



**CITY COUNCIL MEETING MINUTES ~ APPROVED
APRIL 10, 2014 AT 7:00 PM**

City Hall ~ 82877 Spruce St., Westlake, OR

These proceedings of the Dunes City Council were digitally 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 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 Dick Anderson, Councilor Ed Scarberry, Councilor Sheldon Meyer, Councilor Maurice Sanders, and Councilor Duke Wells.

Also Present: Administrative Assistant Renee Green, Administrative Assistant Rapunzel Oberholtzer, Siuslaw Valley Fire and Rescue Chief Jim Langborg, Planning Commission Chairman George Burke, and several other citizens.

3. PLEDGE OF ALLEGIANCE

All who were present stood for the Pledge of Allegiance.

4. APPROVAL OF THE AGENDA

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

5. CONSENT AGENDA

Councilor Anderson made a motion to approve the Consent Agenda. Councilor Meyer 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 first Budget Committee Meeting will be April 29th from 2:00 – 5:00 pm and will continue every Tuesday from 2:00 – 5:00 pm until the Budget is approved.

B. Volunteers are needed to fill three Budget Committee openings, one Parks & Recreation Commission opening and one Water Tester for Siltcoos Lake.

C. Dunes City Artist of the Month is Dunes City resident artist Kenny Henson.

D. April birthday wishes to Administrative Assistant Renee Green on the 18th.

Mayor Ruede invited everyone present to join Councilors for cake to celebrate April birthday's after the meeting.

7. CITIZEN INPUT

Mayor Ruede recognized Siuslaw Valley Fire and Rescue Chief Jim Langborg who was signed in to provide an update about SVFR activities in the Florence/Dunes City area.

Chief Langborg began by reporting SVFR call responses from the month of March: eight fire calls, including one three-acre fire in the vicinity of Canary Road/Fiddle Creek; four search and rescue calls including one kayaker who required assistance at the Dunes City spillway; thirty-eight medical calls (Chief Langborg noted that SVFR is increasing the number of calls to which it can respond); three motor vehicle calls, and; two service calls.

Chief Langborg went on to note that SVFR has started a Blue Card Incident Commander Certification Program. Chief Langborg was certified when he was in El Paso and Marvin Tipler, Division Chief of Operations at SVFR, is certified. Chief Langborg explained that the Program provides verified and structured training for incident commanders to ensure that they are able to handle multiple types of fire situations. SVFR has begun to implement the training throughout the entire department—chief officers are enrolled in the online portion of training now and plans are to have them certified by the end of the summer. Chief Langborg also noted that similar training is being provided in hands on programs to the SVFR captains who will pass it on to their firefighting teams. The goal is to have all of the firefighters trained to fight a variety of fires.

Chief Langborg provided a quick summary of WLEOG activities, including an update on the status of the Active Shooter incident planning, and announced that SVFR is now on Facebook.

Council President Mills congratulated Chief Langborg on the new updates to the SVFR website, noting that the site has lots of useful information on it. Councilor Anderson suggested that the Dunes City website and the SVFR website could provide links to each other's sites, a convenient way for residents to jump between the two sites for information. Chief Langborg added to Council President Mills' comment about the training available on the SVFR website by noting that there are various training videos on the site, including three from YouTube about active shooter incidents.

8. PUBLIC HEARING

- A. Ordinance No. 226 Amending the Dunes City Comprehensive Plan to Adopt the Dunes City Master Road Plan as the City's Local Transportation System Plan, Repealing Ordinance No. 171 and the 2004 Dunes City Master Road Plan.

Mayor Ruede announced the public hearing on Ordinance No. 226 (as described above), amending the City's Comprehensive Plan and adopting a new Master Road Plan.

This evening we have a public hearing on Ordinance No. 226, an ordinance amending the Master Transportation Plan provision of the Dunes City Comprehensive Plan.

These proceedings will be recorded.

This hearing will be held in accordance with the land use procedures required by the City and the State of Oregon. This is a Type IV Legislative Procedure.

During the hearing tonight, staff will identify the applicable substantive criteria. These are the criteria we must use in making a decision. All testimony and evidence must be directed toward these criteria or other criteria which you believe applies to the decision.

Any party interested in a land use matter may challenge the qualification of any Councilor to participate in such hearing and decision. Such challenge must state facts relied upon by the party relating to a Councilor's bias, prejudice, conflict of interest, or other facts from which the party has concluded that the Councilor will not make a decision in an impartial manner.

