

AGENDA
REGULAR MEETING
DUNES CITY COUNCIL
JANUARY 14, 1982

- I. CALL TO ORDER AND ROLL CALL
- II. APPROVAL OF MINUTES OF DECEMBER 10, 1981
- III. BILLS AGAINST THE CITY
- IV. RECEIPTS OF SESSION
- V. COTOZENS INPUT ON UNSCHEDULED ITEMS
- VI. ANNOUNCEMENTS AND CORRESPONDENCE
 - A. Hwy Division - Left Turn Refuge
- VII. REPORTS
 - A. Retaining Wall - Ocean Blvd.:Comm. Report
 - B. Economic Diversification Dev. Comm. Report- Ed Fillman
 - C. Police Comm. Report - Nuisance Pioneer Rd.
 - D. Bus Shelter - D. Stinger
- VIII. EXECUTIVE SESSION: a. Litigation B. Personnel Matters c. Negotiations
- IX. PUBLIC HEARINGS
- X. UNFINISHED BUSINESS
 - A. ORDINANCE #72 - Second Reading
 - B. OCCUPANCY PERMIT - Mortier Report
 - C. ORDINANCE 51-1210
- XI. NEW BUSINESS
 - A. CENTRAL LINCOLN PUD - Agreement
- XII. ADJOURNMENT



DUNES CITY, OREGON
MINUTES OF THE DUNES CITY COUNCIL

REGULAR MEETING

JANUARY 14, 1982

I. CALL TO ORDER AND ROLL CALL

The regular meeting of the Dunes City Council was called to order by Mayor Petersdorf at 7:30 P.M. on the 14th day of January, 1982.

ROLL CALL

Present: Mayor Petersdorf, E. Fillman, J. Freeland,
J. Baumeister, R. Schmale, E. Passenger
Attorney Gerber, City Recorder B. Stocking
Secretary D. Stinger

Absent: J. Gwilliam

II. BILLS AGAINST THE CITY

The bills totaled 2,818.25.

E. FILLMAN moved to pay the bills against the City. E. PASSENGER seconded and the motion carried.

III. RECEIPTS OF SESSION - 3,948.49

IV. APPROVAL OF MINUTES DECEMBER 10, 1981

E. PASSENGER moved that the minutes of December 10, 1981 be approved. J. BAUMEISTER seconded and the motion carried.

V. CITIZENS INPUT ON UNSCHEDULED ITEMS - None

VI. ANNOUNCEMENTS AND CORRESPONDENCE

HWY 101 INTERSECTION - D. Stinger gave a brief report on the correspondence with Mr. Alfred Shirley, State Hwy Engineer. The City sent a letter to Mr. Shirley reminding him that that State was to do a survey of that intersection in October. The return letter from Mr. Shirley stated that the survey was scheduled to be done the week of January 11. 1982.

VII. REPORTS

RETAINING WALL :OCEAN BLVD. - The Committee that was to look into the retaining wall of Ocean Blvd. was J. BAUMEISTER, E. FILLMAN, and J. FREELAND. J. BAUMEISTER stated that the retaining wall was on City property, however, it was done in good taste. It is keeping the dirt from washing away. There is also water and electricity that goes down to this property from Bob Jackson's house. It is used by people in the summer.

Council discussed the fact that even though it looks nice and

has improved the looks of the City, it is still on City property and something needs to be done so that others don't follow suit.

Several alternatives were discussed such as a permit to allow Mr. Jackson to use this property but also stating that since it is City property others may also use it. Also the possibilities of making this piece of property a park and name it "Bob Jackson's Park" was discussed.

B. STOCKING suggested that the committee go back and make a more complete site review of the property. Possibly make sketches of the project or take pictures. If there is going to be action taken on this there should be something for the files. Especially if other property owners in the area are going to be notified of what is going to take place.

Council discussed this further and decided that the committee would submit another report to the Council at the next meeting. Also the City would publicize a Public Hearing so others in the area could give input.

ECONOMIC DIVERSIFICATION COMMITTEE- E. FILLMAN stated that he attended this meeting last month and that in the two hours he was there all that was decided was that they would have another meeting on January 19 and have a representative from each governmental body attend and bring some ideas back. They are looking for ideas that will help to improve the economy such as small businesses that will employ about 10 people, etc.

