



**CITY COUNCIL MEETING MINUTES ~ APPROVED  
DECEMBER 10, 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](http://www.DunesCity.com)

**1. CALL TO ORDER**

Mayor Rebecca Ruede called the December 10<sup>th</sup> meeting of the Dunes City Council to order at 7:00 pm.

**2. ROLL CALL**

Roll Call was taken by Interim City Administrator/Recorder, Jamie Mills.

**Present:** Mayor Rebecca Ruede, Council President Maurice Sanders, Councilor Sheldon Meyer, Councilor Duke Wells, and Councilor Ed Scarberry.

**Absent and Excused:** Councilor Ken Platt. (There is one vacancy on the City Council.)

**Also Present:** Interim City Administrator/Recorder Jamie Mills, Administrative Assistant Rapunzel Oberholtzer and several citizens.

**3. PLEDGE OF ALLEGIANCE**

All who were present stood for the Pledge of Allegiance.

**4. APPROVAL OF THE AGENDA**

**Councilor Scarberry made a motion to approve the Agenda. Councilor Wells seconded the motion. The motion passed by unanimous vote.**

**5. CONSENT AGENDA**

**Councilor Scarberry made a motion to approve the Consent Agenda. Councilor Wells 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. We have many volunteer openings on various Commissions and Committees. Please contact City Hall for more information.

B. Birthday wishes to Councilor Duke Wells December 30<sup>th</sup>. Refreshments will be served after the meeting

C. Dunes City Hall will be closed December 23<sup>rd</sup> and 24<sup>th</sup> and again on December 31<sup>st</sup>.

Mayor Ruede invited everyone to stay for refreshments after the meeting and then went on to announce that Darlings Resort is hosting its first annual lighted boat parade on Siltcoos Lake on Saturday, December 12<sup>th</sup>. An entrance fee of \$10.00 benefits the Florence Salvation Army. Registration for the event will begin at 3:00 pm, with launch scheduled for 4:00. The parade is set to start at 5:00 and last until about 6:30, followed by a spaghetti dinner for participants.

## 7. CITIZEN INPUT

Mayor Ruede recognized Ms. Bonnie Allen who signed in to provide citizen comments. Ms. Allen noted that this was the last Council meeting for 2015 but she would like the Council to start thinking about activities for 2016. She explained that Ordinance No. 203 continues to be the City's septic maintenance ordinance and she would like the Council to make septic maintenance a high priority for enforcement and action.

## 8. NEW BUSINESS

### A. Committee Appointments

Mayor Ruede referred to the applications for reappointment that were included in the Councilors' packets. Ms. Bonnie Allen applied for reappointment to the Planning Commission and Mr. Christopher John applied for reappointment to the Water Quality Committee.

**Councilor Meyer made a motion to approve Ms. Allen's and Mr. John's reappointments. Councilor Wells seconded the motion. The motion passed by unanimous vote.**

Mayor Ruede thanked both applicants for volunteering and reapplying.

### B. Set Date for Goal Setting Session

Mayor Ruede reminded Councilors that Goal Setting Sessions are early in the year. City Administrator/Recorder Mills noted that, for budgeting purposes, it would be better to hold the Session early in the year. Following discussion about Councilor Platt's scheduled return date, it was agreed to schedule the Goal Setting Session for 2016 on Thursday, January 28<sup>th</sup> at 2:30 pm. Mayor Ruede suggested that Councilor Platt could attend by telephone.

### C. Oregon Settlement Re: LCD Screens

City Administrator/Recorder Mills explained that the Oregon Attorney General has entered into settlements with manufacturers of LCD screens incorporated into televisions, computer monitors and laptop screens and that local government entities were possibly entitled to payments under the terms of the settlement. She went on to explain that the City's options were to a) opt in by taking no action, or b) opt out. She clarified that Dunes City was included in the settlement because the City purchased computer monitors during the years 2002 to 2006.

The consensus was that the City should take no action and, thereby, opt in.

### D. Resolution Series 2015, No. 6 (12-10-2015) Re: Application for Property Line Adjustment

City Administrator/Recorder Mills explained that under Chapter 155 (Zoning and Development) of Dunes City Code there is a section providing for lot line adjustments/transfers of property under certain restrictions, but the City does not have an appropriate application form associated with that process. She went on to explain that the form provided in the Councilors' meeting packets and the Resolution to adopt the form were developed pursuant to a request for a property line adjustment by a Dunes City resident. She reported that City Staff researched State and City Code and determined that there are specific, objective requirements for the process, and Staff developed the form to guide Staff and the applicant through the requirements. She noted that the Resolution is for the City to adopt the form.

