



**CITY COUNCIL MEETING MINUTES ~ APPROVED
SEPTEMBER 12, 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, September 12, 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 Tom Mallen, Councilor Alan Montgomery, and Councilor Susan Snow.

Absent: Councilors Duke Wells and Robert Orr.

Also Present: Administrative Assistant Rapunzel Oberholtzer, several Dunes City residents and *Siuslaw News* reporter Jared Anderson.

3. PLEDGE OF ALLEGIANCE

All who were present stood for the Pledge of Allegiance.

4. APPROVAL OF THE AGENDA

Councilor Mallen made a motion to approve the Agenda. Councilor Snow 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 with amended Bills of the Session. Council President Meyer 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. The next Planning Commission Special Session is tentatively scheduled for Monday, September 24, at 5:00 pm.

- B. New draft FEMA flood maps have been released and a public meeting is scheduled for Tuesday, September 18, from 4:00 pm to 6:30 pm at the Florence Events Center where property owners and other interested parties can provide comments and ask questions to improve the maps and ensure their accuracy. Dunes City property owners directly impacted by the maps should have received a letter from the City with a copy of a portion of the maps that show the impacts to their property. Residents can contact City Hall for further information.
- C. Volunteers have scheduled a trash pickup on roads around Woahink Lake for Saturday, October 6. Everyone is to meet at the boat landing at Honeymen at 11:00 am and should be done by 2:00 pm or, perhaps, earlier. At this time it is unknown if another plastics count will be taken. Be sure to wear bright clothing and gloves and bring supplies. Safety vests are available for borrowing at City Hall during office hours, 10:00 am to 4:00 pm Monday through Thursday, except holidays.
- D. September 16 through 22, 2018, has been declared Home Inventory Week by the Oregon Division of Financial Regulation. Knowing that disasters can and do happen, residents of Dunes City are encouraged to build an inventory of their belongings by taking photos of each room in your home paying close attention to what's on the walls, in closets, and storage spaces, and to write a brief description of each item, noting the make, model, price, and other details that might help should filing a claim for loss should be necessary. Next, meet with your insurance company or agent to make sure you have the right coverage and will know what to expect when and if you should ever have to file a claim.
- E. City Administrator/Recorder Mills also announced that Dunes City has won the 2018 CIS/League of Oregon Cities Annual Safety Award. The award will be presented at the LOC Annual Conference at the Hilton in Eugene on Friday, September 28, from 5:45 pm to 6:00 pm. Dunes City is invited to send a representative to accept the award.

7. CITIZEN INPUT ON ITEMS NOT LISTED ON THE AGENDA

Resident John Scott explained that he wished to speak about the issue of feeding animals. Mayor Forsythe suggested that Mr. Scott wait to make comments during discussion about the agenda item in which there is a request for an ordinance to prohibit feeding of animals.

8. NEW BUSINESS

- A. Mayoral Proclamation Declaring September 16 through September 22, 2018, As Home Inventory Week

Mayor Forsythe read aloud the Mayoral Proclamation:

Whereas, each September is recognized as National Preparedness Month; and

Whereas, Oregonians have witnessed and experienced natural disasters in our own community; and

Whereas, every community member can take active steps to protect their families and neighbors from natural and manmade disasters; and

Whereas, every family and business in Dunes City is encouraged to take active steps to be financially secure after a disaster; and

Whereas, every community member is encouraged to make sure they are properly insured against fire, flood, earthquakes, and storms; and

Whereas, every community member is encouraged to create a home inventory to include as part of their disaster preparedness kit;

Now, therefore, I, Robert Forsythe, Mayor of Dunes City, do hereby declare that the week of September 16 through September 22, 2018, be known as Home Inventory Week, and join cities across Oregon to encourage everyone to build a home inventory of their personal property, and speak with an insurance agent to make sure they are financially prepared for a disaster.

B. Mayoral Proclamation Declaring October To Be Domestic Violence Awareness Month

Mayor Forsythe read aloud the Mayoral Proclamation:

Whereas, home should be a safe and trustworthy place, but for too many Oregonians it is instead fraught with terror due to domestic violence; and

Whereas, the crime of domestic violence violates an individual's privacy and dignity, security and humanity, due to systematic use of physical, emotional, sexual, economic, and psychological control and abuse to children and the elderly; and

Whereas, domestic violence is not limited to physical or verbal abuse, but includes intimate terrorism (such as isolation, covert control, reproductive coercion, economic and sexual exploitation) and online abuse (such as stalking, humiliation, doxing, rape and death threats) and these forms of terror are often unrecognized by our laws and norms; and

Whereas, domestic violence affects not only the person being abused but also children, neighbors, friends, family, coworkers, faith communities, and others; seeing or hearing abuse can be particularly terrifying for children and people with trauma histories; and children witnessing violence is recognized as a form of abuse itself; and

