



**CITY COUNCIL MEETING MINUTES ~ APPROVED
AUGUST 13, 2015 AT 7:00 PM**

City Hall ~ 82877 Spruce St., Westlake, OR

These proceedings of the Dunes City Council were recorded and are on file at Dunes City Hall. Upon approval by the City Council, these minutes will be available online at www.DunesCity.com

1. CALL TO ORDER

Mayor Rebecca Ruede called the August 13th meeting of the Dunes City Council to order at 7:00 pm.

2. ROLL CALL

Roll Call was taken by City Administrator/Recorder Fred Hilden.

Present: Mayor Rebecca Ruede, Council President Jamie Mills, Councilor Ed Scarberry, Councilor Ken Platt, Councilor Maurice Sanders, Councilor Duke Wells, and Councilor Sheldon Meyer.

Also Present: City Administrator/Recorder Fred Hilden, Administrative Assistant Rapunzel Oberholtzer, Dunes City resident Dr. Peter Howison, and Cindy and Robert Forsythe.

3. PLEDGE OF ALLEGIANCE

All who were present stood for the Pledge of Allegiance.

4. APPROVAL OF THE AGENDA

Council President Mills made a motion to approve the Agenda. Councilor Scarberry seconded the motion. The motion passed by unanimous vote.

5. CONSENT AGENDA

Councilor Scarberry made a motion to approve the Consent Agenda. Council President Mills seconded the motion. The motion passed by unanimous vote.

6. ANNOUNCEMENTS / CORRESPONDENCE

Mayor Ruede read aloud the list of announcements from the meeting Agenda.

- A. The Communication and Education Committee is planning Expo for Saturday, August 22nd that will focus on Septic Maintenance Education, Maintaining a Safe Drinking Water Source and Emergency Preparation.

Mayor Ruede thanked Council President Mills for all of her work in putting the Expo event together.

- B. Dunes City is seeking artists and photographers who would like to display their art in the Council Chambers. Interested parties are invited to contact City Hall.
- C. Volunteers are needed to fill three Budget Committee openings, one Communication and Education Committee opening, one Ordinance Review Committee opening, one Parks and Recreation Committee opening, one Planning Commission opening, two Road Commission openings, two Water Quality Committee openings, and one opening for a Water Tester on Siltcoos Lake.
- D. August Birthday wishes to Administrative Assistant Linda Stevens on the 3rd.

Mayor Ruede invited everyone present to stay for birthday cake after the meeting.

7. CITIZEN INPUT

Mayor Ruede recognized Dunes City resident Dr. Peter Howison who signed in to provide comments.

Dr. Howison spoke to the Sister City relationship between Dunes City and Dunes, France, explaining that the relationship began six years ago with a visit to Dunes City by Jean Pierre Benech, the Dunes barber and a huge fan of the USA. After Mr. Benech's visit the City Council passed a Resolution formally establishing a Sister City relationship with Dunes, France. Dr. Howison went on to explain that he and his wife have visited Dunes twice since then and were planning a third visit in early September. He noted that the Sister City relationship is very important to the people of Dunes and he thanked the current Councilors for continuing the relationship.

Dr. Howison was presented with an Oregon Dunes Triathlon and Duathlon T-shirt, hoodie and hat to take with him give to the people of Dunes. Councilor Sanders offered to pay for the hoodie. Pictures were taken of the Council with the Dunes official flag on display in front of the dais; Dr. Howison will also take some photos with him. Mayor Ruede noted that she prepared a letter to the Mayor of Dunes reaffirming the Sister City relationship and she would read its contents during her report to the Council.

Mayor Ruede recognized Cindy Forsythe who remarked that she was not yet a resident of Dunes City but was planning to build a house in Dunes City and hoped to be a resident soon. She stated that she was present to address an ongoing issue concerning roads that were part of the Tsiltcoos Lake Club plat from 1908. She explained that the roads were never developed and Lane County eventually foreclosed on the roads due to nonpayment of property taxes. She went on to explain that one of the platted roads is near the property she and her husband are developing and she would like clarification of the status of the road which is owned by the County but is not considered a county road and is not a road over which Dunes City has any jurisdiction because it does not actually exist—it is a road drawn on the plat map. She went on

to say that she would like the Council to address the issue of these platted roads because it has been an ongoing issue for many, many years.