Mayor Ruede asked if any Councilor wished to declare a conflict of interest or bias? Councilor Sanders noted that he was somewhat involved in writing updates to the Master Road Plan and asked to clarify whether that constituted a bias. City Administrator/Recorder Hilden pointed out that that would not be a basis for bias. The Mayor asked Councilors if any of them wished to challenge Councilor Sanders' bias. There were no challenges to Councilor Sanders' bias and no Councilors declared their own conflict of interest or bias.

Mayor Ruede asked if any member of the public wished to challenge a Councilor's impartiality? There were no challenges from the public.

Mayor Ruede opened the public hearing for Ordinance No. 226 at 7:16 pm and requested the staff report from City Administrator/Recorder Hilden.

City Administrator/Recorder Hilden read into the record the Description, Narrative and Background from the April 10, 2014 Staff Report and Findings of Fact for the proposed new Master Road Plan and attached as Exhibit A to Ordinance No. 226:

PROPOSAL DESCRIPTION

The proposal is to amend the Dunes City Comprehensive Plan by repealing and replacing the 2004 Dunes City Master Road Plan with the 2013 Dunes City Master Road Plan, the City's Local Transportation System Plan (Plan) (Exhibit A). The Master Road Plan was established in 2004 by Dunes City Master Road Plan Ordinance No. 171 to comply with the Dunes City Comprehensive Plan.

NARRATIVE

On January 23, 2014 the Dunes City Planning Commission initiated legislative amendments to the City's Comprehensive Plan by holding a Public Hearing to appoint a Citizen Advisory Committee (CAC) made up of citizens interested in providing feedback on proposed changes to the City's Master Road Plan. No citizens applied for appointment to the CAC.

On February 10, 2014 Dunes City staff mailed the required Notice of a Proposed Change to a Comprehensive Plan or Land Use Regulation form to Oregon's Department of Land Conversation and Development (DLCD).

On March 27, 2014 the Dunes City Planning Commission held a Public Hearing to hear citizen comments on the proposed changes to the City's Master Road Plan and to review a proposed Ordinance to repeal and replace Ordinance No. 171 that established the original Master Road Plan in October of 2004.

The City is seeking an exemption under OAR 660-012-0055(6) to relieve the City of the State Transportation Planning Rule requirements at OAR 660-012-0020(2)(a), (c), (d), and (h), allowing the City to address those requirements only to the extent they are relevant to the unique attributes of the City of Dunes City.

BACKGROUND

The proposed Local Transportation System Plan/Master Road Plan is an update of the original Dunes City Master Road Plan and represents the City's vision for the future transportation and maintenance system while remaining consistent with state plans, the City's Comprehensive Plan and other local plans and policies. The plan provides the necessary elements for adoption by governing bodies into the City's Comprehensive Plan.

State of Oregon planning rules require a TSP to be based on a City's current Comprehensive Plan and land use map and to accommodate the expected/projected 20 year population and employment numbers. The contents of the Dunes City Local Transportation System Plan/Master Road Plan update are guided by Oregon Revised Statutes (ORS) 197.712 and the Department of Land Conservation and Development (DLCD) administrative rule known as the Transportation Planning Rule (TPR). These laws and rules require the following of jurisdictions:

- *a road plan for a network of arterial and collector streets;*
- *a bicycle and pedestrian plan;*
- *an air, rail, water, and pipeline plan;*

- *a transportation financing plan; and*
- *policies and ordinances for implementing the TSP*

The TPR requires a TSP to incorporate the needs of all users and abilities. The TPR also requires local jurisdictions to adopt land use and subdivision ordinance amendments (as needed) to protect transportation facilities and to provide bicycle and pedestrian facilities between residential, commercial, and employment/institutional areas. Local jurisdictions are also required to coordinate with county, regional and state transportation system plans.

Dunes City's first Local Transportation System Plan/Master Road Plan was called the Dunes City Master Road Plan initially created in 2000 and subsequently adopted by Ordinance No. 171 in 2004.

The 2014 TSP is the result of significant effort by an all-volunteer Dunes City Road Commission, a contract Public Works Director, members of the Dunes City Planning Commission, and many other volunteers and consultants over the course of two years and dozens of meetings.

