

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

Zoom Meeting
ID: 859 9571 8577
Pass: 526129



City of Detroit, Oregon
City Council Reg Session &
Public Hearing Minutes
Supplemental Budget Hearing

November 12, 2024

6:30 p.m.

345 Santiam Ave W.
Detroit, Oregon

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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, Todd Smith, Denny Nielsen, and Mayor Trett. Staff Present Michelle Connor City Recorder, and Lindsay Meyer. City Clerk
- III. Pledge of Allegiance**
- IV. Approval of the Agenda** Denny Nielsen made motion to approve the agenda, seconded by Eric Page. All in favor. Motion passed unanimously.
- V. Special Orders of Business- None**
- 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. **15:15 – Resilient Headwaters Presentation – John Paul Bowles-** went over what concepts they have been discussing for the past year. The concepts that were discussed were the following items. Rebuilding outdoor recreation that will benefit the communities along the canyon.

VIII.

- IX. **Public Comments-** None

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.

- X. **Public Hearing LA 24-01 – Downtown Design Standards -** Mcrae Carmichael- entered staff report into record. The following items were discussed. Glazing on the businesses in the downtown district. The height of the businesses in the downtown district. Drive thru and drive ins. Mayor Trett closed the City Council meeting and reopened public hearing for LA-24-01- the public meeting was opened at 6:49 PM. Christine Rasmussen spoke about Detroit Ave; she talked about her concerns with only having pedestrian traffic only in the downtown district. She is against restricting traffic and is for drive ups, and I like for that to be known that I am not for putting restrictions in the downtown area. Mayor Trett closed the public hearing at 6:51 and reopened the Council meeting at 6:51 PM. Discussion was had about the following- drive thru and restrictions with temporary structures and conditional uses to permit Drive Thru in the Detroit Avenue N in the overlay zone.

Adoption of Ordinance 275 - Legislative Amendment to the Detroit Development Code. At this time a motion was made to adopt ORD 275 LA-24-01 with the correction to section 2.3.3 W to permit DT establishments in the Detroit Ave corridor overlay under conditional use. Yes- 5 No 2- Greg Sheppard and Tim Luke voting no. It was asked if the motion could be rescinded that way it can be reopened on discussion. All in favor of rescinding the motion all were in favor of rescinding and a new motion was made for the following we are voting to amend section **2.3.3.W**, further discussions , no – 1 Greg Sheppard voting no. Yes 6. Discussion was had about parking, and how there are not any limitations on parking. A motion was made on the legislative amendment by Michele Tesdal recommending the proposed code change in A,B,C, D,E., seconded by Denny Nielsen. A first reading will still need to be done, we can do the 1st and 2nd reading in December . All in favor motion passes.
a. **57.44**

- XI. **Supplemental Budget Hearing – Michelle Connor** Mayor Trett opened the public hearing on the supplemental budget, it was closed at 7:40 PM, City Council meeting was then reopened at 7:40 PM.

- a. Adoption of Resolution 671 – A Resolution Creating New Budget Line Items to Accept Business Oregon Funds. Motion was made by Eric Page to adopt Res 671 seconded by Todd Smith, all in favor motion passes unanimously
- b. Adoption of Resolution 672 – A Resolution Adopting a Supplemental Budget for Changes to Fiscal Year 2024-2025 Adopted Budget
Motion was made by Denny Nielsen, to adopt Res 672 and changes to the supplemental budget for changes to fiscal year 2024-2025, seconded by Eric Page, all in favor motion passes unanimously.

XII. Resolutions, Orders and Administrative Action

- a. Oregon Implementation Plan for NFIP-ESA Integration – Mcrae Carmichael- McRae went over what FEMA pushed out as model code. There are 47 properties that are along the lake. There are three options that you can adopt, Eric Page made motion to adopt implementation plan, option #2 seconded by Denny Nielsen, all in favor.
- b. City Paid Porta Potty Discussion – Denny Nielsen- This will be discussed at a work session. To be discussed further before the next season.
- c. City Website Discussion – Eric Page- Just wanting to bring this up in discussion this will be discussed further at a work session.
- d. IT Proposals – Michelle Connor- went over the two proposals that were given. One was from Keizer and the other one was from a suggestion of Hear no Evil. The IT proposals will be discussed further at a work session.

XIII. Consent Calendar

- a. Approval of Minutes from the Detroit City Council Meeting, October 8, 2024.
- b. Approval to Pay the Bills- Denny Nielsen made motion to approve the consent calendar, seconded by Eric Page, all in favor motion passes unanimously.

