



**CITY COUNCIL MEETING MINUTES ~ APPROVED
FEBRUARY 14, 2018 AT 6:00 PM**

City Hall ~ 82877 Spruce St., Westlake, OR

These proceedings of the Dunes City Council were recorded and are on file at Dunes City Hall. Upon approval by the City Council, these minutes will be available online at www.DunesCity.com

1. CALL TO ORDER

Mayor Robert Forsythe called the Wednesday, February 14, 2018, meeting of the Dunes City Council to order at 6:00 pm.

2. ROLL CALL

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

Present: Mayor Robert Forsythe, Council President Sheldon Meyer, Councilor Susan Snow, Councilor Duke Wells, Councilor Tom Mallen, and Councilor Robert Orr.

Absent and Excused: Councilor Alan Montgomery.

Also Present: Administrative Assistant Rapunzel Oberholtzer, and *Siuslaw News* community reporter Mr. Jared Anderson.

3. PLEDGE OF ALLEGIANCE

All who were present stood for the Pledge of Allegiance.

4. APPROVAL OF THE AGENDA

Councilor Orr made a motion to approve the Agenda. Councilor Mallen seconded the motion. The motion passed by unanimous vote.

5. APPROVAL OF THE CONSENT AGENDA

Councilor Mallen made a motion to approve the Consent Agenda. Councilor Orr seconded the motion. The motion passed by unanimous vote.

6. ANNOUNCEMENTS / CORRESPONDENCE

City Administrator/Recorder Mills read from the list of announcements on the Agenda:

- A. On March 20, 2018, at 5:00 pm, tsunami experts from the Office of Emergency Management will be at City Hall to discuss tsunamis and their impacts on local citizens. This will

be a casual, question and answer format meeting that should prove to be informative for everyone who attends.

- B. A Town Hall meeting with the City Council regarding public safety concerns will be held Wednesday, April 18, 2018, at 6:00 pm, where all Dunes City residents are welcome to discuss public safety concerns with the City Council, the Lane County Sheriff, Sergeant Michal Brewster of the Oregon State Police, and Florence Police Chief Tom Turner.
- C. A Budget Committee meeting is scheduled for April 24, 2018, at 5:00 pm, at which time there will be a review of the third quarter of FY 2017-2018 and an introduction of the Budget meeting schedule for FY 2018-2018 Budget.

City Administrator/Recorder Mills also announced that Darlings Resort will host a fireworks display over Siltcoos Lake on Saturday, June 30, 2018, beginning at approximately 10:00 pm. Darlings has secured most of the sponsorship funding for the event, but may offer additional sponsor packets. Everyone is invited to attend what Darlings hopes will become an annual event.

7. OLD BUSINESS

A. LaneACT Representative

City Administrator Mills reported that the LaneACT representative must be an elected official but the elected official may appoint someone who is not elected to attend LaneACT meetings on behalf of Dunes City and report to the Council. Mayor Forsythe suggested that the Councilors think about choosing someone to appoint as the representative for Dunes City. He explained that the reason for appointing a representative is because the LaneACT meetings are on the same day as the Council meeting and at a time that conflicts with the Council meeting.

8. NEW BUSINESS

A. Appoint Member(s) to the Budget Committee

City Administrator/Recorder Mills reported that there were two applications for appointment to the Budget Committee, one from Mr. Rory Hammond and one from Mr. Craig Zolezzi.

Mayor Forsythe recognized Mr. Hammond who was present in the audience. Mr. Hammond introduced himself, noting that he recently moved to Dunes City but has had roots in the area since childhood. He went on to add that he was on the Columbia County Budget Committee and was looking forward to helping Dunes City.

Council President Meyer made a motion to approve both applicants to the Budget Committee. Councilor Wells seconded the motion. The motion passed by unanimous vote.

B. Travel Lane County Membership Dues

City Administrator/Recorder Mills explained that the annual membership dues are up for renewal at \$195. Councilors generally agreed that Travel Lane County's promotional efforts for Lane County, the Coast and the Triathlon are worth the membership. City Administrator/Recorder Mills was asked to renew the membership.

C. Hough, MacAdam, Wartnik, Fisher & Gorman, LLC Notice of Termination

City Administrator/Recorder Mills explained that the accounting firm responsible for the City's audits and audit reviews has notified the City that it is experiencing a shortage of staff qualified to provide financial statement services to cities and cannot serve Dunes City this year.

Mayor Forsythe suggested that City Administrator/Recorder Mills contact the City Manager for Florence, the Port Manager, and the Fire District to find out which auditing firms they use and solicit bids from them.

D. Request for Approval of Expenditures for Required Grant Application Information

City Administrator/Recorder Mills explained that City Staff is working on a grant application for acquisition of property for the connectivity trail between North Beach and Westlake. She went on to explain that the grant requires submission of an appraisal of the proposed property which will cost about \$1,500 and she is asking for approval to order the appraisal. She noted that there is money in the RTMP Fund to cover the expense.

Council President Meyer made a motion to approve the order of the appraisal. Councilor Wells seconded the motion. The motion passed by unanimous vote.

E. Ordinance Adding Chapter 123 entitled Marijuana Businesses to Title XII, Business Licenses

City Administrator/Recorder Mills explained that the matter was on the agenda to introduce Councilors to a new ordinance requiring that marijuana businesses in Dunes City must have a Conditional Use Permit prior to applying for a Business License. She went on to explain that the Conditional Use Permit application process for marijuana businesses does not yet exist in City Land Use Code, but will be addressed by a separate ordinance amending the City's Land Use Code.

