



**CITY COUNCIL MEETING MINUTES ~ APPROVED
OCTOBER 11, 2012 AT 7:00 PM**

City Hall ~ 82877 Spruce St., Westlake, OR

These proceedings of the Dunes City Council were recorded on tape 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 meeting of the Dunes City Council to order at 7:00 pm.

2. ROLL CALL

Roll Call was taken by Fred Hilden, City Recorder.

Present: Mayor Rebecca Ruede, Council President Jamie Mills, Councilor Duke Wells, Councilor Troy Sathe, Councilor Dick Anderson and Councilor Ed Scarberry.

Absent and Excused: Councilor Richard Koehler.

Also Present: City Recorder Fred Hilden and several citizens.

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

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

6. ANNOUNCEMENTS / CORRESPONDENCE

Mayor Rebecca Ruede read the announcements as presented on the agenda.

7. CITIZEN INPUT

Sue Slonecker, Dunes City Resident

Ms. Slonecker presented testimony on the importance of the Siltcoos River dam portage repair. She commented about the recently received bid and the fact that the repair has been au-

thorized by the Oregon Department of Fish and Wildlife. The portage is important to her business on Siltcoos Lake and their rental of canoes and kayaks. Dunes City has the responsibility to maintain the portage. While original estimates were approximately \$30,000, a recently received bid is only \$6000 to replace the portage with stainless steel. Ms. Slonecker indicated that she had 217 guests during the last summer navigate the river. She urged the City Council to repair the portage and thanked them for their time.

Nancy Brouhard, Resident of North Bend, Oregon

Ms. Brouhard stated that she is running for the House District 9 position and that she is aware Dunes City spends a lot of time talking about land and property issues. Her platform is largely following her educational background including being a businesswoman, trying to get more jobs going along the coast, and being a teacher she is aware of the need to make improvements in our educational system. Being a registered nurse she is aware of the transformations taking place in healthcare and would like to work on these issues at the state level. She thanked the Council for the opportunity to meet them.

8. UNFINISHED / OLD BUSINESS

A. Oregon Dunes Triathlon & B. Triathlon Contract

City Recorder Fred Hilden introduced Mr. Brian Douglass as the president and founder of Smith Rock Race Group located in Bend Oregon, along with his son Chris Douglass who will be assisting in the production of this event.

Mr. Douglass provided the Council with some background on his company and explained that his son Christopher has provided a valuable resource in creating the courses that they use for their events. He explained that they had just completed the Hells Canyon Relay with three courses and over 300 participants. Their company produced nine events last year focused primarily in the rural areas of Oregon.

Their mission statement has four principles; one is to produce exceptional and iconic events; two is to promote rural tourism; three is to promote rural economic development; and four is to provide a platform for philanthropy. Mr. Douglass explained that he began working with Dunes City a year ago in October on the concept of a triathlon and had settled on Mother's Day weekend in May 2013 for the first event. He presented the logo, designed by a local illustrator Susan Johnson, for the triathlon and duathlon. The weather in May and the logistics of the event were discussed.

Chris Douglass provided an outline of the course that will begin at East Woahink Lake Park with a swim in Woahink Lake, transitioning to the bike portion starting on Canary Road and turning onto Clear Lake Road and proceeding through Dunes City around Darlings Loop. The bike portion will continue back onto Clear Lake Road, right on to Canary Road proceeding out toward Ada and back to East Woahink Lake Park, where they will begin the run portion of the triathlon through Honeyman State Park, finishing with a run up the dune adjacent to Cleawox Lake. Chris also provided an overview of the methods used to promote this event, including magazine ads. Brian Douglass provided an overview of the role of the race director as well as the safety measures being planned for the event.

Councilor Sathe asked Mr. Douglass about the long-term financial commitment of Dunes City for the event and Brian Douglass replied that Dunes City's investment is for the first year only. Councilor Wells asked Mr. Douglass about the uniqueness of the event for Dunes City and Chris Douglass replied that this area is very iconic, has a great draw and people are already excited about the event. Councilor Anderson asked about the entry fee and Brian Douglass replied that they are targeting it at \$90.

Council President Mills asked about copies of the first year budget and City Recorder Fred Hilden replied that it had not been distributed since he wasn't sure it had been approved by Mr. Douglass. Mr. Douglass commented that he would like to discuss section 3 of the contract regarding compensation to the City, section 7 regarding the performance bond and section 11 regarding indemnification. Other than these sections there are no issues with the contract.