In compliance with Statewide Planning Goal 1, the Dunes City Planning Commission, the Committee for Citizen Involvement (CCI) for the City, attempted to establish a Citizen Advisory Committee (CAC) to review the proposed 2013 Master Road Plan/Local Transportation System Plan that amends the 2004 Master Road Plan. The Planning Commission published public notices about the formation of the CAC and held a public hearing to appoint citizen applicants to the CAC. No citizens applied to the CAC, and none were appointed. The Planning Commission then served as the CAC for reviewing the 2013 Master Road Plan.

On March 27, the Dunes City Planning Commission held a public hearing for citizen input on the proposed Master Road Plan and the proposed Ordinance to amend the City's Comprehensive Plan.

The Dunes City Council will hold a public hearing on April 10 where public input will be solicited and the proposed Ordinance to amend the City's Comprehensive Plan will be read. All of the aforementioned factored into the shaping and development of the proposed Local Transportation System Plan.

City Administrator/Recorder Hilden explained that the last paragraph of the narrative section, referring to the City seeking an exemption to certain OAR TPR requirements, was not included in the Staff Report and Findings of Fact presented to the Planning Commission, but was added later on advice of the City Attorney because the proposed Master Road Plan does not, and cannot, meet all of the criteria required under Oregon's TPR. He went on to note that to all of the proper notices and referrals relative to the preliminary reviews of the Master Road Plan were made correctly.

City Administrator/Recorder Hilden then described an amendment to page 26 of the Staff Report and Findings of Fact in which item VI (the Conclusion) will be renumbered as item VII and the new item VI will be titled Recommendation(s) to read as follows:

On March 27, 2014 the Planning Commission unanimously voted to recommend that the title of the Master Road Plan be changed to Master Transportation Plan, as called for in Policy F14 of the Dunes City Comprehensive Plan, and recommended that the City Council adopt Ordinance No. 226.

Staff recommends that Council adopt the Findings of Fact, as amended by the Master Road Plan title change.

Staff also recommends Council adopt Ordinance No. 226, as presented to Council.

Following City Administrator/Recorder Hilden's review of the Staff Report and Findings of Fact, Mayor Ruede asked if Mr. Hilden had any recommendations about the language regarding emergency events and the reference to Dunes City Code Chapter 32.49 on page 40 of the Master Road Plan. City Administrator/Recorder Hilden noted that the language could be clarified but also noted that the Council's discussion of Chapter 32, scheduled for later in the meeting, could address that language. Mayor Ruede agreed to revisit the language during discussion of Chapter 32.

Mayor Ruede asked if Councilors had any comments or questions for staff. There were none. Mayor Ruede requested testimony from citizens present and opposed to the adoption of the Master Road Plan. There was none. Mayor Ruede requested testimony from citizens present and in favor of adopting the Master Road Plan.

Ms. Bonnie Allen, a Dunes City resident, asked if the job descriptions for Road Commission Secretary and Director of Roads were positions that would be created. City Administrator/Recorder Hilden replied that the positions were existing positions, not new. He explained that the Secretary is a part-time City employee and the Director is a City contract employee, whose compensation is approved by the City Council annually. Ms. Allen requested an explanation for the budgeted cost of work scheduled for 2014. City Administrator/Recorder Hilden explained that a significant amount of work to upgrade streets was done in 2009 so there was no immediate need for further upgrades until this year. Ms. Allen then asked for clarification as to why her street, Sauter Drive, was listed in the Appendix as a private road but was not depicted on the street map located in the body of the Master Road Plan. City Administrator Hilden explained that the map in the MRP is an older one and the Plan would be updated to include a new map.

Mayor Ruede asked Councilors if they had questions for Ms. Allen. There were no questions. There was no other testimony in favor of Ordinance No. 226. Mayor Ruede closed the public hearing at 7:35 pm.

9. NEW BUSINESS

A. Deliberation and Decision Regarding Ordinance No. 226

City Administrator/Recorder Hilden explained the possible actions the Council could take: a) adopt the Ordinance and MRP as presented, b) propose substantive changes to text prior to adoption, c) choose to table action temporarily, or d) choose not to adopt the Ordinance and the Plan.