Mayor Ruede recognized Robert Forsythe who also signed in to provide comments. Mr. Forsythe explained that the property he and his wife own is the southwestern acre and a half that is adjacent to Darlings Resort on the south end of North Pioneer Road. He thanked the Councilors for their service to the community.

Councilor Sanders asked Mr. Forsythe to clarify the location of the road in question. After Mr. Forsythe did so, Councilor Sanders disclosed that he personally was in the same situation with respect to a platted road.

8. UNFINISHED/OLD BUSINESS

A. Staffing Options

City Administrator/Recorder Hilden provided an update on this subject which, Mayor Ruede noted, was discussed at previous meetings and is not an easy subject to resolve. He explained that he has talked with a representative from the Oregon Bureau of Labor who confirmed that Dunes City can not opt out of the PERS program or request an exemption. He went on to add that he plans to have a matrix of payroll options to present and discuss during the Council meeting in September.

Mayor Ruede noted that this same subject was discussed at the Mayor's Conference and is a hot topic for other small cities without tax bases, like Dunes City. She went on to point out that it may be time for the City to think outside the box to come up with ideas for payroll City Staff. Councilor Sanders asked for clarification of the matrix idea. City Administrator/Recorder Hilden explained that the idea is to show a breakdown of job function, what tasks need to be done, and the cost of getting those tasks done. He added that he planned to have the information for the next Council meeting. Mayor Ruede noted that it may take more than one meeting to come to a resolution and decision.

Councilor Wells remarked that one of the duties of a Councilor is to keep the budget under control and the City Administrator has been doing a good job of helping with that while also juggling work requirements with limited Staff. He went on to add that, in his opinion, it is important to have a rewarding work environment for Staff so there isn't the Staff turnover the City used to have and its related impact on the budget.

Councilor Meyer noted that PERS has some options for part-time and full-time employees. City Administrator/Recorder Hilden pointed out that as far as PERS is concerned, if an employee works 600 hours a year, the employer must pay into PERS.

B. First Annual Communication and Education Committee Expo

Council President Mills announced that the Expo is scheduled for Saturday, August 22nd, from 10:00 am to 3:00 pm. She reported that a fire truck and an ambulance will be on dis-

play, the Masons will have a table set up for providing child and senior IDs, the Fire Chief will give a presentation on protecting a home from wildfire, Frank Nulty from CERT will provide talks on several different subjects, and Senator Roblan will give a talk about issues that have been addressed by the State Legislature during the last session. She also announced that Jackie Fern of DEQ will be on hand with septic maintenance and well maintenance information, free food, water and soft drinks will be available and there will be door prizes.

Council President Mills went on to thank the volunteers who have helped make the event a reality: Keith Garvey, Frank Nulty, Ken Pesnell, Councilor Ken Platt, and Councilor Sheldon Meyer.

C. Siuslaw School District Construction Excise Tax

Mayor Ruede noted that this subject had been discussed at prior Council meetings. City Administrator/Recorder Hilden provided an update explaining the he was working with Wendy Farley from the City of Florence and planning to approach the Siuslaw School District Board jointly to negotiate amendments to the Intergovernmental Agreements giving both Florence and Dunes City an increase in the percentage of the Construction Excise Tax they keep. He reported that he expects the issue to be resolved before the September Council meeting.

D. Emergency Generator Update

City Administrator/Recorder Hilden reported that the funding to install the generator and propane tanks has been in place for some time but the issue that has been delaying installation is that the location for them would actually encroach on a piece of property that is not owned by Dunes City. He went on to note that he has been trying to resolve that issue for some time without success but has recently talked with the appropriate party and is anticipating a positive outcome in the very near future. He also reported that Administrative Assistant Linda Stevens has scheduled a work crew to clear the area for the generator and around City Hall and the City has been able to secure a vendor to provide propane tanks at about half the cost originally quoted.

