantee's pole attachment or conduit joint use Agreement and applicable law. Any such wiring installations made and to be made by the City shall be made in conformity to the requirements of all applicable Federal, State and City electrical codes and in conformity with standard practices. City agrees to transfer their facilities, at the City's cost, to new poles placed by Grantee within 30 days of notification

SECTION 10. The rights, privileges and franchise herein granted shall continue and be in force the period of Fifteen (15) years from and after April 11, 2023.

SECTION 11. The Grantee shall file with the Recorder of the City its written acceptance of the rights and franchise hereby granted and the regulations hereby imposed, within sixty (60) days from and after the date when this ordinance shall become effective; and this Ordinance shall become null and void unless such acceptance is so filed. The Grantee shall at all times, fully and faithfully perform all of the terms, provisions and conditions of this Ordinance and all other ordinances and orders of the Council as specified in Section 2 hereof.

SECTION 12 - Ordinance No. 211 is repealed and rendered null and void effective January 1, 2023.

SECTION 13. Emergency Clause.

It being necessary for the peace, health, safety and sound development of the City, an emergency is hereby declared to exist. Upon adoption by the Detroit City Council and upon signature by the Mayor, Ordinance No. 270 shall become effective on April 11, 2023.

First read for the record in full on November 8, 2022

Second reading by title only on April 11, 2023

Passed by the Common Council of the City of Detroit, Oregon and signed by the Mayor this 11th day of April, 2023.

Ayes: _____ Nays: _____ Absent: _____

Mayor, James R. Trett

Attest:

Michelle Connor, City Recorder

Ticor Title Company of Oregon

315 Commercial St SE, Ste 150, Salem, OR 97301
Phone: (503)585-1881 | Fax: (503)370-7915

ESTIMATED BUYER'S STATEMENT

Settlement Date: March 21, 2023
Disbursement Date: March 21, 2023

Escrow Number: 471823122939
Escrow Officer: Laura Thies
Email: Laura.Thies@TicorTitle.com

Buyer: City of Detroit
345 W Santiam Ave
Detroit, OR 97342

Seller: Detroit Lake Foundation, an Oregon non-profit corporation

Property: 345 Santiam Avenue W
Detroit, OR 97342-0035

	\$	DEBITS	\$	CREDITS
FINANCIAL CONSIDERATION				
Sale Price of Property		250,000.00		
Deposit or earnest money				100,000.00
PRORATIONS/ADJUSTMENTS				
County Taxes at \$11,579.97	03/21/23 to 07/01/23 (\$11,579.97 / 365 X 102 days)	3,236.05		
TITLE & ESCROW CHARGES				
Title - Escrow Fee	Ticor Title Company of Oregon	737.50		
Title - Government Lien Search	Ticor Title Company of Oregon	12.50		
Title - Recording Service Fee to Simplifile	Ticor Title Company of Oregon	2.50		
Title - Owner's Title Insurance	Ticor Title Company of Oregon	309.50		
Policies to be issued:				
Owners Policy				
Coverage: \$250,000.00 Premium: \$619.00 Version: ALTA Owner's Policy 2021				
GOVERNMENT CHARGES				
Recording Fees (\$106.00)	Ticor Title Company of Oregon		53.00	
<hr/>				
Subtotals		254,351.05		100,000.00
Balance Due FROM Buyer				154,351.05
TOTALS		254,351.05		254,351.05

I have carefully reviewed the Settlement Statement and to the best of my knowledge and belief, it is a true and accurate statement of all receipts and disbursements to be made on my account or by me in this transaction. I further certify that I have received a copy of the Settlement Statement.

BUYER:

City of Detroit

BY: _____

James Trett
Mayor

To the best of my knowledge, the Settlement Statement which I have prepared is a true and accurate account of the funds which were received and have been or will be disbursed by the undersigned as part of the settlement of this transaction.

Ticor Title Company of Oregon
Settlement Agent

Jim Trett, Mayor
Greg Sheppard, City Councilor
Eric Page, City Councilor
Tim Luke, City Councilor
Michele Tesdal, City Councilor
Todd Smith, City Councilor
Denny Nielsen, City Councilor



City of Detroit, Oregon
City Council Reg Session
Meeting Minutes

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

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

Email: detroit@wvi.com

Michelle Connor, City Recorder

March 14, 2023
6:30 p.m.
345 Santiam Ave W.
Detroit, Oregon

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Meetings of the City Council of Detroit will be broadcast via Zoom, as well as on other form(s) of electronic media as they become available. If you require additional assistance to participate in this public meeting, please contact the City of Detroit at least 48 business hours prior to the meeting (503) 854-3496 or by email at detroit@wvi.com.