Mr. Douglass went on to point out that this needs to be a community event and will require approximately 100 volunteers. He would look to Dunes City to assist with coordinating the volunteer effort. The second major consideration is the City providing whatever assistance they can with identifying grants and sponsorships that will provide revenue for the event. Chris Douglass went on to explain that this is a two-day event with the triathlon on Saturday and the duathlon on Sunday with a focus on Mothers. Councilor Sathe asked about how the price point for entry fees was established and Brian Douglass replied by comparing it to similar events. Councilor Wells expressed his appreciation to be able to work with a company of this caliber and thanked Brian and Chris Douglass for being here tonight.

Councilor Sathe made a motion to approve the \$7,500 startup fee and proceed with Smith Rock Race Group. Councilor Wells seconded the motion. Councilor Anderson asked if it would be possible for the City to receive a portion of the entry fees. City Recorder Fred Hilden explained that it is already set up that way with the City receiving 15% of gross revenue including entry fees. Councilor Anderson also inquired about which fund the money will be coming from and the City Recorder replied it would be coming from Motel Fund RTMP monies where sufficient funds are budgeted. **The motion passed by unanimous vote.**

C. Siltcoos River Dam Portage

City Recorder Fred Hilden provided an update regarding the Siltcoos River dam portage stating that in addition to the information he presented last month he has confirmation from the Oregon Department of Fish and Wildlife that the repairs to the portage can proceed during the salmon season. He read an email from John Spangler, ODF&W, into the record. He also provided an overview of the design of the portage and the work that will be done to replace it. Mayor Rebecca Ruede explained that she has received several comments from citizens indicating it is a vital link to recreation for this area and supporting the repair of the portage. Councilor Sathe explained that he, too, has talked to many citizens but because the portage is outside the City he will be voting against replacing it. Councilor Wells explained that he has had a change of heart about repairing the portage and that he supports repairing it at this time. Council President Mills explained that the portage is vital to recreation of the area, it is known worldwide and the City has the responsibility to maintain it. **Council President**

Mills made a motion to approve the payment of \$6000 to Ean Wright to repair the portage. Councilor Anderson seconded the motion. Councilor Scarberry commented that we have a contract to maintain the portage and the important thing is that we be thinking about what we are going to do three years from now when the contract expires. **The motion passed with four ayes and one nay (Councilor Sathe).**

D. City Hall Encroachment on Neighboring Property

City Recorder Fred Hilden explained that since the last Council meeting he has met with the owners of the neighboring property and while they have agreed to keep the attorneys out of the negotiations on this matter, they are fairly insistent on some kind of compensation for the value of the land involved. He went on to explain that the amount of land is approximately 700 ft.², a strip 7 feet wide and 100 feet long. Mr. Hilden added that any amount of compensation remains to be negotiated. Councilor Sathe asked about an amount and Mr. Hilden replied he will begin at a dollar a square foot. Councilor Scarberry suggested that the neighbors use this as a donation for tax write off purposes. **Councilor Sathe made a motion that the City Recorder move ahead with this item and if he can get it taken care of for \$1000 or less to go ahead and do it. Councilor Wells seconded the motion. The motion passed by unanimous vote.**

Mayor Ruede declared a five-minute recess to prepare for the next presentation at 8:01 pm. She reconvened the meeting at 8:07 pm.

E. New Dunes City Web Site

Mayor Ruede explained that Ave Bernard is unable to be with us tonight so Fred Hilden will be making the presentation on our new website. Mr. Hilden began by explaining that the new website will include both the mobile and tablet apps provided at no additional charge. Mr. Hilden presented the new website projected on the wall of the Council Chambers for everyone's view. He presented the new home page with a new masthead photo, new drop-down menus for Lifestyle, Relocation, Local Attractions, City Hall, Calendar, City Government, Public Safety, and News. He explained the navigation tools at the bottom of each page as well as the map to City Hall. He then introduced the new media bar and played a two minute movie featuring Mayor Ruede welcoming people to Dunes City. A short round of applause for Mayor Ruede followed. The introduction of a movie on Siltcoos Lake steamboats was also presented.

Councilor Sathe inquired about the effort required to maintain the website. Mr. Hilden explained that it can be maintained from any computer anywhere in the world and it uses a product called WordPress that is very similar to any word processing software.