Whereas, the triad of forced financial dependence, reproductive abuse, and familial isolation creates monumental barriers to leaving an abusive relationship, and dangerous situa-

tions are further exacerbated by worsening economic realities, especially the lack of truly affordable housing; and

Whereas, it is survivors of violence, and the advocates who partner with them daily on safety planning and support measures, to whom we look for guidance on raising awareness of domestic violence, and ultimately working to build community norms of healthy relationships; and

Whereas, Womenspace continues to provide safety, hope and healing to domestic violence survivors of all genders through advocacy and support and focuses on education prevention and has served thousands of people in Lane County for more than 40 years; and

Whereas, too many Oregonians have lost their lives due to domestic violence; we remember those women, men, and children who have died and are taking a firm stance to prevent domestic violence; and

Whereas, the impact and the cost of domestic violence is wide-ranging and devastating directly affecting individuals, children and society, in this community, throughout the United States, and the world.

Now, Therefore, I, Robert Forsythe, Mayor of Dunes City, do hereby proclaim October, 2018, to be Domestic Violence Awareness Month in Dunes City, and urge all people to actively participate in the scheduled activities and programs to work towards eradicating domestic violence, improving victim safety, and holding perpetrators of domestic abuse accountable for their actions against individual victims and our society.

C. October Regular Session of the City Council

City Administrator/Recorder Mills explained that, to date, two Councilors have announced that they will not attend the scheduled Council meeting on October 10. Following discussion, Councilors agreed to appoint Councilor Wells to preside over the meeting.

D. Schedule Budget Committee Meeting

City Administrator/Recorder Mills asked Councilors to schedule a Budget Committee. It was agreed to hold the meeting on Wednesday, November 14, beginning at 5:00 pm.

E. Citizen Request for an Ordinance Prohibiting the Feeding of Wild Animals, Except Birds

City Administrator/Recorder Mills explained that Mr. John Scott, a Dunes City resident, submitted an email request for the City Council to consider adopting an ordinance to prohibit the feeding of all wild animals, except birds. Mayor Forsythe recognized Mr. Scott who explained that the reason he made the request was because the deer population in Dunes City has increased significantly in recent years, in part, because people are feeding them and predators are not killing enough to keep the population in check. He went on to explain that feeding deer concentrates large numbers in one location from which they can

transmit various diseases from one animal to another. He noted that people may not realize that feeding deer can cause health issues in them and create nuisance animals.

Councilors discussed the issue. There was some question about whether or not it was illegal in the State of Oregon to feed wild animals. It was generally agreed that the City did not have anyone qualified to enforce an ordinance, even if one was created. It was also agreed that the City should do some educational outreach and, perhaps, post signage around town. It was suggested that the City could invite an ODFW representative to speak at a town hall meeting or a Council meeting. Mayor Forsythe asked City Administrator/Recorder Mills to find out if there was a State Statute prohibiting feeding of deer or other wildlife so that the Statute could be referenced in any newsletter articles or other educational material for residents. He also asked her to find out if the State or the County could provide "Do Not Feed" signage that could be affixed to existing deer signs on City roadways.

F. Citizen Request for an Ordinance Prohibiting the Raising of Chickens in the City Limits

City Administrator/Recorder Mills explained that the City has received a number of complaints about its lack of response to citizen concerns. To address those complaints, she is now bringing citizen comments and requests for action directly to the Council so it can decide whether or not action should be taken.

City Administrator/Recorder Mills explained that Mr. Charles Bang, a Dunes City resident, submitted an email saying that having chickens in the residential area is not a good idea as they attract bears, cougars, raccoons, skunks, and rats.

Mayor Forsythe recognized Mr. Ron Kimble, a Dunes City resident. Mr. Kimble explained that his family has raised chickens for several years and he has not had any problems with bears and cougars because of them. Councilors generally agreed that being able to raise chickens was part of the charm of living in a semi-rural area like Dunes City and that current Code allows residents to keep a few small animals.

Councilor Montgomery made a motion to take no action. Councilor Mallen seconded the motion. The motion passed by unanimous vote.

Mayor Forsythe pointed out that if a rooster is making too much noise it could be considered a nuisance and affected residents can file a complaint with the Code Enforcement Officer who would investigate.

G. Request from the US Census Bureau for the Creation of a Local Complete Count Committee for the 2020 Census

City Administrator/Recorder Mills referred Councilors to their copy of a letter from the US Census Bureau that was included in their meeting packets. She explained that the

Census Bureau is reaching out to communities to encourage them to form Complete Count Committees ahead of the 2020 census in an effort to make sure that all citizens are counted at one time.

