



**ROAD COMMISSION MEETING MINUTES ~ APPROVED
JUNE 17, 2013 AT 6:30 PM**

City Hall ~ 82877 Spruce St., Westlake, OR 97493

1. CALL TO ORDER

Chairman Maurice Sanders called the meeting of the Dunes City Road Commission to order at 6:32 pm.

2. ROLL CALL

Roll Call was taken by Road Secretary Laurale Lorentzen.

Present: Chairman Maurice Sanders, Vice-Chairman Jerry Curran and Commissioner Henry Leach.

Absent and Excused: Commissioner Richard Palmer and Commissioner Bill Harris.

Others Present: Road Secretary Laurale Lorentzen, Planning Vice-Chairman Lee Riechel, and City Recorder Fred Hilden.

Chairman Sanders questioned City Recorder Hilden if a quorum has been met and is it proper to proceed due to the resignation of Commissioner Tucker last month and only two Commissioners present tonight. City Recorder Hilden stated that according to the States' governing laws on quorums, there is a majority of seated members of the Commission, so he determined that there is a quorum because there are five seated Commissioners at this time and three are present. The Commissioners present declared that they agreed.

3. PLEDGE OF ALLEGIANCE

All who were present stood for the Pledge of Allegiance.

4. APPROVAL OF THE AGENDA

Commissioner Leach made a motion to approve the Agenda. Vice-Chairman Curran seconded the motion. The motion passed by unanimous vote.

5. MOTION TO APPROVE THE MINUTES FROM MAY 20, 2013

Commissioner Leach made a motion to approve the May 20, 2013 Minutes. Chairman Sanders seconded the motion. The motion passed by unanimous vote.

6. ANNOUNCEMENTS / CORRESPONDENCE

A. Recognition for Ron Tucker

Chairman Sanders stated that because Ron Tucker was not present for the presentation; he and the City Recorder will carry out the award at a later date.

B. Strategic Planning Session Review

Chairman Sanders reported that the first Strategic Planning Session, held on June 10th was an outstanding session and a good foundation for future sessions and thought we will have a dynamic document when this is done. Vice-Chairman Curran and City Recorder Hilden both agreed it was very productive and went extremely well with excellent input for a long-range vision. Chairman Sanders announced that when Mr. Baker is back from California, we will schedule another session.

C. Semi-Centennial Celebration – June 22, 2013

Chairman Sanders announced that this Saturday from 12:00 to 2:00 pm there will be a barbecue at City Hall to celebrate the Semi-Centennial special occasion and everyone is requested to RSVP Renee Green at City Hall and to bring a potluck side dish.

D. Adopted Budget

Chairman Sanders announced that the adopted budget by City Council is the budget that the Commission will abide by beginning July 1. He explained that the budget has been tightened down and when the majority of the Commissioners are present, he would like to have a discussion about that issue. The dilemma we face is the diminishing amount in the reserve account that is being used to pay annually for everything, and if we continue on this path, we are probably looking at running out of money within 3 to 5 years. He went on to point out that part of the Strategic Plan process will lend itself to our prioritization and how we manage our budget request.

7. CITIZEN INPUT (NONE)

8. UNFINISHED / OLD BUSINESS

A. 5500 Block Huckleberry Lane – Drain Issue – Staff (F. Hilden)

Commissioner Leach provided some background on the drain issue and explained that the original problem involved a culvert that was not adequately constructed, and now the box is full of pine needles and debris which in turn blocks the natural flow of water. City Recorder Hilden stated that the contractor who did the work has stated that he wants the City to be satisfied with the work he has done. Chairman Sanders asked that this item be kept on the Agenda, and City Recorder Hilden stated that he

expects this work to be done by the July meeting. City Recorder Hilden and Commissioner Leach agreed to meet this week and make a serious attempt to finalize this issue.