Mayor Ruede asked Councilors for comments. Council President Mills presented draft language that she suggested could replace the previously discussed emergency language on page 40 of the Master Road Plan, noting that the language in the MRP should match the language in the City's Chapter 32. Following a short discussion about procedures, it was agreed to table discussion of the draft language until discussion of Chapter 32, noting that any changes to the emergency language in Chapter 32 would automatically amend the corresponding language in the MRP.

Councilor Sanders pointed out a scrivener's error on page 55 of the MRP, where "5.3" appears twice and should be corrected to "5.3" and "5.4" respectively. Councilor Sanders then asked about the procedure for changing the name of the Master Road Plan to Master Transportation Plan and how the Appendices would be updated after the Plan has been adopted. City Administrator/Recorder noted that updating the Appendices could be done by administrative procedure. Councilor Sanders went on to note that the reference to annual fund set asides in the Emergency Events section on page 40 of the MRP is addressed elsewhere in City Code and in the City Budget.

Mayor Ruede asked Councilors for comments. Councilor Sanders suggested removing the fund set aside section altogether or replacing it with a statement such as, "Every Dunes City Budget shall contain an emergency fund line item." Councilors agreed to amend the title of that section accordingly if necessary.

Councilor Sanders made a motion to amend the title of the Master Road Plan to Master Transportation Plan. Councilor Wells seconded the motion. The motion passed by unanimous vote.

Councilor Sanders made a motion to delete the first paragraph under "Emergency Events and Other Annual Fund Setasides" subsection "Emergency/Unforeseen Events" on page 40 of the Master Transportation Plan in its entirety. Council President Mills seconded the motion.

Councilor Sanders amended his motion, adding the second paragraph in that section and subsection would be changed to read "Dunes City Road Fund Budget will have an expenditure line item established for unforeseen emergencies." Council President Mills seconded the amended motion.

Council President Mills asked staff if it would be possible to get an updated map to replace the one currently in the MTP. City Administrator/Recorder Hilden replied that it should be possible.

Councilor Sanders made a motion to adopt Ordinance No. 226 as amended. Councilor Wells seconded the motion.

Council President Mills asked for clarification of a point of order, whether or not the Findings of Fact needed to be adopted or accepted prior to adopting the Ordinance. City Administrator/Recorder Hilden noted that the Council should adopt the Staff Report and Findings of Fact as amended prior to adopting the Ordinance.

Councilor Sanders withdrew his motion to adopt Ordinance No. 226 and Councilor Wells withdrew his second.

Councilor Sanders made a motion to accept the Staff Report and Findings of Fact for Ordinance No. 226 as amended. Councilor Wells seconded the motion. The motion passed by unanimous vote.

Council President Mills made a motion to adopt the Master Transportation Plan as amended and Ordinance No. 226. Councilor Sanders seconded the motion. The motion passed by unanimous vote.

Council President Mills extended thanks to the Road Commission and others who put so much effort into developing the new Master Transportation Plan, noting that it should serve the City well.

B. Charter Franchise Agreement

City Administrator/Recorder Hilden explained that the Charter franchise agreement comes up for renewal about every ten years. He requested that the Council authorize an extension to the agreement, which is set to expire in April, until October so that staff has ample time to negotiate a new agreement and explore other cable options that might be available. There was a short discussion about the income generated by the agreement with Charter.

Council President Mills made a motion to authorize the City Administrator to execute the extension agreement as presented by staff. Councilor Anderson seconded the motion.

Council President Mills noted that the state legislature recently changed provisions about franchising and suggested that staff look into those provisions to make sure the City is getting the maximum benefit from a franchise agreement. Council President Mills asked whether there was a need to reinstate the Franchise Committee or leave the research up to the City Administrator. It was agreed that the City Administrator would look at all of the options and present a report to the Council prior to taking any action.

The motion passed by unanimous vote.

C. Medical Marijuana Dispensaries Moratorium

Mayor Ruede explained that the City has until May 1st to make a decision about implementing a moratorium which, if implemented, could last until May, 2015. City Administrator/Recorder Hilden went on to explain that Oregon's legislature passed a bill allowing the use and sale of medical marijuana, which prompted citizens throughout the state to look into business licenses for dispensaries. Oregon cities now face the dilemma of issuing licenses to allow dispensaries for a product that is prohibited under Federal law or being sued for denying permits to dispensaries. The Oregon Senate passed SB 1531 in March of 2014, a bill that, among other things, allows Oregon cities to establish a one-year maximum moratorium on issuing dispensary licenses while the State and the cities sort through the issues associated with the use and sale of medical marijuana.

