



**CITY COUNCIL MEETING MINUTES ~ APPROVED
MARCH 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, March 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 Alan Montgomery, and Councilor Duke Wells.

Absent and Excused: Councilors Tom Mallen and Robert Orr.

Also Present: Administrative Assistant Rapunzel Oberholtzer and Mr. Darwin Tramel from Oregon Marin Construction.

3. PLEDGE OF ALLEGIANCE

All who were present stood for the Pledge of Allegiance.

4. APPROVAL OF THE AGENDA

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

5. APPROVAL OF THE CONSENT AGENDA

Council President Meyer made a motion to approve the Consent Agenda. Councilor Wells 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. On March 24, 2018, at 10:00 am, the West Lane Ambulance District will be holding a “Stop the Bleed” training event at the Lane Community College Campus. The outcome of the event is to train a larger number of individuals on how to stop bleeding in a victim of a disaster or criminal event. Parking is limited, so be prepared to park some distance away and walk to the event.
- C. A WR-319 Training will be held March 22, 2018, from 8:00 am to 5:00 pm at the Woodburn Police Department Community Room in Woodburn, Oregon. Training is on how to conduct damage assessments after a disaster.
- D. A Town Hall meeting with the City Council regarding public safety concerns will be held Wednesday, April 18, 2018, at 6:00 pm. All Dunes City residents are welcome to come discuss public safety concerns with the City Council, the Lane County Sheriff, Sergeant Michael Brewster of the Oregon State Police, and Florence Police Chief Tom Turner.
- E. 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.
- F. Dunes City is accepting nominations for the Volunteer of the Year award. Nomination forms are available on the City’s website as well as at City Hall.

7. OLD BUSINESS

- A. Appoint Individual to Represent the City at Lane ACT

City Administrator/Recorder Mills reported that the City could appoint a Dunes City resident to act as the Council’s representative at Lane ACT meetings.

- B. City Building Program

City Administrator/Recorder Mills reported that she is working on Dunes City’s Chapter 151 (Building Regulations) to bring the City into compliance with State requirements for Building Inspectors and Building Officials.

- C. LUBA Appeal Update

City Administrator/Recorder Mills referred Councilors to copies of the LUBA decision and explained that LUBA essentially determined that it had no jurisdiction to hear and consider the complaint that was filed with LUBA. The complainant has twenty-one days in which to appeal the LUBA decision.

D. Reavis v. Dunes City Update

City Administrator/Recorder Mills explained that a hearing date is being scheduled, but is not yet determined.

8. NEW BUSINESS

A. Procedure for LUCS Consideration

City Administrator/Recorder Mills explained that a LUCS (Land Use Compatibility Statement) is not a land use finding or decision, but is a statement by the City Planning Official to a State agency that a proposed use does not conflict with City Codes. She referred Councilors to their copies of several types of LUCSs, typical of the types that City Staff receive routinely, and went on to explain that at issue is whether or not the LUCSs should continue to be signed by the Planning Official without review by the Planning Commission or whether the Planning Commission, or the City Council, should review all LUCSs.

Following some discussion, Councilors generally agreed that unless there are aberrant or conflicting issues involved in a LUCS, City Staff should process the LUCSs without referring each of them to the Planning Commission or the City Council.

Mayor Forsythe invited Mr. Darvin Tramel, owner of Environmental Compliance Strategies and consultant for companies such as Oregon Marine Construction, to address the Council. Mr. Tramel explained that Oregon Marine Construction had submitted a LUCS required by the US Army Corps of Engineers and the Department of State Lands for a dock installation. He explained that the LUCS forms are fairly simple in that they allow for a Planning Official to verify that the proposed project meets City Code, or to impose conditions that would make the project meet Code, or to state that the project does not meet Code. He went on to explain that in the case of dock installations, the permitting process through the various State and other agencies can take several months.

Council President Meyer made a motion to authorize the City Administrator to sign all LUCSs. Councilor Wells seconded the motion.

In discussion, it was noted that the City Council would be the City's governing body to hear any appeal over a LUCS decision.

The motion passed by unanimous vote.

B. Consideration of LUCS for Oregon Marine Construction

Due to above action, there was no discussion.

C. Consideration of LUCS for New Septic System

- Due to action taken in discussion of 8(A), there was no discussion.
- D. Consideration of LUCS for Hiking and Biking Trail in Dunes City

Due to action taken in discussion of 8(A), there was no discussion.

- E. Consideration of LUCS for Water Right Application from Siltcoos Lake (Sherrer)

Due to action taken in discussion of 8(A), there was no discussion.