XIV. Staff Reports

- a. Ordinance & Community Engagement Officer – Kellie Ryan- please see attached.
- b. HBH Engineering - Matt Del Moro- None
- c. City Recorder – Michelle Connor- Still working on the audit.
- d. Planning – Mcrae Carmichael- There could be federal or state monies that could assist with what Resilient Head Waters was talking about. I would like to know how the meeting goes with the county
- e. Marion County Sheriff – None
- f. USFS – Michelle King- None
- g. Idanha-Detroit Rural Fire Protection District – Fred Patterson- None
- h. North Santiam Sewer Authority – Denny Nielsen- application for commercial septic grants are due 12-1-2024. If there is a failure to apply there will be the burden of the property owner.
- i. City Clerk – Lindsay Meyer- letters have been sent to property owners whose addresses were addressed at the last council meeting in November. In regard to hazard trees.

XI. Unfinished Business- None

XII. Council Report Greg Sheppard – waiting to hear back about the small city allotment grant for 2nd and 3rd street. A dead tree did fall and was on Santiam Avenue this week. With the weather we will see more trees falling .

XIII. Eric Page Both skids are now in the new treatment plant. We are in the process of building a small cage that will go into the Makey Creek that will help with the Debre. It was discussed pump for Britenbush pump that needs to be repaired. The numbers that we voted on at the last meeting have changed (\$19,393.00) . We do not have a contract yet from Stettler’s supply. It was discussed that we will have a special session to vote on this, because of the cost changing. The original cost was \$19,393.00 that has now increased to \$21,500.00. A work session will be held to vote on this because the price change.

Tim Luke.- Please see attached.

Michle Tesdal- DLF is covering cost for the Redwood tree for the transport and planting. We have had two park meetings. There is a meeting on 11-17-2024 about mapping. The goal is to have everyone set and ready to go for the next planned meeting in Nov 30th. It is a full day meeting. Justin has had two park meetings so far. There are two grants we are looking at. We have discussed walkways in the park and trees and shrubs. Michele brought up doing work sessions so that things can be discussed.

Todd Smith- Nothing New

Denny Nielsen- I should indicate for the record that I sent letters to our federal representatives as well as our state representatives in regard to our lake level activities.

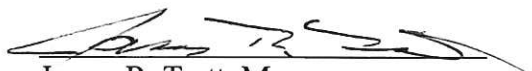
XIV. Mayor’s Report I attended a small city meeting for the Mid-Willamette valley area in Jefferson we spent time talking about different issues in different cities.

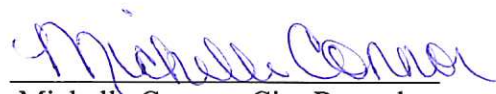
XV. Other Business- It was discussed about having a work session and discussion was had about the new IT needs and how it will need to be put in place before February, as our current provider will no longer be providing The City will their services.

XVI. Upcoming Meetings.

a. Regular Council Meeting – December 10, 2024 – Detroit City Hall 6:30 PM.

XVII. Adjourn Todd Smith moved to adjourn the meeting, Seconded by Denny Nielsen, all in favor.


James R. Trett, Mayor


Michelle Connor, City Recorder

November 12, 2024 | Detroit City Council Meeting Discussion Summary re: Incident Report at 110 Guy Moore

XII. Staff Reports

a. Code and Ordinance Enforcement & Community Engagement Officer – Kellie Ryan

Ms. Ryan provided an introduction and a brief report. Ms. Ryan explained there are pending issues re: properties which received citations for ‘violating a stop work order’. Ms. Ryan stated these cases are scheduled for municipal court in December 2024.

Ms. Ryan indicated she submitted an incident report on October 28, 2024, and read the following into the record:

“On Friday, October 25, 2024, the City of Detroit, per COG, issued a ‘stop work order’ for the property on 110 Guy Moore. The property did not have an access permit, or a grading permit and intensive work was being done. COG gave specific instructions to the property owner on Friday, that no further work was to be done.

On Saturday, October 26, 2024, I visited the property to follow up on multiple complaints concerning work actively being done on the property after a ‘stop work order’ was issued by the City, per COG. I was on site to issue a citation after viewing multiple videos submitted by concerned neighbors proving such work.

When I arrived at the property, a gentleman was actively running heavy equipment. I asked to speak with him and after a 45-minute visit, he led me to believe that he and the property owner had subsequently spoke with COG and had permission to continue work after the ‘stop work order’. This gentleman also indicated that COG had sent an email to the City Recorder asking the City to lift the ‘stop work order’.