City Administrator/Recorder Hilden further explained that if the Council wanted to establish a moratorium it would have to do so by approving an ordinance prior to May 1st this year and Council could convene a special session for that purpose. Prior to the meeting, Council President Mills created draft language for an ordinance and Administrative Assistant Renee Green distributed copies for Councilors to review and discuss. City Administrator/Recorder Hilden noted that Oregon's law allows dispensaries in commercial, industrial or mixed use zones. He pointed out that Dunes City has only commercial and residential zoning with most, if not all, of the commercial space already occupied but an existing business owner could also apply for a dispensary license.

There was some discussion during which Mayor Ruede noted that a moratorium would give the City time to thoroughly review all of the issues associated with medical marijuana dispensaries in City limits. There was also discussion about whether or not a dispensary could be a home-based business, the language in the draft ordinance, and questions about what other Oregon cities are doing about this issue. Mayor Ruede asked Councilors if they were agreeable to a special session to further discuss a moratorium and an ordinance.

Councilors agreed to hold a special session at 1:00 pm on April 29th, just before the scheduled Budget Committee meeting. Staff agreed to review language for an ordinance with the City Attorney and post a public notice about the special session.

10. UNFINISHED / OLD BUSINESS

A. Oregon Dunes Triathlon and Duathlon Contract Update

City Administrator/Recorder Hilden announced that the two issues in the contract between the City and Best in the West Events, ownership of the event and compensation, have been partially resolved and went on to explain that the termination clause is written so that it is easy for either party to terminate, during a specific time frame, at any time without cause. City Administrator/Recorder Hilden noted that the new compensation arrangement substantially benefits Dunes City—instead of a small percentage of the gross revenue from the event, the City will receive 50% of the revenue from sponsorships.

City Administrator/Recorder Hilden went on to explain that Blair Bronson of Best in the West Events would like to own the event at some point, rather than acting as a contractor to produce the event. Mr. Hilden recommended that after two years of successful events the City transfer ownership to Best in the West Events, but keep the contract and compensation arrangement in place. Transferring ownership would give Mr. Bronson incentive to continue promoting the event and help to ensure that the event would continue, especially if it became too big for the City to effectively manage.

There was some discussion about what would happen if Best in the West Events went out of business or decided to sell the event. It was agreed that City Administrator/Recorder Hilden would amend the contract so that if either scenario or any similar should occur, the event would revert to City ownership. There was a discussion about ownership and use of the logo. City Administrator/Recorder noted that the City can use the logo, as stated in the contract, but ownership of the logo would transfer with ownership of the event.

Mr. Hilden recommended that the Council authorize him to execute the contract with the amendments to ownership, compensation and the resale clause, noting that if any issues come up, the contract could be renegotiated later in the summer.

Councilor Sanders made a motion to authorize the City Administrator/Recorder to execute the contract as amended and with the addition of the resale clause as discussed. Councilor Wells seconded the motion. The motion passed by unanimous vote.

City Administrator/Recorder Hilden announced that there are 114 people registered for the event and one of the teams registered is called “The Dunes City Councilors”—Councilor Wells on bicycle and Councilor Sanders running. Mayor Ruede noted that the event is only 29 days, 11 hours and a few minutes away.

B. Ad Hoc Committee: Triathlon and Duathlon Merchandising

Council President Mills reported that she sent an email to Pete Apo, of Pacific Image Marketing, with a request for suggestions to spend the \$1,500 that the Council authorized for merchandising. Councilor Sanders suggested that Council President Mills work with Mr. Apo to select the style of water bottle, T-shirt, and hoodie; she agreed to do so.

C. Ad Hoc Committee: City Property Disposition and/or Acquisition

Councilor Anderson reported that since the last Council meeting, the City Administrator/Recorder consulted with the City Attorney about the regulations governing disposition of City-owned property and acquisition of other property. City Administrator/Recorder Hilden expounded on a description of the small land locked parcel (lot 1300) saying that the parcel is very small and shaped like a trapezoid. He noted that it is awkwardly situated for any practical use by the City, but it will be staked by a surveyor. He explained that the lot needs to be appraised before selling and selling it requires all of the proper real estate paperwork. City Administrator/Recorder Hilden has estimates for appraisals in the amounts of \$400 to \$450. He explained that the appraisal would need to be presented to

the Council and if the Council wanted to sell the property it would need to hold a public hearing to discuss the sale.

