

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 Regular
Session/Public Hearing
Minutes

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August 8, 2023

6:30 p.m.

345 Santiam Ave W.

Detroit, Oregon

View on YouTube & Facebook

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- I. Call to Order – Mayor Trett called the meeting to order at 6:30 PM**
- II. Council Roll Call- Present, Greg Sheppard, Eric Page, Tim Luke, Michele Tesdal, Denny Nielsen, Todd Smith, Mayor Trett, Staff Present City Recorder Michelle Connor, City Clerk Lindsay Meyer**
- III. Pledge of Allegiance**
- IV. Approval of the Agenda- Eric Page made motion for an approval of the agenda, seconded by Tim Luke.**
- V. Special Orders of Business- None**
- VI. 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.

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.

Tina Russell 135 Tumble St. Spoke and gave public comments.

Sandra Kinney- Loader 80 Tumble- Spoke and gave public comments.

VIII. Continuation of Public Hearing for LA 22-01- Mayor Trett reconvened Public Hearing at 6:43 PM

- “NEW” Public Testimony
- Mayor to close Public Hearing

Public testimony was taken during this time.

Mayor Trett closed Public Hearing at 7:55 PM

Discussion-

Michele Tesdal – A question for McRae or for Mr. Shipman. I have heard people questioning why we are updating our code. We already answered how we are paying for it with a grant. How often do cities normally update their code or how often is it recommended? McRae answering A city like the city of Salem is always updating and working on their codes and updating constantly. A city like Detroit and smaller towns we do not see code updates for decades often the resource and the cost of a code update and availability and time just is not available. When it has been updates it has just been specific sections of the code, whereas this is a complete update.

Denny Nielsen- McRae on my own property which is two lots. We have an approved septic tank we have an approved plan for a new cabin, but we are only allowed two bedrooms in that dwelling. Would it be appropriate to bring an RV to our property that would ultimately bring that to three bedrooms, bring us out of compliance with our permits. Mcrae recommends not being out of compliance with any permits. Discussion was had about the different setbacks for homes and Rvs.

Tim Luke- The Cog and planning commission work together and had a meeting. On 4-18-2023 testimony was given. It was my understanding with the small change in the verbiage to change Septic to RV can be pumped. My understanding is the planning commission made the recommendation for the code to stay the same and change that verbiage. We decided in discussion the next meeting to change that counselors had to approve the third and fourth RV, because that is just not our job. You Where concerns about us seeking legal advice and we have done that. We found out that is not applicable unless you are renting the space. My question is why are we continuing down this path when we as a Council have seen the process, the process is to listen to the planning department who we trust and COG our city planner our attorney. To make sure we are following everything. I want to state that I have heard 100 percent of people state code enforcement is the issue. Do you see any issue or liability with keeping the code how it is the way it has been with the small verbiage change. I do not have any legal basis or concern. It is done to benefit the city.

Denny Nielsen- McRae there has been discussion about renting the RV like a VRBO. Question was answered by Mark Shipman. What we see in other jurisdictions is we do not see them specifically allowing the rentals of RVs. RVs in those jurisdictions are intended for private use or family use.

Michele Tesdal- One of the questions was do we need to follow Oregon revised statutes. Mark Shipman answered. Yes, you do but the statutes are silent with respect to what you are doing here so really this is your call. What you are doing is making a policy call essentially for the community and putting that into an ordinance whatever that ordinance is going to look like. Michele Tesdal- Can a homeowner sue the city for allowing a non-permitted use with in a nonresidential zone? I guess they could I do not know how far it would go. Michele Tesdal read Oregon administrative rule 918-650-0005 that gives a definition of a RV park, can an RV park be put in a residential zone? Mark Shipman answered no it cannot. Does the City need to follow our comprehensive plan? Mcrae answered yes. Eric Page You were speaking in terms of RV parks in multi family zones. You mentioned a conditional use permit. Mark Shipman a variance is when you are asking for relief or exemption, Conditional use you are asking the jurisdiction for approval to be able to allow the use to go in. Mcrae spoke more on this a conditional use would be a quasi-judicial decision that would come before the council for review, The neighbors would be noticed and have the ability to comment. Michele Tesdal asked the question if this would be considered a type three application. McRae answered how that process works.

Denny Nielsen- There was someone who spoke about having a larger property, would it be appropriate to use what we just spoke about with a conditional use permit? Mcrae, answering I think the question is the synthesis between what Mark has shared with on Recreational parks, are you all wanting to have standards that would just apply for seasonal RVs and be something a bit narrower, or are you thinking about the state RV standards that you have to get a license through Marion County. Mark Shipman speaking to Denny Nielsen if you would like myself and McRae can come up with a scenario like just using that hypothetical for example. Denny Nielsen spoke on considering the larger properties and considering those ones are maybe different in order to take some of the heat off of the issue.