- I. Call to Order- Mayor Trett called the meeting to order at 6:31 PM**
- II. Council Roll Call- Present Mayor Jim Trett, Eric Page, Tim Luke, Denny Nielson. The following absent with notice, Greg Sheppard, Michele Tesdal, Todd Smith. Staff present City Recorder Michelle Connor, City Clerk Lindsay Meyer**
- III. Approval of the Agenda- Eric Page made motion to approve the agenda, seconded by Tim Luke, all in favor, motion passes unanimously apart from Greg Sheppard, Michele Tesdal and Todd Smith who are absent with notice.**
- IV. Special Orders of Business-None currently.**
- V. Committee Reports-None Currently.**

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- Andy Westlund address 440 North Santiam Hwy 22. Has

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.

concerns with street lights being removed. Would like to see the street lights stay. Council with look further into this.

Debbie Ruyle- 125 Milgard. Concerns with meeting not being able to heard. Would like the sound issues to be resolved. Council will look into that that.

VII. Resolutions, Orders and Administrative Action

- a. OR 22: Big Cliff Dam – Mongold Slide Project - Paul Welch – Re-top of pavement on Hwy 22 This is being done to help improve the roads. Will be replacing guardrails and extending existing guardrails. Project will be occurring Sunday – Friday 7:00 PM- 8:00 AM. Project is projected to be complete 11/20/23
- b. Detroit Marinas Excavation & Resiliency Project – Lari Rupp- Detroit Lake excavation and resiliency project. This resiliency project’s goal is to maintain a consistent annual summer lake season of May-October. To support the local economy of Detroit. Operations for this would happen during winter months so that it would not impact the summer and marinas.
- c. Planning Commission - Open Vacancy- Application was received from Kate Woodrum to be on planning commission. Motion was made by Denny Nielson to appointment Kate Woodrum to Planning Commission, Seconded by Eric Page, all in favor. Motion passes unanimously apart from Greg Sheppard, Todd Smith, Michele Tesdal who are absent with notice.
- d. Planning Commission Extension Discussion- Planning Commission serves for two years. There are currently members who are passed the two-year mark. Mcrae Carmichael suggested doing an extension. This way things continue to move forward. Eric Page made motion to approve the extension of Planning Commission until the completion of the building code review, seconded by Denny Nielson, all in favor, motion passes unanimously apart from Greg Sheppard, Todd Smith and Michele Tesdal who are absent with notice.
- e. Ordinance 266 Discussion – Mcrae Carmichael-Joined by phone. On 3/9/2023 herself and Kurt Fisher came up to Detroit to do an inventory of RVs they counted 65. Mcrae would like to send out letters to property owners reminding them of the requirements.
- f. City Website/LSK Graphics – Michelle Connor- Michelle spoke with Laurie about her and Lindsay being trained in putting things on and off the website so that things can be kept more up to date.

- g. USDA Community Facility Grant – Commercial Kitchen-Working with the Detroit Lake Foundation with putting in a kitchen. This way it could be used as an evacuation site or an emergency shelter if needed.
- h. Authorization of the Water Treatment Plant Contract – Matt Del Moro- The award for the treatment plant was issued already. The last part is authorizing and having Mayor Trett to sign the contract. Denny Nielson made motion to authorize the signing of the contract for the water treatment plant, seconded by Eric Page, all in favor, motion passes unanimously. Apart from Greg Shepard, Michele Tesdal and Todd Smith who are absent with notice.

VIII. Consent Calendar

- a. Approval of the Minutes of the Detroit City Council – Regular Monthly Meeting, February 14, 2023, and Special Session March 1, 2023
- b. Approval to Pay the Bills – Denny Nielson made motion to approve the consent calendar, seconded by Eric Page, all in favor, motion passes unanimously. Apart from Greg Sheppard, Michele Tesdal, Todd Smith.

IX. Staff Reports

- a. HBH Engineering- No update
- b. City Recorder
- c. City Clerk- No update
- d. Planning- No update
- e. Marion County Sheriff's- No update
- f. USFS – No update
- g. Idanha-Detroit Rural Fire Protection District -No update
- h. North Santiam Sewer Authority – Denny Nielson – The meeting only occurred for discussion in the absence of no Quorum. There are several issues that we are dealing with in terms of policies and procedures.

Councilor's Report

Eric Page- Water department is running smoothly.

Tim Luke- We have heaters and new lights in the city shop. A company is coming up on Thursday to give a bid on insulation in the city shop.

X. Mayor's Report – There are going to flyers going around, a joint work session. It will be held at the Gates fire hall on 3/25/2023. Scotty Alexander will be coming back on 7/29/2023.

XI. Other Business- None

XII. Upcoming Meetings

- a. Regular Session – April 11, 2023 – Detroit City Hall 6:30 PM.

XIII. Adjourn – Tim Luke made motion to adjourn meeting, seconded by Eric Page, all in favor, Mayor Trett adjourned meeting at 7:48 PM.

James R. Trett, Mayor

Michelle Connor, City Recorder