**Council President Sanders made a motion to adopt Resolution Series 2015, No. 6 (12-10-2015) as presented. Councilor Wells seconded the motion. The motion passed with four votes in favor, none against, no abstentions, one absence, and one vacancy.**

## 9. UNFINISHED/OLD BUSINESS

### A. 2016 Oregon Dunes Triathlon/Duathlon

City Administrator/Recorder Mills reported that the contract between Dunes City and Best in the West Events is undergoing a review by the City Attorney. City Administrator/Recorder Mills explained that she had questions about the terms and details of the sale. When she reviewed the minutes of the April Council meeting during which Councilors discussed the possibility of selling the event to Best in the West Events, it was clear that the intent was to sell the event at some point (with certain restrictions) but the details of sale were not so clear. She went on to explain that, currently, the contract gives Dunes City fifty percent of the fees from sponsors solicited by Dunes City. City Administrator/Recorder Mills noted that she brought the subject for discussion so that the Council could clarify the terms of sale the Council wanted.

There was some discussion about the sponsorship fees. Councilor Meyer pointed out that if the City did not sponsor the event it is likely the event could not take place here; therefore, the City should receive fifty percent of all sponsorship fees, not just those solicited by

the City. Councilor Wells generally agreed with Councilor Meyer, adding that the City should be entitled to at least break even on costs and not lose money as it did this year. He noted that Florence businesses have been benefitting from the event, which might make it easier to solicit their sponsorships for next year's event. Council President Sanders asked if it would be possible for Best in the West Events to guarantee that Dunes City would not lose money on the event. If so, he went on, he would not object to selling the event. Councilor Scarberry generally agreed with Council President Sanders, adding that if the City only breaks even it is actually losing revenue because there is Staff time and expense for the event for which the City is not compensated. He went on to point out that the original concept was that the event would be a revenue generator.

Mayor Ruede suggested looking at the budget to make sure the City does not incur a loss on the event. She noted that she supported fifty percent of all sponsorships for Dunes City, in part as a way to avoid confusion over which party may claim to have solicited individual sponsors.

City Administrator/Recorder Mills noted that the Councilors' comments would be helpful in proceeding with contract negotiations. She went on to say that it is her understanding that the former City Recorder agreed to a purchase price of \$1.00 but she was not clear about whether or not the Council had agreed on that price. Mayor Ruede remarked that she did not object to the \$1.00 purchase price provided that the City would receive revenue from the event. She clarified that the only revenue the City receives is from the sponsorships, not from registration fees.

City Administrator/Recorder Mills broached the subject of merchandising for the event, noting that merchandising is not currently included in the contract, and further noting that the City has not lost money on merchandise for the event. Council President Sanders suggested that the merchandising aspect could be a negotiation point with Best in the West as long as the City does not lose any money.

City Administrator/Recorder Mills reported that, although there is not a formal commitment, a local business has tentatively agreed to a \$4,000 sponsorship for 2016.

#### B. 2015-2016 Budget vs. Actual Report

City Administrator/Recorder Mills referred Councilors to their copies of the budget vs. actual for July 1 to November 30, 2015. She reported that the Building Fund is slightly over budget but other Funds are in good shape. She also reported that she had been talking with the auditor on a regular basis in preparation for the City's annual audit review which should be ready to start soon, without requesting an extension.

Council President Sanders asked City Administrator/Recorder Mills to calculate the actual year-to-date percentage of expenses vs. budget for the next meeting. He expressed some concern about the fact that the City may have already spent most of its resources in less than half of the fiscal year. City Administrator/Recorder Mills agreed to do so and have up to date budget reports available for the meetings in the future.

### C. Siding Repair at City Hall

Councilor Wells suggested delaying the decision on awarding the siding repair contract until the budget's year-to-date expenditures are clarified. He went on to note that the work could not be done until spring due to the weather. There were no objections.

### D. Fireplace Insert/Repair

Mayor Ruede directed Councilors' attention to the Staff report on the Fireplace Insert that was included in their meeting packets. City Administrator/Recorder Mills noted that the cost could be covered by money from the grant for the emergency generator. Councilor Wells explained that the existing mantel is too wide to meet Code but he could replace it and bring it up to Code.

There was some discussion about the reasons for installing an insert. City Administrator/Recorder Mills explained that the wood burning insert could be used to heat City Hall in the event of an emergency and loss of electricity and the insert would eliminate the draft caused by the broken fireplace flue. She went on to explain that burning wood in a fireplace is not as efficient for heat as burning wood in an insert and the insert would also provide a surface for cooking. It was generally agreed that if the funds are available, upgrades to the fireplace should be done.