McRae aske Mayor Trett a question about if the Council is wanting them to take a look at language about one permanent RV and one seasonal RV?

Michele Tesdal- What I heard from the community is that they do not care about the one year around they care about the amount so I would say can we revert back to the current code language. Would it be possible to have the setbacks similar to a house? We also have not talked about we cannot have 100 % gravel lots there is a 20% portion that needs to be yard. Fire victims are protected under ORD 266. We did not have problems with Rvs on our streets because we had full grown trees there and we had houses so you could not put 2 RVs there.

Tim Luke- I think nits important that we have are allowing one RV year around while people rebuild.

Michele Tesdal made motion to continue the request to 9-12-2023 for the Council to consider LA-22-01 for adoption or modification or denial seconded by Denny Neilsen, all in favor motion passes unanimously.

IX. Resolutions, Orders and Administrative Action

- a. Septech Bid for City Park – Tim Luke- I have a bid for septech to do a maintenance schedule for the park restrooms. The filters are plugged at this time. Discussion- Todd Smith would like to see some other bids. Tim Luke made motion to accept the septech bid, seconded by Greg Sheppard. Discussion Eric Page has some concerns about the cost of this bid as it was not specific to a number. I would like to see at least one other company with a bid. Denny Nielsen made motion to table the motion to accept the Septech bid pending another bid from another company, seconded by Eric Page, motion passes unanimously.
- b.
- c. Presentation of the Detroit Marinas Excavation & Resiliency Project & Adoption of Resolution 655 – Lari Rupp and Josh Elliot. We are here today to talk about the resolution so that we can move forward into engineering excavate and move the dirt. The project is fully funded through out the whole process. Eric Page made motion to adopt Resolution 655 seconded by, Todd Smith, motion passes unanimously.
- d. Water Rate Increase & Adoption of Resolution 651 – Matt Del Moro- Eric Page spoke on this. We reworked so numbers. We would end up at 82.00 dollars for residential customers and bumped the usage up to 7,000. For Commercial rate it goes as follows, 120.00, 160.00 and 330.00 with a 10.00 overage. Eric Page made motion to adopt resolution 651 on those numbers, Seconded by Denny Nielsen. Greg Sheppard would like to have a work session about this. His vote is no, 6 yes and one no. Motion passes.

X. Consent Calendar

- a. Approval of the Minutes of the Detroit City Council – Work Session July 11, 2023, Regular Session/Public Hearing July 11, 2023, and Regular Session July 25, 2023.
- b. Approval to Pay the Bills
- c. Eric Page made motion for approval of the consent calendar, seconded by Tim Luke, all in favor motion passes unanimously.

XI. Staff Reports

- a. HBH Engineering – None
- b. City Recorder – We got approval for payment of the Breitenbush Pump station.
- c. Planning - None
- d. Marion County Sheriff – People who are driving their ATV up Breitenbush this is not something that you can do. You will need to trailer your ATV and take it up there that way.
- e. USFS – Michelle King- None
- f. Idanha-Detroit Rural Fire Protection District -None
- g. North Santiam Sewer Authority -None
- h. STR Committee – Nancy Powell- None
- i. City Clerk – Lindsay Meyer- None

XI. Unfinished Business

- a. Ordinance 251 – Parking- on Going
- b. City Hall Rental Fees- On going

XII. Council Reports

Greg Sheppard- Wanted to thank the volunteers that helped with the memorial. The E Forest Ave project could possibly start by next week. We are going to install a light at the end of Melgard Ct. I would like to do dust abatement and crack seal down by mountain high all the way down to Santiam Ave, however the funding for that is just not there.

Todd Smith- The lake level is low. We are working with the Cog and Marion County for enforcement and what that would look like. We are working on it.

Eric Page- Construction has started again at the water plant.

Tim Luke- Bathrooms doors are fixed at the park. A citizen wanted a report on permits in Detroit.

Denny Neilsen- Dual propane tanks and road fencing and emergency tower. The money for the fencing and tower is FEMA money and it needs to be spent by December.

Michele Tesdal- Sierra design group Denny and myself meet with the group every two weeks. We are working to include the park.

XIII. Mayor's Report – LOCC asked me to come and speak about Detroit's experience with what had happened here.

XIV. Other Business - None

XV. Upcoming Meetings

a. City Council Regular Session August 22, 2023 – Detroit City Hall 6:30 PM.

XVI. Adjourn – Tim Luke made motion to adjourn meeting, seconded by Michele Tesdal Mayor Trett adjourned the meeting at 9:17 PM



Mayor, Jim Trett



City Recorder, Michelle Connor