B. Culvert Maintenance Responsibility Concern – Staff (F. Hilden)

The question of who is actually responsible for the maintenance of the culverts (on City right-of-way property or owner's property) within Dunes City has been a long-standing concern of the Road Commission. The Chairman, Commissioners and City Recorder discussed the matter at length, questioning the actual meaning of the City Code for Driveways under Chapter Section 90.13 established in 1986; the confusion that ensues when a property owner installed his driveway prior to the 1986 Code, retroactivity, and the on-going uncertainty between a driveway permit and a driveway access permit. According to City Recorder Hilden's interpretation of the City Code, the property owner is responsible for installing the culvert according to specifications, and that it is also the owner's responsibility to maintain and keep the culvert cleared. Commissioner Leach commented that this is the same confusion the Road Commission addresses with the City's right-of-way issues. Many unanswerable questions were raised and the importance in finding the answers was discussed. For clarity, this issue resulted in a suggestion made by Chairman Sanders to seek legal interpretation on the culvert issues since it is a separate issue from the right-of-way subject. The Commission agreed with the City Recorder and Chairman Sanders to take action as soon as possible. City Recorder Hilden requested that the Commission provide him with specific examples including street addresses of drainage problems. Chairman Sanders requested this item remain on the Agenda for next month.

C. Leanza Drive Access Issue Update – Director of Roads

Chairman Sanders reported that Director of Roads Baker requested more time to acquire a couple of bids for this issue since he has been out of town. Chairman Sanders requested that this item remain on the Agenda for next month.

D. Share the Road Signs Update - Bill Harris

Since Commissioner Harris was not present, Chairman Sanders requested that this item remain on the Agenda for next month so Commissioner Harris can advise the Commission of his intentions regarding the six purchased Share the Road signs.

E. Road Commission Traffic Control Regulatory Authority - Staff (F. Hilden)

After discussion regarding the historical authority and responsibility of the Road Commission (Ordinance 149, Section 32.47 under Duties), it was determined that the Road Commission has been delegated the authority to make decisions to install, change, and regulate signs unless there is contention, and then the issue can go before the City Council who has the ultimate authority in the matter. City Recorder Hilden summarized this Agenda item by stating that the Road Commission has the

authority to act upon these matters, but like everything else within the City, any board decision made below the City Council can be appealed to the City Council.

F. Review of Necessity of No Parking Signs at Woahink Drive and Wright Road – (M. Sanders)

A discussion was held regarding the continuous problem associated with the No Parking signs installed at the above mentioned location, and after a considerable discussion between the Commissioners, Chairman and the City Recorder, a consensus was made to leave the signs where they are for the reason that since the property owner has now complied, the visual block has been resolved, it seems to be working, and other citizens have expressed their appreciation in settling the dilemma.

G. Damage to Green Gate Road – Code Enforcement Officer

This Agenda item is in response to last month's citizen input complaint from Mr. Gary Dietz regarding caterpillar equipment tearing up the pavement on Green Gate Road and dirt on a private as well as a public street. A verbal complaint was made to the City before the grievance came before the Road Commission on May 20, 2013. Director of Roads Baker, Chairman Sanders, Commissioner Tucker and City Recorder Hilden investigated the complaint. Director of Roads Baker found slight distress in a localized area. City Recorder Hilden spoke with the contractor and developer (who is part of the Woahink Ridge Estates PUD), who was extremely cooperative and agreed to repair the damage per the City's specifications within 120 days (the time City Recorder Hilden gave him to comply). When the repairs have been made, City Recorder Hilden agreed to contact the Director of Roads to inspect the repairs and ensure they comply with the City's requirements. Chairman Sanders noted that he will take this item off the Agenda until October unless information is received before that date.

H. City Code Complaint Process – Code Enforcement Officer

City Recorder Hilden stated that in January of 2013, the City of Dunes City passed Ordinance No. 219 which made him the Code Enforcement Officer for the City; he read a section of the Ordinance (36.060) entitled Written Complaint Exceptions and a discussion followed. He informed the Commissioners he does not require a written complaint to investigate Code violations unless he has to go on someone's private property. He stated that he will act on a code violation complaint for the Commission without a written complaint, but would prefer the Commission give him as much information as possible.

