



**ROAD COMMISSION MEETING MINUTES ~ APPROVED**

**JANUARY 16, 2012 AT 6:30 PM**

City Hall ~ 82877 Spruce St., Westlake, OR

**1. CALL TO ORDER**

The Road Commission meeting was called to order by Road Chairman Troy Sathe at 6:30 pm.

**2. ROLL CALL**

Roll Call was taken by City Recorder Fred Hilden.

**Present:** Road Chairman Troy Sathe, Vice-Chairman Jerry Curran, Commissioner Henry Leach, Commissioner Richard Palmer, Commissioner Bill Harris and Commissioner Ron Tucker.

**Others Present:** Council President Jamie Mills, City Recorder Fred Hilden, Planning Chairman Lee Riechel, Planning Vice-Chair George Burke, Jason & Jenny Lockler and Bill Sathe.

**3. PLEDGE OF ALLEGIANCE**

All who were present stood for the Pledge of Allegiance.

**4. APPROVAL OF THE AGENDA**

**Commissioner Tucker made a motion to approve the Agenda as written. Commissioner Curran seconded the motion. The motion passed by unanimous vote.**

**5. APPROVAL OF THE 12/19/2011 MEETING MINUTES**

Commissioner Leach stated that Richard Palmer should be included on the list of "Others Present" (under item 2) and this was in his comments reviewing the draft minutes. He also stated that under item 6 title, the word Commissioner should be plural (Commissioners). **Commissioner Curran made a motion to accept the minutes of 12/19/2011 as amended. Commissioner Tucker seconded the motion. The motion passed by unanimous vote.**

## 6. ANNOUNCEMENTS / CORRESPONDENCE

- The City Council requested surveys of the Dunes City parks in the road right-of-ways.

Chairman Sathe asked City Recorder Fred Hilden if he had an update on this item. City Recorder responded that three quotes were requested and only two responses were received. The bid from Boe Engineering & Surveying was for \$840 and the bid from Wobbe & Associates, Inc. was for \$400.

**Commissioner Tucker made a motion to accept the bid from Wobbe & Associates, Inc. for \$400. Commissioner Leach seconded the motion. The motion passed by unanimous vote.**

- Project on Cloud Nine - Tree fell

Chairman Sathe stated that a tree fell across Cloud Nine Road and the Road Commission has spent a lot of time clearing and cleaning it up. There is about one more day left to finish up the project.

Commissioner Leach stated that he can't see with all the other projects the Road Commission has around Dunes City that need attention, to spend any more time on Cloud Nine Road. He feels that they have cleaned up the mess, removed the log and there is not any danger to the road or the citizens driving on that road. He would like to see the Road Commission focus their efforts on Little Woahink Drive.

Chairman Sathe stated that we can decide later when to finish the project.

## 7. CITIZEN INPUT

Jason Lockler, Dunes City Resident

Mr. Lockler distributed photos of his property showing the location of a fence he was building at the front of his property. Commissioner Harris visited him and advised him that the fence may be in the City's right-of-way. Commissioner Curran asked Mr. Lockler if the trees in the photo were in the City's right-of-way. Mr. Lockler replied, "Yes." Commissioner Leach asked Mr. Lockler about the location of the fence relative to the property line. Mr. Lockler replied that if you look where the first post is and see the tree, you are within a foot of the property line.

Chairman Sathe stated that this item is under "New Business" and asked whether the Commissioners wanted to continue or wait until New Business to finish this discussion. Commissioner Harris commented that the Commission may as well continue as Mr. Lockler may not want to stay for the whole meeting.

Mr. Lockler stated that originally, he wasn't aware that building the fence would be an issue and the fence is definitely in the right-of-way. Mr. Lockler stated that he is just looking to see if he needs to tear it down and relocate it or if he can keep the fence there. He knows if there are any improvements to the right-of-way that it would be his fault if he needed to move it.

Commissioner Harris stated that the function of the Road Commission is to protect the rights

of all citizens. Commissioner Tucker asked if we have granted exceptions before. Chairman Sathe asked the City Recorder if there were any prior situations. City Recorder Fred Hilden replied to the best of his knowledge, he is sure there have been situations where there has been a violation, some have been required to be removed, some not. Commissioner Curran stated that the City owns the trees, which are in the right-of-way and suggested that the property owner measure 17 ½ feet from the edge of the road and build his fence. Commissioner Leach asked if there were any complaints from the neighbors about this fence. He went on to state that he didn't have a problem with the fence being where it is currently located. Commissioner Palmer asked if the City knows exactly where the pavement is relative to the right-of-way. Chairman Sathe commented that the City has a deed of the owner's property and it states that the City's right-of-way is 25 feet from the center of the street. Commissioner Harris suggested that everyone have an opportunity to look at the fence in the daylight, even though that may result in a one month delay. Chairman Sathe acknowledged George Burke in the audience. Mr. Burke commented that the code does not allow fences and structures in the City right-of-way.

Chairman Sathe commented about the options of either sending a recommendation to the Planning Commission or have Mr. Lockler remove the fence. Commissioner Curran stated that he wasn't against the fence but it should be built on the owner's property. Mr. Lockler stated that he would rather move the fence than spend a year on the issue. Lee Riechel clarified that in the front yard, only fences 3½ foot tall were allowed, if it is a solid fence.

Commissioner Leach asked about how difficult it would be to move the fence. Mr. Lockler stated that he cannot relocate the fence to the property line without compromising the trees. It would pretty much be impossible.

Commissioner Tucker stated that it's unfortunate that this happened.