City Administrator/Recorder Hilden mentioned that Councilor Platt planned to order propane tanks for himself at the same time the City orders theirs so the order will qualify for free delivery, saving the City a couple of hundred dollars. He said he thought the entire project should be completed before the September Council meeting. Councilor Sanders expressed concern about the fact that a City Councilor would piggyback his tank order on the City's order and asked City Administrator/Recorder Hilden for an explanation of the arrangement. City Administrator/Recorder Hilden explained that the City is ordering four tanks; six tanks is the number to qualify for free delivery and Councilor Platt's order for two makes the total order six tanks. Otherwise, there is no cost benefit to Councilor Platt on his purchase and the City is not benefitting other than with free delivery. Councilor Sanders asked whether other citizens were offered the opportunity to participate in a group purchase, noting that from an ethical standpoint there could be a potential issue if not.

Councilor Sanders suggesting contacting the Ethics Commission before moving forward with the purchase. Mayor Ruede agreed.

Councilor Platt explained that he planned to purchase two tanks for himself and while talking to City Administrator/Recorder Hilden learned about the free delivery on an order for six or more tanks. He offered to add his order to the City's so that the City could save the \$200 delivery charge, but he was fine with placing a separate order.

Mayor Ruede noted that the emergency generator project has been in the works for several years and it behooves the City to move forward with the property line issues and the purchases to make sure all of the processes come together for a successful outcome and installation.

9. NEW BUSINESS

A. Resolution Series 2015, No. 4 (8/13/2015) – Playground Lot

City Administrator/Recorder Hilden explained that in 2013, the Dunes City Council approved a motion to quitclaim parcel 19-12 27-30, Lot 700 to Lane County. The lot, which is designated as a playground, was given to Dunes City by the City of Florence in 1985 but is actually outside of the Dunes City city limits and Urban Growth Boundary. At the time Dunes City offered the land to Lane County, the County did not act to accept it. He went on to explain that the County, pursuant to a request from Cedar Dunes who owns the neighboring lots, has now come forward to request that the City quitclaim the land to the County via a City Resolution.

Mayor Ruede read the Resolution aloud by title only:

*A RESOLUTION TO RELEASE AND QUITCLAIM TO LANE COUNTY, OREGON,
THAT DUNES CITY PARCEL OF LAND IDENTIFIED ON LANE COUNTY
ASSESSOR'S MAP AS TAX LOT NO. 19-12-27-30-00700*

Councilor Sanders made a motion to adopt Resolution Series 2015, No. 4 dated 8/13/2015. Council President Mills seconded the motion. The motion passed with six votes of aye, no nays, no abstentions, no absences and no vacancies.

B. Lane County Request Regarding Tsiltcoos Lake Club Plat

Councilor Sanders disclosed a potential conflict of interest due to the fact that he owns property that would have direct benefit if the platted roads in question were declared local access roads by the County, given to the City or the City vacates the roads to property owners. He declared that he could not participate in ensuing discussion and stepped down from the dais.

Mayor Ruede remarked that the issue was a complicated one and went on to summarize the current situation: The County wishes to vacate the roads to the City; if the City agrees,

what would the City do with the roads—automatically give the roads to adjoining property owners or give the roads upon request of adjoining property owners. She suggested discussion of the issue and possible next steps.

Council President Mills noted that there are existing problems with the road easements in several different areas but she could not see that the City should take the roads as City roads, but should leave them in private ownership. She explained that if the County gave the roads to Dunes City, the City would not pay taxes on the platted land but could not afford to maintain all of the roads unless some property owners came forward to maintain portions. She went on to note that she was in favor of looking at each of the roads individually and pointed out that South Cove and Kendall Lane are both at least partially paved and are considered private roads, but should possibly be City roads if the City paid for paving.