Council discussed several ideas that FILLMAN could take back to the meeting of January 19. BAUMEISTER suggested the possibilities of a radio station in Florence. E. PASSENGER stated that more things could go up the river further. Also the fact that the County has everyone's hands tied because of zoning up the river and North of Florence, is so strict, was discussed.

POLICE REPORT - N. PIONEER COMPLAINT - E. PASSENGER stated that she drove down N. Pioneer several times and did not find anywhere that garbage was being thrown in the street. There was some discussion on whether she looked at the right street. It was decided that the street that was the problem was N. Pioneer between Clear Lake and Darlings Loop. She stated that she did drive down that road and saw nothing of garbage there but did see that people are parking on the street and it makes it hard to get through. There is no way that a fire truck could go through there. Council discussed what kind of street N. Pioneer is and whether the City could enforce not parking on the street. It was decided that this would be checked into further.

BUS SHELTER - D. STINGER gave a brief report on the bus shelter on Clear Lake Rd. and Erhart. She stated that the shelter is built but not painted yet. They have spent about 125.00 so far but do need some roofing and possibly more paint. They will be within the \$150.00 limit.

CCI- J. BAUMEISTER gave a short report on the CCI action with the Comp Plan update. They have scheduled a meeting for January 28 at 6:30. He stated that he had a committee of 7 people and will possibly have 2 more to add. He would like to have the City Recorder call these people the day before the meeting to remind them. He also stated that he talked to Gary Darnell of LCDC and he or one of his staff will also attend this meeting. It was stated that the City Council and the Planning Commission should also try to attend this meeting. It was also stated that this meeting should be publicized and also put in the announcements on the Siuslaw News.

HEARING PGE - GERBER- A notice of a hearing in front of the Public Utility Commissioner. P G E has approached the Public Utility Commissioner and asked that a rule and regulation be enacted permitting to charge users who request to have overhead wires put underground. Otherwise those expenses are charged throughout the system. All users pay for this rather than just the user that requested it.

911- Gerber stated that the City did send a letter to the Senate stating that they did not agree with this surcharged because this area has had 911 service for quite some time. However they did pass it. What is going to happen is that the 911 3% surtax for Emergency Telephone service has been passed and the State is collecting that money and it will be distributed to municipalities that have agreed to participate. This was discussed by Council and decided that Dunes City should apply for this surtax since it is going to be given out anyway and that Dunes City should participate in this program.

CABLE TV - GERBER stated that there will be a meeting with the Cable TV on January 20, 7:00 at Florence City Hall. He stated that probably the City will have to hold an extra meeting this month to act on a mutual agreement. He will have a draft of such an agreement typed up in a few days for all of the Council to look at.

PLANNING COMMISSION CHAIRMAN - Mayor Petersdorf introduced the New Planning Commission Chairman Bob Camera. Mr. Camera was in the audience and gave a brief update on what is going on with the Planning Commission and what he would like to see done in the new year.

Passenger mentioned that the City Council had before them a recommendation to reappoint, J. Smith to the Planning Commission because her term had ended. She stated that this needed to be tabled until the dates on the terms could be checked over because there was an error in the term dates listed on the City Directory. One of the 1981 terms should be 1982. D. Stinger stated that she would check on these dates.

VIII. UNFINISHED BUSINESS

ORDINANCE #72 - Streets-

ACTION E. FILLMAN moved that the Council have the second reading of Ordinance #72 by short title. J. FREELAND seconded and the motion carried.

Gerber gave the second reading of the Ordinance #72 by short title.

ACTION E. PASSENGER moved that the Council accept the second reading of Ordinance #72. E. FILLMAN seconded.

Ayes: Fillman, Passenger, Freeland, Schmale, Baumeister

The motion carried unanimously.

OCCUPANCY PERMIT - Council did not feel that they had all the information needed to consider this. It was tabled.

ORDINANCE 51-12-10 - GERBER stated that this Ordinance was drafted to include the recovering of attorney fees in the Nuisance Ordinance #51.

ACTION E. PASSENGER moved to accept the first reading of Ordinance #51-1210 by short title. SCHMALE seconded and the motion carried.