**Commissioner Tucker made a motion to tell Mr. Lockler he can't put a fence there. Commissioner Curran seconded the motion. The motion passed by vote of 3 ayes and 2 nays. (Commissioner Leach and Commissioner Palmer).**

## **8. UNFINISHED / OLD BUSINESS**

- Master Road Plan Update - Gary Baker's Schedule

City Recorder Fred Hilden stated that he forwarded an email this morning from Gary Baker on the Master Road Plan update. Fred stated that Gary has put about a week in it and is planning on two more weeks this month on it and is proposing to present his formal draft on February 20<sup>th</sup> 2012, which is the next Road Commission meeting.

- Review Ordinance 182, Chapter 155, Sections 155.3.1, 3.3 and 3.4.

Chairman Sathe reminded everyone about the Road Commission work session with the Planning Commission on Wednesday, January 18, 2012 at 5:30 pm.

- Alders in Right of Way on Manzanita – Tom Grove

Chairman Sathe stated that he felt these trees can be dropped if he could use the bucket that Petersdorf has, so he can trim the tops off and cut the trees down.

- Brainstorm 2012-2013 Projects

Chairman Sathe stated that the Road Commission needs to give Fred something to budget, so he can bring it forward to the Budget Committee. Chairman Sathe stated that the best way would be to go through each section on the list and decide if it is something that should go on the list.

Commissioner Curran commented that the problem with the culvert on Russell Drive has been going on for a couple of years and the property owner should pay to have the culvert opened up.

Chairman Sathe stated that Woahink Drive and Wright Road should be able to be a shovel-ready project for a possible grant. This project would need to be engineered.

Commissioner Tucker asked whether the Commission would be budgeting for brushing this year. Chairman Sathe stated that maybe we should include one day of brushing into the budget.

Commissioner Tucker stated that the work parties planned for January had been used to clean up the tree on Cloud Nine Road. He stated that he would like to reschedule the work parties on Saturday, February 11 and 25, 2012. Everyone agreed that these dates would work.

Copies of the updated 2012-2013 Road projects and ditching requirements are attached to these minutes.

## 9. NEW BUSINESS

- Spruce Lane issues-Building fence in ROW & RV illegally parked – Bill Harris

Commissioner Harris provided some background on the fifth wheel trailer on Spruce Lane.

**Commissioner Tucker made a motion to have staff make a phone call to inform the owners it is illegally parked and if that does not resolve it then send a courtesy notice. Commissioner Curran seconded the motion. The motion passed by unanimous vote.**

- Alders rotten at 83340 Spruce Lane – Bill Harris

Commissioner Harris stated that the trees are right on the gravel in the right of way and if one falls they will take out the utility lines. He stated after our last storm there was a big branch that fell off that was rotten.

**Commissioner Harris made a motion to have bids put out for the two rotten alders and possibly three at 83340 Spruce Lane and accept the lowest bid to have the trees removed**

**as a hazard as soon as possible. Commissioner Curran seconded the motion. The motion passed by unanimous vote.**

## **10. UNSCHEDULED ITEMS NOT LISTED ON THE AGENDA**

Chairman Sathe stated that the Road Commission was given a heads-up on the street sign retro-reflectivity. City Recorder Fred Hilden stated that he would like to first thank Council President Jamie Mills and Planning Chairman Lee Riechel for providing this information to us. Fred stated that the only urgency we have about this requirement is that these are Federal requirements coming down through the State and they are mandating that we have a sign management plan in place by the end of January 2012. He stated that Chairman Sathe suggested that we use January 28<sup>th</sup>, 2012 as the target date.

Commissioner Leach stated that on Wright Road where they had a site review, the homeowner was to remove a truck and some equipment from the right of way because they were expired vehicles and they are still there and have not been removed. Chairman Sathe stated that Councilor Wells tasked the City staff to send an abatement notice out to have these items taken care of.

Vice-Chairman Curran asked about the status of DeFazio letter. City Recorder Fred Hilden committed to having a draft by the end of the week.

## **11. FINAL COMMENTS**

Commissioner Leach wanted to apologize for missing the last Planning Meeting.

Commissioner Curran stated that they are twenty-five minutes late in completing the meeting. It was suggested that in the future we address the agenda first and public comments last in order to expedite the business meeting.

Chairman Sathe stated that he is very pleased with the outcome on Cloud Nine Road and all the time that the Road Commission put in to help the City. He stated that we saved the City thousands of dollars instead of hiring out and is very proud to be working with all the Commissioners.

Commissioner Palmer had nothing to add.

Commissioner Harris had nothing to add.

Commissioner Tucker had nothing to add.

City Recorder Fred Hilden had nothing to add.

Planning Chairman Lee Riechel had nothing to add.

## **12. ADJOURNMENT**

**There being no further business to come before the Road Commission, Commissioner Harris made a motion to adjourn the meeting. Commissioner Tucker seconded the motion. The motion passed by unanimous vote.**

The meeting of the Dunes City Road Commission adjourned at 8:57 pm.

The proceedings of the Dunes City Road Commission meeting were recorded on tape, and are on file at City Hall. Upon approval by the Road Commission, these minutes will be available online at [www.dunescity.com](http://www.dunescity.com).

**APPROVED BY THE ROAD COMMISSION ON THE 20<sup>TH</sup> DAY OF FEBURARY 2012.**

[ Signed copy available at City Hall ]

Troy Sathe, Road Commission Chairman

ATTEST:

[ Signed copy available at City Hall ]

Fred Hilden, City Recorder