Mr. Hilden then presented the detail on each of the drop-down menus at the top of the homepage. He explained that it takes approximately one and a half hours to do justice to a review of the new website.

Council President Mills inquired about whether history will be kept on the website such as it is on the current website. Mr. Hilden replied that will be largely a decision of the Communications and Education Committee in charge of the website. Council President Mills explained

that she finds especially meeting minutes to be very valuable and a good resource for her on the website. Council President Mills also expressed her desire to get the entire City code on the website and Mr. Hilden commented there was plenty of room.

Mayor Ruede commented that she is very pleased with all the effort and results that the Communications and Education Committee has provided in our new website. She is happy we are moving into the 21st century with the new website that has been completed with everyone's hard work. Councilor Sathe inquired about emails using dunescity.com and Mr. Hilden explained they will be provided. Mr. Hilden went on to explain the City Government, Public Safety and News sections of the website.

At the end of the presentation there was a short round of applause followed by a comment from Councilor Anderson that he was very pleased with the end product. He expressed his gratitude to his committee members Darlene Beckman and Steve Burton and staff Fred Hilden for their countless hours of contribution. He also acknowledged all of the skills and effort that Ave Bernard had put into the project.

Steve Burton commented from the audience that this is a work in process and that there are still areas of the new website that need additional information and work put into them. Considering that this is largely a volunteer effort we have made great progress. Continuing he commented that our new website is very attractive to potential sponsors and should provide a good source of revenue for the City. He expressed his appreciation to the Council for their vote of confidence.

Councilor Anderson made a motion to have the new website go live on October 15, 2012. Councilor Scarberry seconded the motion. Council President Mills commented that the inquiry at the last City Council meeting regarding the sale of advertisement to public officials had been researched by the City Recorder with the Oregon Government Ethics Commission and as long as no favoritism was shown towards the public official, advertising on the city website was fine. Councilor Wells expressed his satisfaction with the new website and Councilor Anderson recommended that a press release be prepared announcing our new website. **The motion passed by unanimous vote.**

9. NEW BUSINESS

Septic Maintenance Financial Hardship Assistance

Councilor Sathe provided some background and referenced a letter received by members of the City Council regarding a resident not being in compliance with (Ordinance No.) 203. He explained that he had contacted the resident and they haven't had their tank pumped in 12 years and there is simply no way they can afford to pay for it at this time. Councilor Sathe recommended that the staff prepare an RFP for our septic pumpers and inspectors to provide the City with a flat rate to help with financial hardship cases in exchange for a lien on their property.

Council President Mills explained that she has contacted the US Department of Agriculture and there is grant funding available for hardship cases in the event of a septic failure. There is no grant funding available for maintenance but they do provide low-interest loans. She also suggested that perhaps we could contact Orca (Oregon Coast Alliance) for assistance in hardship cases. Council President Mills agrees that we need to get an RFP going for a flat rate to handle the circumstances.

Councilor Scarberry reminded everyone that no one is out of compliance until March 2013. This is an overall indicator of a much larger problem and we need to get this matter on the ballot. He appreciates the problem but the larger problem goes back to 203. Between now and March we need to do something. He went on to state that this 203 issue is going to put the City in some real trouble.

Mayor Ruede commented that we have to be careful because whatever we do regarding this we will be setting a precedent.

Councilor Sathe explained that he is simply asking for approval to have the staff prepare an RFP so we have a backup plan. **Councilor Sathe made a motion to have the Staff do an RFP for the lowest bid if we decide to have septic pumped for low-income individuals' homes. Council President Mills seconded the motion.** Councilor Wells expressed his concern that this is the tip of the iceberg and financial hardship is just one facet of this. The other factor is the stress that 203 is putting on our citizens. 203 should have been put on the ballot originally and that didn't happen. Council President Mills explained that in a recent conversation with the City Attorney she had learned that the City can choose which ordinances it enforces based on its budget. That is why she supports an RFP so we know what it is going to cost the City. Councilor Scarberry asked about the wisdom of stepping over the line and paying for septic pumping when the city does not have a tax base. More discussion continued regarding the details of the work required when an inspection is ordered and the variable cost factors such as locating drainfields etc. Mr. Hilden explained that he has already contacted the property owner who submitted the letter and advised them that they are not out of compliance until March 2013. **The motion passed with four ayes and one nay (Councilor Wells).**

10. REPORTS

Mayor's Report: The Mayor encouraged everyone to mark their ballots and vote in this election. She thanked the City Council for all their help and hard work and congratulated those seeking reelection and election and again encouraged everyone to mark their ballots and get them returned.