During discussion, Mayor Forsythe noted that the language requiring a license for medical marijuana growers is confusing because the City does not know who those growers are or where they are. City Administrator/Recorder Mills agreed and explained that she used language from LCOG and LOC sample code that refers to medical marijuana as a base for this draft ordinance because there are other cities that are similarly confused.

There was a discussion about whether or not the County Sheriff's office knew the locations of medical marijuana businesses and, if not, whether or not the City could require a business license for a medical marijuana business. Mayor Forsythe suggested that the language only reference recreational marijuana businesses. City Administrator/Recorder Mills noted that the idea of the ordinance was to have something in Code that protected the City, even if the language is challenged later.

There was some discussion about the fact that, currently, Dunes City has a temporary ban on new grow operations in place and a question on the ballot to make the ban permanent. City Administrator/Recorder Mills explained that the proposed ordinance provided prohibitions in City Code to protect the City if the vote on the ban fails. During discussion, she suggested revising the language to add provisions for an effective date tied to the vote on the ban. Councilors generally agreed with that suggestion and with the suggestion to remove all references to medical marijuana.

Mayor Forsythe tabled further discussion.

- F. Ordinance amending Title XV zoning regulations to require application for Conditional Use Permit to produce more than five marijuana plants in the R-1 zone; prohibiting all other marijuana businesses in the R-1 zone; requiring application for Conditional Use Permit to conduct all other marijuana businesses in the Community Commercial District; and providing special standards that must be met to receive an approved Conditional Use Permit for either type of CUP applicant

City Administrator/Recorder Mills explained that she was looking for guidance about whether the proposed ordinance to amend Title XV should go to the existing CAC for review with a recommendation to the Planning Commission or whether it should go to the Planning Commission.

Councilor Orr made a motion to approve the ordinance amending Title XV and refer it to the existing CAC with the understanding that additional language regarding the effective date would be inserted and that language referencing medical marijuana would be removed. Council President Meyer seconded the motion. The motion passed by unanimous vote.

9. PUBLIC HEARINGS

There were none.

10. EXECUTIVE SESSION

There was none.

11. CITIZEN INPUT ON ITEMS NOT LISTED ON THE AGENDA

There was none.

12. REPORTS

- A. Mayor's Report: Mayor Forsythe reported that he had contacted the high school wrestling team about volunteering to help with the Triathlon and they agreed to try to organize some volunteers.
- B. Community Center Report: Councilor Wells noted that the propane tanks were scheduled to be anchored down later in the week after which work on fireplace repairs could begin.
- C. Water Quality Report: Council President Meyer referred Councilors to a report comparing December 2017 tests with overall 2017 averages, noting that the report shows excellent test results. Referring to the February 2018 test results, he pointed out that the test results were also very good.
- D. Public Works Maintenance Supervisor's Report: Councilor Wells remarked that he attended the Town Hall meeting about roads on the 13th and thought that several good points and procedures were raised: site inspections required before contractors start work; work on updating water line and utility maps; and updating of individual road files.

City Administrator/Recorder Mills pointed out that she had added these road-related items to the already agreed upon goals for 2018 and the updated list was included in Councilors' meeting packets.

Council President Meyer made a motion to approve the Dunes City goals for 2018. Councilor Wells seconded the motion. The motion passed by unanimous vote.

- E. Emergency Services Report: City Administrator/Recorder Mills reported that she attended the January WLEOG meeting, and the minutes were included in the Councilors' meeting packets. She went on to report that ARES/RACES is working on a wifi/mesh network that uses current equipment, such as laptops and computers to improve communications throughout the Florence/Dunes City/Mapleton area in the event of an emergency and will not necessarily require emergency personnel to be licensed HAM radio operators.
- F. City Administrator/Recorder Report: City Administrator/Recorder Mills reported that her Staff Report was included in Councilors' meeting packets. She went on to point out that HB 4086 is being considered by the State Legislature and may impact Dunes City by requiring the City send an employee for training to become a certified Building Official and may require that the City hire a Building Official. She went on to note that water usage under Dunes City's Shared Domestic Water Supply Program had been reported as just over twelve million gallons, which equals about .03 cubic feet per second.

13. FOR THE GOOD OF THE ORDER

Council President Meyer remarked that the meetings held over the past couple of days seemed to be productive and fairly well attended. He encouraged residents to continue to turn out for meetings and, if they cannot attend in person, to watch the televised Council meetings.

Councilor Wells raised the question of whether or not to contribute \$500 to the Darlings Resort fireworks display again this year. Councilors agreed to do so.

Councilor Mallen made a motion to donate \$500 to the Darlings Resort fireworks display. The motion was seconded by Councilor Orr and passed by unanimous vote.

14. ADJOURNMENT

Councilor Mallen made a motion to adjourn. Councilor Orr seconded the motion. The motion passed by unanimous vote.

Mayor Forsythe adjourned the meeting at 6:41 pm.

APPROVED BY THE DUNES CITY COUNCIL ON THE 14th DAY OF MARCH 2018.

[Signed copy available at City Hall]

Robert Forsythe, Mayor

ATTEST:

[Signed copy available at City Hall]

Jamie Mills, City Administrator/Recorder