Following discussion, Mayor Forsythe suggested that the next newsletter contain an article about the Complete Count Committee and a request for volunteers.

H. Referral of Proposed Ordinance Regarding Flood Insurance Maps and Flood Prevention Land Use and Building Specification Requirements to a Citizens Advisory Committee for Review and Comment

City Administrator/Recorder Mills referred Councilors to copies of a redline document that was distributed prior to the start of the meeting. She explained that the State has proposed Code for cities to adopt and recommends that Dunes City get started with reviewing the proposed language. She noted that the City is required to adopt the code language within a specific timeframe after FEMA's public meetings about the new flood maps.

During discussion Councilors raised some concerns about reviewing the proposed language and drafting an adopting ordinance within the timeframe allocated. Councilors agreed to refer the proposed language to a Citizens Advisory Committee as soon as possible to start the process, but asked City Administrator/Recorder Mills to contact State representatives to find out if the City could get an extension of time to adopt the new code.

9. EXECUTIVE SESSION

- A. Held pursuant to ORS 192.660(2)(h) to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed
- B. Held pursuant to ORS 192.660(2)(f) to consider information or records that are exempt by law from public inspection.

Mayor Forsythe announced that he would adjourn the regular meeting to go into Executive Session held pursuant to ORS 192.660(2)(h) to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed and pursuant to ORS 192.660(2)(f) to consider information or records exempt by law from public inspection. He also announced that only designated Staff and members of the media would be allowed to attend Executive Session and members of the media could not report on the proceedings of the meeting.

Mayor Forsythe adjourned for Executive Session at 6:42 pm. Councilor Montgomery did not attend the first Executive Session, but was invited into the second Session. Mayor Forsythe reconvened the regular Council meeting at 7:08 pm.

10. OLD BUSINESS

- A. Any Decision(s) Relating to Items Discussed in Executive Session
Mayor Forsythe announced that no action was needed.
- B. Animal Control IGA/Ordinance

City Administrator/Recorder Mills referred Councilors to copies of Lane County's Animal Control Code and Dunes City's Ordinance No. 178 regulating animals within the City limits that were included in meeting packets.

Councilor Snow requested to table further discussion. Councilor Montgomery seconded the request. Councilors voted unanimously to table the discussion.

It was agreed to revisit the subject during the November Council meeting.

11. REPORTS

- A. Mayor's Report: Mayor Forsythe had no report, but noted that he was going through old documents that belonged to the Merz family, long time Dunes City residents, and he expected to find some documents of historical interest to the City.
- B. Community Center Report: Councilor Wells was absent, there was no report.
- C. Water Quality Report: Council President Meyer reported that the water quality is still very good on Woahink Lake.
- D. Public Works Maintenance Supervisor's Report: City Administrator/Recorder Mills reported that work continues on Kiechle Arm Road improvements, and work will begin soon on Huckleberry Lane.
- E. Emergency Services Report: City Administrator/Recorder Mills reported that she was unable to attend the August WLEOG meeting, but included the meeting agenda in Councilors' meeting packets along with proposed changes to WLEOG Rules of Procedure and member agreements that Councilors are asked to review and comment upon.
- F. City Administrator/Recorder/Planning/Staff Report: City Administrator/Recorder Mills reported that the CAC reviewing Chapter 155.1-.3 completed its work and forwarded its recommendations to the Planning Commission. She also reported that among the complaints received in August there was speed boat racing on Woahink Lake; she noted that complaints about such activities on the lake should be filed with the Sheriff's office. She went on to report that she attended the Oregon Coastal Caucus Economic Summit in Lincoln City where she learned about legislative priorities at both federal and State levels, and learned that Dunes City is the "poster child" for Building Codes Division issues. In that regard, she reported that it appeared that additional legal review of BCD's rule making process and the Justice Department's opinion could take place. In addition, Mrs. Mills

reported that Councilor Snow, who is committee secretary to Boy Scout Troop 721 has asked if there are any projects in the City that the Scouts could help with, such as installing a basketball court in Byrd Park or rebuilding the gazebo in Petersdorf Park. Councilors generally supported the idea of a basketball court and asked City Administrator/Recorder Mills to get more information for the Council.

12. FOR THE GOOD OF THE ORDER

Council President Meyer reported that ODOT finally replaced the “Gardner” sign with a correctly spelled “Gardiner” sign.

13. ADJOURNMENT

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

Mayor Forsythe adjourned the meeting at 7:24 pm.

APPROVED BY THE DUNES CITY COUNCIL ON THE 10th DAY OF OCTOBER 2018

[Signed copy available at City Hall]
Duke Wells, Acting Council President

ATTEST:

[Signed copy available at City Hall]
Jamie Mills, City Administrator/Recorder