Mayor Ruede noted that the property is lake front and at one point was considered a possible site for kayak access but there was no action taken to go forward with any development. There was some discussion about the cost of the appraisal, where the funding to pay for it would come from. There was also discussion about whether the Parks and Recreation Committee should revisit City use of the land at its next meeting and report back to the Council. It was agreed that the Parks and Recreation Committee would discuss the matter and make a recommendation to the City Council during the May meeting.

Councilor Anderson pointed out that there were three properties that the City would be interested in acquiring. City Administrator/Recorder Hilden suggested meeting with Councilor Anderson to come up with a plan and consulting with the City Attorney about acquisitions. Council President Mills agreed to be part of the planning and look further into grant funds that could be used for purchasing property. She noted that there were grant funds available for acquiring property that could be used for a park. The three will bring a report back to the Council.

D. Ad Hoc Committee: Septic Education Program

Councilor Wells reported that the Committee met on March 25th with Councilor Scarberry attending as a new member. Committee members reported on their meetings with realtors and property managers to determine the level of interest in contacting Dunes City prior to property sales or rentals so that new owners and tenants could learn about the City's septic system program. Response to the idea was very positive. Committee member Suzie Navetta located current DEQ information that will be incorporated into educational material. The Committee will meet again later in April to begin compiling a report that Councilor Wells will present to the Council.

E. Ordinance No. 225 Amending Chapter 32 – Second Reading and Public Comment

Council President Mills suggested that City Administrator/Recorder Hilden open the discussion of Ordinance No. 225 by presenting his staff report. City Administrator/Recorder Hilden began by noting that the City Charter allows the City Council some flexibility in how it adopts an ordinance. He explained that the Council may hold a meeting in which there are: a) a first reading of a new ordinance by title only, providing there is a unanimous vote of Council to read the ordinance by title only, b) a second reading by title only with a unanimous vote of the Council, c) amendments to the ordinance, and d) adoption of the amended ordinance as long as the entire amendment is read out loud.

Presenting his staff report, City Administrator/Recorder Hilden noted that after the March Council meeting and discussion of Chapter 32, staff made a few non-substantive changes to correct scrivener and formatting errors and those changes were in the redline version of Exhibit A Chapter 32 that Councilors had in their meeting packets. City Administrator/Recorder Hilden went on to note that he watched the video from the March Council

meeting and listened to the discussion about Emergency Procedures in Sections 32.34 and 32.96 and would like to recommend that the Council consider removing those sections in their entirety. He explained the rationale for the recommendation by noting that Dunes City has not adopted an ordinance that allows the Mayor to declare a state of emergency in the City, which is a requirement if the City is to qualify for State and/or Federal funds. He went on to explain that the City could create an Emergency Plan, detailing procedures to follow, levels of emergencies, communications protocols, etc. and include all of that in a separate Chapter of the Code. He commended Council President Mills, the Ordinance Review Committee and others for all of the work that went in to refining Chapter 32, noting that revisions have been in the works for a couple of years.

City Administrator/Recorder further noted that an alternative to deleting those two Sections would be to rewrite them to clarify the actions to be taken, and by whom, in the event of an emergency. Administrative Assistant Renee Green distributed copies of proposed new language for those sections that was drafted by Council President Mills.

Council President Mills proposed that the Council amend Sections 32.34 and 32.96 by replacing the current content with her draft language, and proceeded to read it aloud.

“In the event of storm or other disasters creating hazardous conditions on City streets or rights-of-way, or other roadway-related conditions which may be determined to be hazardous, injurious, or detrimental to the public safety and welfare, such as, but not limited to, wind storm damaged trees on City rights-of-way, the Chairperson, or in the absence of the Chairperson, the Vice Chairperson may declare a road emergency and take action to alleviate the hazardous condition in accordance with the Dunes City Emergency Operations Plan. As soon as possible, the Chairperson or Vice Chairperson will notify the City Recorder of the road emergency declaration. The City Recorder will then notify the Mayor and City Council.”

Council President Mills made a motion to have the second reading of Ordinance No. 225 by title only. Councilor Scarberry seconded the motion. The motion passed by unanimous vote.