City Administrator/Recorder Hilden explained that South Cove is a private road maintained by the Homeowners Association. He went on to add that part of the complicated issue in this case is the private, undeveloped roads such as the one adjacent to the Forsythes', which they are interested in having vacated so that they can acquire it and make it part of their property. He noted that the vacation process costs money and City Staff time and added that he would prefer to see those costs absorbed by Lane County rather than Dunes City.

Mayor Ruede pointed out that the letter from the County Property Manager stated that the County could not designate the roadways as Local Access Roads unless the City concurs. There was some discussion about which roads are in question, during which City Administrator/Recorder Hilden referred to the map provided by the Property Manager showing the platted roads blacked out. He went on to point out that most of the roads have never actually been developed but exist only on a plat map.

Council President Mills requested clarification of the process to vacate land. City Administrator/Recorder Hilden explained that it involved Staff time and also required recording with the County. Mayor Ruede asked if there was any benefit for the City to keep the roads as future developable roads. Councilor Meyer suggested taking more time to gather more information and time to think about the issue. Mayor Ruede noted that City residents might want to provide input on the issue and the Council has an obligation to consider that input. Council President Mills suggested looking into the possibility of acting on a road vacation only when a property owner requested it for purposes of purchasing that property. Council President Mills also noted that on older plat maps roads were mapped for development purposes but, over time, the development process and land use codes may have changed (such as the City requirement for a one-acre parcel per house) so those roads may no longer be necessary. Councilor Scarberry asked if the City road vacation process would be considered a land use change. City Administrator/Recorder Hilden pointed out that the question is whether or not the City would accept the County's Local Access Roads and, if so, what the City would do with those roads. He noted that road vacations may require public hearings, according to Dunes City Code.

It was generally agreed by all that more information is required in order to make a decision. Mayor Ruede suggested contacting the Dunes City Attorney about possible options before taking further action on the issue. City Administrator/Recorder Hilden was asked to make an initial call to the City Attorney for advice on next steps and report back.

Councilor Wells suggested the possibility that, if the City acquired the platted road property and determined that there was no use for it as a road in the future, the City could offer to sell it to adjoining property owners—if that is an option.

There being no other comments, Mayor Ruede suggested tabling further discussion until the next meeting and requested that the subject be placed on the Agenda for September as Old Business.

C. Request for Quote – City Hall Siding Replacement

Mayor Ruede directed Councilors' attention to the Request for Quote for Siding Replacement included in their meeting packets. City Administrator/Recorder Hilden explained that the RFQ was included in the meeting packets so that Councilors would have an opportunity to review it before it was published. It was agreed by all that the City Administrator/Recorder should move forward with releasing the RFQ.

10. REPORTS

Mayor's Report: Mayor Ruede reported that she attended the Mayors Summer Conference in Cottage Grove July 30 – August 1. The Mayor of Cottage Grove was a gracious host and the City provided a bohemian mining and gold rush themed conference, including an honor guard from the local Cub Scouts. About 160 people attended, about 85 of them mayors. About 15 State agencies were represented, reporting increased budgets for staffing. Nine people from the governor's office also attended, as did mayors from Florence, Yachats, Veneta, and Reedsport—Mayor Ruede took time to promote the next Oregon Dunes Triathlon and Duathlon, hoping to garner additional local support from the area. Mayor Ruede noted that this year marks the sixth anniversary of the Sister City relationship with Dunes, France. To mark the occasion she wrote a letter to the new mayor of Dunes reaffirming the relationship. She read the letter aloud, noting that it would be hand delivered by Dr. Peter Howison when he visits there in September:

*Maire Alain Alary
Mairie de Dunes
Place des Martyrs
82340 Dunes*

*Re: City of Dunes City, State of Oregon, United States of America
Resolution Series 2009, No. 1 (9 July 2009)*

On this sixth anniversary of our city's Resolution to establish a formal Sister City relationship with your city, it is our privilege to confirm that ongoing relationship between Dunes City, Oregon, and Dunes, France.