**Council President Sanders made a motion to bring the fireplace up to Code as described in the Fireplace Insert Report and to purchase the fireplace insert with grant funds. Councilor Wells seconded the motion. The motion passed by unanimous vote.**

## 10. REPORTS

Mayor's Report: Mayor Ruede reported that she presented the World War II practice bombs that were recovered from City Hall property last summer to the Oregon Coast Military Museum during a formal ceremony that was held at the Museum on December 7, Pearl Harbor Remembrance Day. The ceremony included a color guard from the Veterans of Foreign Wars Post 3232 in Florence, representatives from the Air National Guard who brought the ordinance from a holding site in Portland and many local veterans.

Communication and Education Committee Report: There was no report, the Council needs to appoint a new Chairman of the Committee.

Ordinance Review Committee Report: There was no report, the Council needs to appoint a new Chairman of the Committee.

Community Center Report: Councilor Wells reported that he did some winter clean up around City Hall and delivered a tree for Staff to decorate.

Conservation Committee Report: There was no report due to Councilor Platt's absence.

Parks and Recreation Committee Report: Councilor Scarberry reported that the next quarterly meeting is scheduled for January.

Water Quality Committee Report: Councilor Meyer had no water test results to report. It may have been too stormy for water testers to get out on the lakes.

Emergency Services Report: City Administrator/Recorder Mills reported: she attended the November WLEOG meeting; comments on the Emergency Operations Plan were due by the end of October and the Plan should be released soon; and the Emergency Cold Shelter held training for its volunteers in November. She went on to report that the Red Cross is changing the color of its emergency wool blankets and will be giving away the outdated ones; she requested some for Dunes City Hall.

City Administrator/Planning Report: City Administrator/Recorder Mills reported that permit activity dropped off in November and was about half the number issued last year at this time. She also reported that the Planning Commission held a public hearing on proposed septic maintenance ordinance on November 19<sup>th</sup> and made a recommendation for the City Council which will be explained further during the January Council meeting. She went on to report that, although official notification has not been received at City Hall, the School Board voted to increase Dunes City's construction excise tax percentage from one percent to four percent. Lane County has not responded to the roadway transfer issue or provided a copy of the deed conveying Lot 700 to the County. RFPs for work on the encroachment issue were sent to three local law offices, two have declined to take on the matter. A letter requesting reimbursement from Lake's Edge LLC has not yet been answered. The Woahink Lake outlet control structure Easement Declaration was submitted to the City Attorney for review and should be ready to submit to the structure owners soon. City Administrator/Recorder Mills went on to thank Administrative Assistant Renee Green for all of her work on inputting the data from water meter readings and submitting the City's report to the State. She also thanked Road Commissioner Mike Clifton for fixing the huge pothole on Woodland Lane.

Mayor Ruede noted that if a Special Session is needed to discuss the Lake's Edge reimbursement issue, Councilors will be notified.

Road Commission Report: Council President Sanders reported that there was no Road Commission meeting in November. The next meeting is scheduled for December 21<sup>st</sup> for discussion about subdivision driveway access. He also reported that he attended the Lane ACT meeting on December 9<sup>th</sup> during which the Florence project to repair Highway 101 from Highway 126 south to the bridge was discussed and moved to the top three priorities for Florence; the priority listing improves chances of funding from the Oregon Transportation Commission. He noted that the Highway 101 improvements will also benefit everyone living south of the bridge.

## **11. FOR THE GOOD OF THE ORDER**

Councilor Meyer remarked that he enjoyed the Volunteer Recognition celebration that was held earlier in the day and appreciated all of the comments that were made.

Councilor Wells thanked Dunes City residents who decorated their homes for the holidays, noting that the holiday lights were especially appreciated during the dark drive to City Hall for the Council meeting.

Council President Sanders wished everyone a merry Christmas and a safe and happy holiday season.

Mayor Ruede asked Councilors if they supported the idea of her doing a holiday radio message this year similar to the one that she did last year. She noted that she paid for the radio spot last year, but would prefer for the City to pay for it this year. There were no objections.

## **12. ADJOURNMENT**

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

Mayor Ruede adjourned the meeting at 7:52 pm.

**APPROVED BY THE DUNES CITY COUNCIL ON THE 14<sup>th</sup> DAY OF JANUARY 2016.**

[Signed copy available at City Hall]

Rebecca Ruede, Mayor

ATTEST:

[Signed copy available at City Hall]

Jamie Mills, Interim City Administrator/Recorder