- F. Oregon Public Works Emergency Response Cooperative Assistance Agreement with ODOT Renewal

City Administrator/Recorder Mills explained that the Cooperative Agreement with ODOT is a mutual aid agreement that allows public works agencies in cities throughout Oregon to work with each other and ODOT to support each other in making repairs to public facilities in the event of an emergency, and to receive reimbursement from federal agencies.

Councilor Wells made a motion to authorize the City Administrator sign the Agreement on behalf of Dunes City. Council President Meyer seconded the motion. The motion passed by unanimous vote.

- G. Proposal from CwM-H20 for Streamflow Monitoring for Woahink Lake

City Administrator/Recorder Mills referred Councilors to a copy of a document from CwM-H20 that was included in their meeting packets and explained that the document was a proposal to install a streamflow monitoring device on Woahink Creek, as required by the City's water right Permit S-54405. She went on to explain that the document described the scope of work to be performed, the deliverables, and the estimated cost of the project. She noted that there is money budgeted for this project.

During discussion it was generally agreed that City Administrator/Recorder Mills would request other bids on the project, including the options for installing just one measuring device or two measuring devices. It was generally agreed that, upon approval of a bid, the project could move forward.

- H. Resolution Series 2018 Re: Payment of Regular Monthly Bills Before Due Date

City Administrator/Recorder Mills explained that this Resolution, if adopted, would allow her to pay reoccurring monthly bills before their due date, even if they were not yet approved by the City Council. The action would help save money by paying bills on time and, thus, eliminating accrued late fees.

Council President Meyer made a motion to approve the proposed Resolution. Councilor Wells seconded the motion. The motion passed by unanimous vote.

Council President Meyer clarified that the bills, paid or not, would continue to appear on the monthly Bills of the Session.

I. New Laws That May Affect Dunes City

City Administrator/Recorder Mills read aloud from the list on the agenda:

HB 2140 – Requires the seller of real property to disclose seismic risk as part of a homeowner's disclosure to a prospective buyer.

HB 2316 – Requires a city with less than 25,000 population to determine estimated housing need for twenty-year period, do buildable lands inventory and adopt measures to change the Comprehensive Plan to meet housing needs. City Administrator/Recorder noted that Dunes City will be required to undertake this task and she has asked LCOG for an estimate of the cost of the work so it can be included in the budget.

HB 2727 – Provides tiny house construction standards.

HB 3012 – Allows counties to permit construction of a second residence on lots greater than two acres in size, and allows some cities of a certain population a similar option.

HB 3245 – Allows cities to authorize the Planning Commission to make amendments to Comprehensive Plan maps, and allows anyone who testifies to petition for review to City Council.

SB 1051 – prohibits cities of 2,500 or more population from prohibiting accessory dwelling units to be constructed in areas zoned for single-family dwellings.

It was generally agreed that the Dunes City Council should review these new regulations to determine whether or not any City Codes should be revised.

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 on February 24 on his way to the Council Special Session meeting, one of his truck tires had been shot, the Sheriff's Office is inves-

tigating. He reminded residents of Dunes City to call in complaints, whether or not a response is expected, so that the Sheriff can accurately record complaints.

- B. Community Center Report: Councilor Wells reported that the propane tanks were anchored to their concrete pad and he would de-moss the roof when the weather improves.
- C. Water Quality Report: Council President Meyer reported that no testing had been done because the testing equipment was being recalibrated. Regular testing would resume when the equipment is ready.
- D. Public Works Maintenance Supervisor's Report: City Administrator/Recorder Mills reported that some trees in the Wright Road right-of-way were being removed and that some of the potholes around Dunes City have been repaired.
- E. Emergency Services Report: City Administrator/Recorder Mills reported that during the February meeting, WLEOG members agreed, as a matter of policy, that notifications would be sent out by telephone or siren only if there is a tsunami warning or if an advisory or watch changes to a warning.
- F. City Administrator/Recorder/Planning/Staff Report: City Administrator/Recorder Mills reported that: a total of ten permits were issued in February; the CAC is reviewing draft code language that requires potential marijuana producers or processors to apply for a conditional use permit; and, she is soliciting bids from CPA firms to perform the annual audit or review of City financials.

13. FOR THE GOOD OF THE ORDER

Councilor Wells suggested that the City step up efforts to recruit applicants to the Planning Commission.

14. ADJOURNMENT

Council President Meyer made a motion to adjourn. Councilor Snow seconded the motion. The motion passed by unanimous vote.

Mayor Forsythe adjourned the meeting at 7:04 pm.

APPROVED BY THE DUNES CITY COUNCIL ON THE 11th DAY OF APRIL 2018

[Signed copy available at City Hall]

Robert Forsythe, Mayor

ATTEST:

[Signed copy available at City Hall]

Jamie Mills, City Administrator/Recorder