We fondly remember the visit of your citizen Jean-Pierre Benech to our city in 2008. The Howisons' visits to your beautiful city in 2009 and 2012 have, in return, brought back to us the warmth and friendship of the citizens of Dunes.

The Dunes City Council and the citizens of Dunes City, Oregon, acknowledge the value of this ongoing relationship to both cities. As Mayor of Dunes City, I am pleased to hereby reaffirm our desire to continue our Sister City relationship with the City of Dunes, in Tarn-et-Garonne in the Midi-Pyrenees region of France.

Communication and Education Committee Report: Council President Mills reported that the Committee members have been working on the Expo. She also reported that she is working on the next edition of the newsletter and is looking for ideas or articles to include.

Ordinance Review Committee Report: Council President Mills reported that the Committee did not meet.

Community Center Report: Councilor Wells thanked Administrative Assistant Linda Stevens for all of her work this past month in coordinating the work crew to do clean up outside of City Hall and put in the concrete pad for the emergency generator and propane tanks.

Conservation Committee Report: Councilor Platt had no report.

Parks and Recreation Committee Report: Councilor Scarberry reported that the next quarterly meeting of the Committee is scheduled for next week. There was some discussion about how to take care of the tree limbs overhanging the Overlook area. Councilor Wells volunteered to take a look at them to see if he could remove them. However, it was agreed that the City Administrator should hire a professional specialist to do the work.

Road Commission Report: Councilor Sanders reported that Mike Clifton was sworn in as a new Road Commissioner during the July meeting and Commissioner Harris announced his resignation from the Commission. He also reported that the road work on Russell Drive and Rio Drive is scheduled to begin about August 17. Councilor Sanders, as Road Commission Chairman, authorized the City Administrator to hire a contractor to remove the hazardous tree limbs at the Overlook. Mayor Ruede pointed out that there is a tree obscuring the Pacific Avenue sign.

Water Quality Committee Report: Councilor Meyer provided a copy of the water quality report for the current month in the Councilors meeting packets. He reported that test results remain good for this time of year.

Emergency Services Report: City Administrator/Recorder Hilden reported that he attended the July 20th WLEOG meeting held at the Greentrees Village Clubhouse. He also reported that he and Council President Mills have both been very busy working on the local Emergency Operations Plan and working with the County on a countywide Plan.

City Administrator/Recorder/Planning/Staff Report: City Administrator/Recorder Hilden reported that permit activity decreased in July compared to June. He also reported that Staff has

completed work on the Planning Commission's changes to Chapter 157 and the DLCD notification will be done shortly. Work began in July to close the books on fiscal year 2014-2015 in preparation for the audit/review process. He noted that he presented an updated septic maintenance compliance report to the Woahink Lake Association and that Administrative Assistant Linda Stevens attended an Oregon Water and Wastewater Infrastructure Finance Workshop in Newport, returning with lots of helpful information. He went on to point out an electrical repair expense on the Bills of the Session which was for fixing circuits for smoke detectors and emergency exit lights.

11. FOR THE GOOD OF THE ORDER

Councilor Meyer distributed copies of a USDA brochure describing Scotch broom and other nonnative plant eradication methods. He asked Councilors to read it in preparation for future discussions about eradicating Scotch broom in Dunes City. Mayor Ruede suggested making the discussion an Agenda item for the September meeting.

12. ADJOURNMENT

Mayor Ruede requested a motion for adjournment. Councilor Sanders made the motion to adjourn. Councilor Scarberry seconded the motion. There was no vote taken.

Mayor Ruede adjourned the meeting at 8:18 pm.

APPROVED BY THE DUNES CITY COUNCIL ON THE 10th DAY OF SEPTEMBER 2015.

[Signed copy available at City Hall]

Rebecca Ruede, Mayor

ATTEST:

[Signed copy available at City Hall]

Fred Hilden, City Recorder