Communication & Education Committee Report: Councilor Anderson thanked everyone for approving the new website and expressed his hope that everyone will assist with making it even better.

Conservation Committee Report: Councilor Anderson reported that there have been no complaints filed and everything seems to be working fine.

Parks and Recreation Commission Report: In Councilor Koehler's absence there was no report. Council President Mills expressed her appreciation for the work that had been done in Byrd Park.

Ordinance Review Committee Report: Council President Mills reported that the Ordinance Review Committee met on September 10, at 10:00 a.m. at City Hall. The draft Code Enforcement Ordinance was discussed. No formal action was taken and the next meeting will be October 15 at 10 am.

Water Quality Committee Report: Council President Mills read her written Water Quality Committee Report into the record. There was discussion about the lack of water clarity on Woahink Lake and she will report more on that later.

Weir Ad Hoc Committee Report: Council President Mills read her written Weir Ad Hoc Committee Report into the record. No current meeting is scheduled.

Revenue Committee Report: Councilor Scarberry reported that the Committee did not meet in September.

Road Commission Report: Councilor Sathe stated he was absent for the first time so he had no Road Commission report. The next Road Commission meeting will be Monday, October 15th.

Community Center Report: Councilor Wells commented that the biggest upcoming event is the Haunted Hall and deferred to Council President Mills who provided the dates, times and details for the event.

Site Review Committee Report: Councilor Wells read his written Site Review Committee Report into the record.

Emergency Services Report: City Recorder Fred Hilden read his written Emergency Services report into the record. Councilor Sathe asked whether the city is looking at stocking bottled water or other emergency supplies, like blankets. Mr. Hilden explained that the City is working on its own emergency plan and that WLEOG has supplied a second trailer that is being stored Honeyman State Park. Discussion regarding the importance of everyone being prepared for a disaster took place.

City Recorder/Planning Staff Report: City Recorder Fred Hilden read his written report into the record.

11. FOR THE GOOD OF THE ORDER

Councilor Scarberry stated that he would like to see a ballot measure on the next City Council agenda so we can give citizens an opportunity to vote on 203 (septic ordinance). Once people vote, the animosity may not go away, but it will be settled. He is also tired of hearing that people who don't agree with 203 want dirty water. This is repulsive and if you don't have a good enough argument, you make statements like that.

Council President Mills announced that on October 18th at 10:18 am Oregon will be conducting the Great Oregon Shakeout, the drill aimed at stimulating what should be done in the case of a major earthquake. Over 110,000 people have registered for this event where everyone is supposed to drop, cover and hold on to practice for the real thing. Please go to shakeout.org, register and participate.

Council President Mills reminded everyone that our code requires that a Council-referred ballot measure be presented in the form of an ordinance. She, too, would like to have the septic matter on next month's agenda.

Councilor Sathe reminded everyone to get out there and vote!

Councilor Wells stated that regarding 203, we are starting to lose some credibility with those people that have supported us. I've been on the Council for two years and we are still talking about it. It's time to put a line in the sand and get this done. People have to have a say in this.

12. ADJOURNMENT

Councilor Scarberry made a motion for adjournment. The motion was not seconded and no vote was taken. Mayor Ruede adjourned the meeting at 9:26 pm.

APPROVED BY THE DUNES CITY COUNCIL ON THE 8th DAY OF NOVEMBER 2012.

[Signed copy available at City Hall]

Rebecca Ruede, Mayor

ATTEST:

[Signed copy available at City Hall]

Fred Hilden, City Recorder

DUNES CITY ORDINANCE REVIEW COMMITTEE
REPORT TO CITY COUNCIL
October 11, 2012

The Ordinance Review Committee met on September 10th. Others in attendance included Councilor Richard Koehler and Mary Jo Leach. The draft Code Enforcement Ordinance presented by the City Attorney was reviewed and discussed. No formal action was taken. The next meeting will be October 15th, at 10:00 a.m.