Mayor Ruede requested that City Administrator/Recorder Hilden read Ordinance No. 225 by title only. The title was read aloud:

“AN ORDINANCE TO AMEND CHAPTER 32 OF THE DUNES CITY CODE OF ORDINANCES ENTITLED “BOARDS AND COMMISSIONS”, CHANGING THE NAME OF SAID CHAPTER; CREATING AND CONTINUING CERTAIN COMMITTEES AND COMMISSIONS; PROVIDING FOR DUTIES, RESPONSIBILITIES, POWERS AND LIMITATIONS OF DUNES CITY COMMITTEES AND COMMISSIONS; REPEALING ORDINANCE NUMBERS 98, 122, 163, 187, 191, AND 205 RELATING TO THE PLANNING COMMISSION; REPEALING ORDINANCES 104, 169 AND 202 RELATING TO THE PARK AND RECREATION COMMISSION, CHANGING THE NAME OF THE PARK AND RECREATION COMMISSION; REPEALING ORDINANCE 209 RELATING TO THE ORDINANCE REVIEW COMMITTEE; REPEALING ORDINANCE 199

RELATING TO THE REVENUE COMMITTEE; REPEALING RESOLUTION 02-08-07(A) RELATING TO THE COMMUNICATION AND EDUCATION COMMITTEE; REPEALING ORDINANCE 197 AND RESOLUTION 05-11-06(A) RELATING TO THE WATER QUALITY COMMITTEE; AND OTHER MATTERS PROPERLY RELATING THERETO.”

Mayor Ruede called for a break at 9:02 pm and reconvened the meeting at 9:10 pm.

Mayor Ruede requested that City Administrator/Recorder Hilden reread the title of Ordinance No. 225 aloud, which he did, noting an inadvertent omission of Ordinances 149 and 208:

“AN ORDINANCE TO AMEND CHAPTER 32 OF THE DUNES CITY CODE OF ORDINANCES ENTITLED “BOARDS AND COMMISSIONS”, CHANGING THE NAME OF SAID CHAPTER; CREATING AND CONTINUING CERTAIN COMMITTEES AND COMMISSIONS; PROVIDING FOR DUTIES, RESPONSIBILITIES, POWERS AND LIMITATIONS OF DUNES CITY COMMITTEES AND COMMISSIONS; REPEALING ORDINANCE NUMBERS 98, 122, 163, 187, 191, AND 205 RELATING TO THE PLANNING COMMISSION; REPEALING ORDINANCES 149 AND 208 RELATING TO THE ROAD COMMISSION; REPEALING ORDINANCES 104, 169 AND 202 RELATING TO THE PARK AND RECREATION COMMISSION, CHANGING THE NAME OF THE PARK AND RECREATION COMMISSION; REPEALING ORDINANCE 209 RELATING TO THE ORDINANCE REVIEW COMMITTEE; REPEALING ORDINANCE 199 RELATING TO THE REVENUE COMMITTEE; REPEALING RESOLUTION 02-08-07(A) RELATING TO THE COMMUNICATION AND EDUCATION COMMITTEE; REPEALING ORDINANCE 197 AND RESOLUTION 05-11-06(A) RELATING TO THE WATER QUALITY COMMITTEE; AND OTHER MATTERS PROPERLY RELATING THERETO.”

Mayor Ruede asked whether any Council members had any actual or potential conflicts of interest. There were none declared.

Mayor Ruede opened the meeting for public comment at 9:12 pm and asked if there was anyone present who wished to speak in support of Ordinance No. 225. There was no response. The Mayor asked if there was anyone present who wished to speak in opposition to Ordinance No. 225. There was no response and Mayor Ruede closed the public comment period at 9:13 pm.

Mayor Ruede noted that it was time for the Council to deliberate and asked whether any Councilors had questions or comments.

Councilor Wells made a motion to accept the Staff Report and follow its recommendation to delete Sections 32.34 and 32.96 from Chapter 32 entirely and include their content in an Emergency Plan for Dunes City. Councilor Sanders seconded the motion.

Councilor Sanders asked if everyone was aware that under the current Emergency Operations Plan, if there is an emergency situation during a storm that the Road Commission cannot handle, the City Administrator/Recorder is notified to initiate the necessary resources. Otherwise, the Road Commission handles the situation and Councilor Sanders includes a discussion about the situation in his monthly report to the Council. He went on to explain that the Plan also details a chain of command.