He mentioned he was doing the work for his ‘buddy’ who owned the lots. He indicated that I had just missed the property owner so I requested he call him and put him on speaker phone. Both he and the property owner claimed they had spoken with COG and there was an email giving them permission to continue work from COG.

At that point, I explained to both people that I needed to verify the truth. Neither party could produce the email.

When I contacted the City Recorder and COG to verify their claims, it was absolutely untrue. COG never told them by way of a conversation nor email that work could continue after the 'stop work order'.

I am submitting this report because I was misled, and lied to in order to ignore a 'stop work order' and a citation for such. "

Ms. Ryan added that DEQ received a subsequent complaint concerning construction activity at 110 Guy Moore and this complaint was investigated by DEQ on November 5, 2024. After DEQ confirmed this activity in-person, DEQ cited the property owner for violation of ORS 468B.050 (1)(a), and Class 1 violation per OAR 340-012-0055 (1) (d).

Ms. Ryan concluded her report.

XIV. Council Reports:

Councilor Luke addressed Ms. Ryan's Incident Report stating "she left a lot out of the letter I received at the desk, which named me and I would like to go on record with this letter". Councilor Luke read the following out loud:

"On Friday, October 25, 2024, the City of Detroit, per COG, issued a 'stop work order' for the property on 110 Guy Moore. The property did not have an access permit, or a grading permit and intensive work was being done. COG gave specific instructions to the property owner on Friday, and no further work was to be done.

On Saturday, October 26, 2024, I visited the property to follow up on multiple complaints concerning work actively being done on the property after a 'stop work order' was issued by the City, per COG. I was on site to issue a citation after viewing multiple videos submitted by concerned neighbors proving such work.

When I arrived at the property, Councilor Tim Luke was actively running heavy equipment. I asked to speak with him and after a 45-minute visit, he led me to believe that he and the property owner had subsequently spoke with COG and had permission to continue work after the 'stop work order'. Councilor Luke also indicated that COG had sent an email to the City Recorder asking the City to lift the 'stop work order'.

Councilor Luke mentioned he was doing the work for his 'buddy' who owned the lots. He indicated that I had just missed the property owner so I requested he call him and put him on speaker phone. Both the property owner and Councilor Luke claimed they had spoken with COG and there was an email giving them permission to continue work from COG.

At that point, I explained to both the property owner and Councilor Luke that I needed to verify the truth.

When I contacted the City Recorder and COG to verify their claims, it was absolutely untrue. COG never told them by way of a conversation nor email that work could continue after the 'stop work order'.

I am submitting this letter because I was misled and lied to by Councilor Luke. In my official capacity, I report to the City Council on which he is a seated member. I feel it very unethical for a Councilor to mislead and lie to a City employee in order to ignore a 'stop work order' and a citation for such.

Respectfully,
Kellie Ryan-Whiting

Councilor Luke then provided the following testimony:

"There are multiple misstated and inaccurate accusations in this letter. It is clearly liable defamation of character, and its egregious act will be actively pursued by me."

"I also would like to read an email from McRae Carmichael who issued the 'stop work order' that said: *in my conversation with Jim they shared they were not moving any dirt within the slope bank on the eastern portion of the property. They were finishing clearing some blackberry brush and fallin trees. They were going to finish filling some holes that were created from removal of trees and the work was done. I said it seemed reasonable for him and to not move any dirt on the slope or do other significant work just to finish what was already in process up there.*

Councilor Luke continued:

"Which states this accusation of me lying and so forth was untrue and I was standing there when Jim Carleton and Jake Taylor were on speaker phone with McRae Carmichael and we verified and

we would have never continued ever nor did we try to work through a 'stop work order' or otherwise."

"There has been from the start of this situation egregious mistakes made by our city staff, by our county, by accusations of hazard trees that are not and will be proven that are not on these peoples property. I, as the building commissioner, came to verify this. I actually took Kellie up and had her stand on the property corners, showed her an ONYX map, showed her everything that there were no hazard trees that they had been fined for on this property and it was an unbelievable aggravating situation from the start that no one ever intended to do anything wrong and I would like to add that the people that are being accused of these things and so forth the property owners are literally fed up. They want nothing to do with the lack of knowledge, experience, professionalism of this City and situation. And I am asking for this to be entered into record and that's all I have to say."

No additional comments or testimony was provided during the meeting re: 110 Guy Moore Incident Report dated October 28, 2024.