DUNES CITY WATER QUALITY COMMITTEE
REPORT TO CITY COUNCIL
OCTOBER, 2012

The Water Quality Committee met on September 12th. The water testers expressed concern about how brown Woahink looks and are contemplating submitting a sample for an algae count. Siltcoos is still looking good. The Committee suggested that an email be sent to Rich Miller at the Center for Lakes at PSU regarding the Woahink situation. It was also suggested that a report of the situation be made to the State Department of Health as their testing may reveal the cause of the anomaly, or they may wish to do more testing.

Steve Hager is attending the monthly TMDL Stakeholder meetings being held in Newport, and gave the committee members a status report and announced upcoming meeting dates.

John Stead requested that a discussion regarding how the Ad Hoc Committee on the Woahink Weir relates to water quality be placed on the next agenda.

The committee discussed the impact of fireworks on lake water quality and suggest that an article regarding the legality of fireworks and the impacts to water quality be included in Dunes City's spring newsletter.

The next Committee meeting will be October 10 at 3:00 p.m.

**DUNES CITY
WEIR TASK FORCE REPORT
October, 2012**

The Weir Task Force Committee did not meet in September. No meeting has been scheduled at this time.

Emergency Services Report to City Council
October 11, 2012 ~ Prepared by Fred Hilden

I attended the West Lane Emergency Operations Group meeting on Monday, September 17, 2012, representing Dunes City.

Chairman Hanf opened the meeting requesting a minute of silence for Firefighter Rod Oakley who was killed crossing Highway 101 on September 16th.

Chief Buchanan provided the group with an update on the tsunami debris field and indicated that Senator Wyden was working on a declaration of disaster.

Dave Davis reviewed the results of the tabletop drill and his request to double the current stash of emergency food supplies for the Emergency Operations Center (EOC). His estimate was \$1400 to provide the additional supplies.

Chief Buchanan discussed emergency food supplies for first responders and his recommendation is everyone provide meals ready-to-eat (MREs) and water.

Frank Nulty gave the group an update on emergency evacuation assembly areas. He is working with various churches, the Senior Center, a golf course schools and various lodges and camps. As Council President Mills reported last month, WLEOG expects Dunes City to provide emergency needs at Dunes City Hall.

A "Safe Water, Safe Sanitation" class is scheduled for Saturday, October 13, 2012. Also, an "Are You Ready" class is scheduled for Saturday, November 10, 2012. All classes are held at Siuslaw Valley Fire and Rescue, 2625 Highway 101 in Florence. The classes start at 9:30 am and end at 12:30 pm. Call 541-997-3212 to sign-up.

The next WLEOG meeting will be Monday, October 15th. The approved minutes of the WLEOG meeting from August 2012 are attached for your review.

Respectfully submitted,

Fred Hilden
City Recorder

City Recorder / Planning Report to City Council
October 11, 2012 ~ Prepared by Fred Hilden

September permits totaled nine, most of which were electrical and other miscellaneous repair work. We currently have four new homes under construction in Dunes City and the inspection scheduling activity continues very high averaging 7 to 10 per week. Copies of permits to Lane County and Lane Council of Governments continue on schedule.

The Planning Commission has completed their work on Chapter 155, Zoning and Development, and staff should have the final version of their recommended changes ready for legal review by the middle of October.

We also need to schedule the long overdue CCI meeting to gather citizen input on the ordinances amending the CCI process and the buildable lands inventory portion of our Comprehensive Plan.

With the resignation of our Contract Planner Melissa Anderson, who took a full-time job in Albany, I am in the process of preparing an RFP that will be posted in the Siuslaw News. I have also compiled a list of five individuals who provide these services that the RFP will be mailed to.

Work continued on the Puzzle Forest LLC partition (formally Gordon Robertson) during September and it is anticipated they will submit their final plat request during October. With the loss of our Contract Planner, this project will be completed by staff, with support from our Planning Commission and City Engineer.

Staff is also working on a Conditional Use Permit to combine two tax lots at 5666 Peninsula Road and a right-of-way in exchange to facilitate a future relocation of the pavement at the south end of Cedar Lane. The pavement relocation is required because of erosion into a ravine at the north edge of the pavement.

I am continuing work on our 2011-2012 fiscal year financial review. This information was requested to be completed by the end of September, however loss of our contract planner and staff reduction has prevented timely completion.

Respectfully submitted,

Fred Hilden
City Recorder