GERBER gave the 1st reading:

THIS IS AN ORDINANCE AMENDING ORDINANCE #51 TO ENTITLE THE CITY TO RECOVER ATTORNEY FEES AGAINST PERPETRATORS OR NUISANCES AND OWNERS OF PROPERTY UPON WHICH NUISANCES ARE SITUATED.

ACTION E. PASSENGER moved to accept the first reading of Ordinance #51-1210 by short title. Schmale seconded.

AYES: FILLMAN, FREELAND, PASSENGER, SCHMALE, BAUMEISTER

The motion carried unanimously.

E. PASSENGER brought up the Lemke Abatement and that she wanted to know what is going on over at that property as far as the planting to stabilize the hillside. B. STOCKING stated that she call Ternyik and was told that Wednesday they were over there planting the beach grass.

IX. NEW BUSINESS

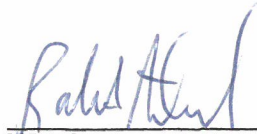
PUD AGREEMENT - GERBER gave a brief on this agreement presented to the City by Marilyn Adkins of Central Lincoln PUD. This agreement would give the City the power to give input on decisions with the Central Lincoln PUD. Council discussed this at some length.

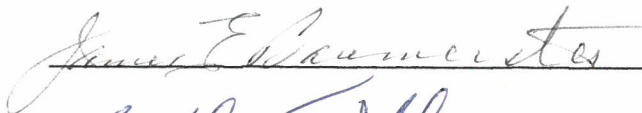
ACTION E. PASSENGER moved that the City enter into this agreement with the PUD. R. SCHMALE seconded and the motion carried.

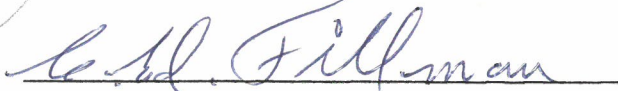
E. FILLMAN brought up the fact that he personally has had some

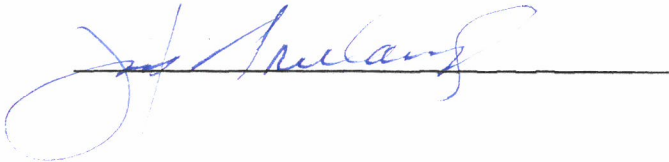
problems with the fact that he lives in Dunes City and his mail comes through Westlake Post Office. He proposed that the City look into getting the Westlake Post Office changed to the Dunes City Post Office. He realized this was tried several years ago and residents did not want this however, Dunes City is now on National Maps and Westlake is not. This was discussed and found that possibly Attorney Gerber could draft a petition to be circulated throughout Westlake. Also the City would have to find out through the Post Master General if this could be done. It was to be looked into further.


X. ADJOURNMENT - 9:40 P.M.


MAYOR

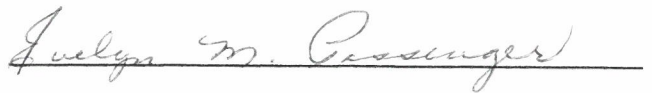


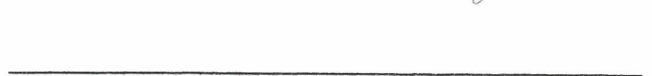





SECRETARY







RECEIPTS DECEMBER 11-JANUARY 13,1982

BUILDING PERMITS	580.21
BUILDING RENTAL	10.00
COPIES	.20
LIEN SEARCH	10.00
STATE OF OREGON	
CIGARETTE TAX	225.24
HIGHWAY TAX	1,281.26
LIQUOR TAX	739.58
UNITED STATES GOVERNMENT	
REVENUE SHARING	1,102.00

3,948.49

BILLS, DECEMBER 11,1981-JANUARY 13,1982

L.C.O.G.	332.00
FOODTOWN-SUPPLIES	10.96
GALERIA-OFFICE	7.85
AMERICAN BUSNISS MACHINES COPIES	74.93
RAY WELLS-ROCK FOR ROADS	209.23
PACIFIC N.W. BELL	26.09
DEBBIE STINGER TRAVEL	5.44
SIUSLAW NEWS-ADVERTISING	4.85
CENTRAL LINCOLN P.U.D. STREET	403.20
BLDG	79.20
POSTMASTER-STAMPS	20.00
EMILE MORTIER-BLDG. INSPECTOR	412.90
CENTENNIAL PRESS -PAPER	12.00
SIUSLAW SANITARY SERVICE-TRASH	17.55
BETTY STOCKING-TRAVEL	19.55