I. Transportation & Growth Management Update – Director of Roads

Chairman Sanders stated that since Director of Roads Baker was absent, he offered to speak for him regarding this update on the TGM (Transportation & Growth Management) Grant and reported that on June 13, 2013, we submitted (in a timely fashion) a

TGM Grant Application to ODOT (Oregon Department of Transportation) for approximately \$97,000 that entailed a transformation of our current MRP (Master Road Plan) into a more inclusive MTP (Master Transportation Plan), including a street network-wide sign inventory, a Bicycle Master Plan and the addition of other key elements that typically comprise a more full-scale transportation plan for the City of Dunes City. City Recorder Hilden stated that Director of Roads Baker worked very hard in developing an excellent 3-page narrative for the application and together with he and Road Secretary Lorentzen, we all worked diligently together on the final version including the budget breakdown. He also stated that the preliminary feedback we received from an ODOT representative conveyed that this is one of the strongest submissions that he has seen. City Recorder Hilden went on to clarify that this TGM Grant is a planning grant that comes from ODOT, but is co-sponsored by DLCD (Department of Land Conservation & Development) which governs the Comprehensive Plan for cities. He went on to point out that this is just a planning grant and an agency cannot receive money through this grant for anything other than planning (can't include engineering, maintenance, or construction). Chairman Sanders noted that this grant, if awarded, will be announced the first part of October, 2013.

J. Master Road Plan Update

City Recorder Hilden spent a considerable amount of time clarifying, and explaining the status of the Master Road Plan. According to him, unfortunately the MRP has been interpreted as the City's Master Transportation Plan (MTP) and according to DLCD (Department of Land Conservation and Development), it makes it a land use matter and we cannot repeal the existing MRP without replacing it with a new MRP by Ordinance. The direction we are going right now with the City Attorney is to adopt the new MRP by Ordinance, but isolate everything that we want to maintain annually, like the CPMS (Computerized Pavement Management System) because we need to be free to update that monthly or certainly annually, and put that into the Appendix by a Resolution. After much discussion, it was decided to put the MRP on the November Agenda.

9. NEW BUSINESS (None)

10. UNSCHEDULED ITEMS NOT LISTED ON AGENDA

Planning Vice-Chairman Riechel is looking forward to seeing what is in the box during the opening of the time capsule this weekend and hopes the weather holds out for the occasion.

City Recorder Hilden announced a public hearing scheduled before the Planning Commission on Thursday, June 27, 2013 to hear public input and comments; it will be the first evidentiary hearing on the Comprehensive Plan Review on Goal 1, the citizen involvement program.

Commissioner Leach stated that he became aware of an ad in the paper for Ron Tucker's position on the Road Commission, he questioned if any progress had been made in obtaining a new Road Commission candidate for his absence, and he personally is also concerned about Commissioner Richard Palmer not being here and possibly leaving as well as himself. City Recorder Hilden responded to his concern stating that at this time there are no applicants.

Chairman Sanders questioned the status of the Newsletter and City Recorder Hilden replied that it is at the print shop today. Chairman Sanders mentioned that there is an article in the Newsletter about Richard Palmer and how volunteers are saving the city thousands of dollars and he requested that the Newsletter be put in the packets for the next Commission meeting.

11. ADJOURNMENT

There being no further business to come before the Road Commission, Chairman Sanders adjourned the meeting at 8:02 pm and no vote was taken.

The proceedings of the Dunes City Road Commission meeting were recorded, and are on file at City Hall. Upon approval by the Road Commission, these minutes will be available online at www.dunescity.com.

APPROVED BY THE ROAD COMMISSION ON THE 19TH DAY OF AUGUST 2013.

[Signed copy available at Dunes City Hall]

Maurice Sanders, Road Commission Chairman

ATTEST:

[Signed copy available at Dunes City Hall]

Laurale Lorentzen, Road Secretary