The motion passed by a vote of five to one, with Council President Mills voting against it.

Mayor Ruede requested a motion to adopt Ordinance No. 225.

Councilor Sanders made a motion to adopt Ordinance No. 225 as amended. Councilor Wells seconded the motion. The motion passed by unanimous vote.

11. REPORTS

Mayor's Report: Mayor Ruede reported that she attended the March 17th WLEOG meeting during which SVFR Chief Langborg showed three videos that demonstrated how to respond to an active shooter situation. She went on to say that during a discussion following the videos the Chairman of the meeting requested that Dunes City appoint a representative to the Active Shooter Planning Committee started by WLEOG. City Administrator/Recorder Hilden noted that as the designated WLEOG representative for Dunes City, he would attend the ASPC meetings and include a discussion of them in his monthly WLEOG report to the Council. He noted that the Committee would likely disband once the participants have synchronized their action plans relevant to active shooter events. Mayor Ruede also reported that the Director of Florence Food Share approached her to suggest a Dunes City resident become a member of Food Share's Board of Directors. The Mayor announced that US Bank will be a presenting sponsor of the Oregon Dunes Triathlon and Duathlon this year.

Communication and Education Committee Report: Councilor Meyer reported that the Committee is working on the next issue of the newsletter.

Ordinance Review Committee Report and Water Quality Committee Report: Council President Mills reported that neither of the Committees met during March.

Community Center Report: Councilor Wells reported that the Committee has started on outside clean up around the Community Center and will finish soon.

Conservation Committee Report: Councilor Anderson reported that there were complaints or concerns from citizens in March.

Parks and Recreation Committee: Councilor Scarberry noted that there was no meeting last month but hoped to have a quorum for a meeting in April to discuss the possible sale of the City-owned property by the boat ramp.

Road Commission Report and March Draft Minutes: Councilor Sanders reported that the pavement maintenance project was approved and ready to go out for bids, further noting that the Alder Drive project would be bid on separately. He went on to report that a drainage problem on Woodland Lane was identified and corrected, and ODOT was notified that the City intends to apply for a grant.

Emergency Services Report: City Administrator/Recorder Hilden noted that he didn't attend the March 17th meeting of WLEOG, but the Mayor did and has reported on the meeting. He went on to note that he had discussions with WLEOG that resulted in WLEOG agreeing to pick up the cost of the emergency satellite telephone, which will save the City some money.

City Administrator/Recorder/Planning Staff Report: City Administrator/Recorder Hilden reported that March permit activity was down compared to February, work continued on a subdivision and two partition applications and there were two citizen complaints filed in March. Describing the Planning Commission's work, he noted that the Commission completed work on the Stormwater/Surface Water Management language for Chapter 155 and completed changes to Chapter 154 "Soil Erosion Control/Vegetation Removal" which will be submitted for legal review. City Administrator/Recorder Hilden went on to note that there were 92 participants registered for the Oregon Dunes Triathlon and Duathlon event—last year there were only 53 participants. The drainage issue on Woodland was in part due to the driveway permit being processed incorrectly and issued without oversight by the Road Commission; steps have since been taken to make sure that situation does not occur again. The pavement repair bids that Councilor Sanders referenced were sent out after review by the City Engineer—specifications and RFPs were sent to four contractors. The City Administrator/Recorder went on to clarify the City's policy regarding use of City-owned equipment, noting that the policy has always been to allow Parks and Recreation Committee members, or other citizen volunteers doing maintenance work on City parks or roadway areas, to check out equipment but on occasion tools are not returned promptly; he suggested a slight change to the City's policy to address the issue and will draft language to present to the Council at a future meeting.

12. FOR THE GOOD OF THE ORDER

Administrative Assistant Renee Green pointed out that volunteers are still needed for the May 10th Triathlon and Duathlon, and requested that interested parties sign up via email to Blair Bronson at volunteer@bestinthewestevents.com or by calling Dunes City Hall.

13. ADJOURNMENT

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

Mayor Ruede adjourned the meeting at 9:41 pm.

APPROVED BY THE DUNES CITY COUNCIL ON THE 8th DAY OF MAY 2014.

[Signed copy available at City Hall]

Rebecca Ruede, Mayor

ATTEST:

[Signed copy available at City Hall]

Fred Hilden, City Recorder