\$1,635.75

Attorney Gerber

1,182.50

2,818.25

AGENDA

REGULAR MEETING

DUNES CITY COUNCIL

 FEBRUARY 11, 1982 

- I. CALL TO ORDER AND ROLL CALL
- II. APPROVAL OF MINUTES OF JANUARY 14, 1982
- III. BILLS AGAINST THE CITY
- IV. RECEIPTS OF SESSION
- V. CITIZENS INPUT ON UNSCHEDULED ITEMS
- VI. ANNOUNCEMENTS AND CORRESPONDENCE
 - A. KPNW
 - B. COUNCILMAN GWILLIAM'S RESIGNATION
 - C. DECLARATION OF VALENTINES DAY
 - D. PNWB TELEPHONE CO. - New Base Rate
 - E. LCOG DUES -LEAGUE OF OREGON CITIES DUES
- VII. REPORTS
 - A. PLANNING COMMISSION RECOMMENDATION - KEVIN MCMULLEN
 - B. BUS SHED REPORT - D. STINGER
 - C. RETAINING WALL - OCEAN BLVD. - Committee Report
 - D. CABLE TV. - Committee Report
- VIII. EXECUTIVE SESSION:a)Litigation b)Personnel Matters c)Negotiations
- IX. PUBLIC HEARINGS
- X. UNFINISHED BUSINESS
 - A. SECOND READING ORDINANCE 51-1210
 - B. DUNES CITY - WESTLAKE POST OFFICE NAME CHANGE PROPOSAL
 - C. OCCUPANCY PERMIT - Resolution
 - D. 911
- XI. NEW BUSINESS
 - A. POWER RATE INCREASES - RE: WOOPS!
- XII. ADJOURNMENT



DUNES CITY COUNCIL

DUNES CITY, OREGON

REGULAR MEETING

FEBRUARY 11, 1982

I. CALL TO ORDER AND ROLL CALL

The regular meeting of the Dunes City Council was called to order by Mayor Petersdorf at 7:30 P.M. on the 11th day of February, 1982.

ROLL CALL

Present: Mayor Petersdorf, J. Baumeister, E. Passenger, J. Freeland, R. Schmale, Attorney Gerber, City Recorder B. Stocking, Secretary D. Stinger

The record shows that there is one vacancy on the Council.

There were 45 citizens present.

II. APPROVAL OF MINUTES OF JANUARY 14, 1982

Action E. Passenger moved that the minutes of January 14, 1982 be approved.
E. Fillman seconded and the motion carried.

III. BILLS AGAINST THE CITY

The Bills Against the City totaled \$1,626.33. E. Passenger asked if the Council could get an update of the road work that has been done in the City. Mayor Petersdorf asked the secretary to have the road chairman, Ira Mann get his report to the Council and to give a report at the next Council meeting.

Action E. Passenger moved that the Bills be paid. E. Fillman seconded and the motion carried.

IV. RECEIPTS OF SESSION - \$1,892.59

V. CITIZENS INPUT ON UNSCHEDULED ITEMS

There were several citizens from the Woahink Trailer Park present to testify about the recent issue involving the trailer park and the sewer problem.

Mr. Gerber excused himself because of conflict of interest. He represents the trailer park in this issue.

Passenger, Petersdorf, Baumeister, Fillman all declared prior knowledge because they had been out on the property.

Mr. Garska, 83570 Hwy 101 S, Florence, Oregon was the first to testify. He stated that there had been raw sewage on the ground and running down the sand hill where the sewage is pumped. He stated that the County

Sanitarian had been out and said that the area was a health problem. He presented the Council with a letter from the Sanitarian stating this. Mr. Garska also stated that the park has been badly neglected, especially after the November storm. The management has told the tenants that the sewage problem is their problem. Mr. Garska stated that he would like to know who's problem it actually is.

Mr. Gerry Grey, Woahink Trailer Park, spoke in favor of the management and the Mobile Home Park.

Also speaking in favor of the management and the Mobile Home Park were: Pete Bizuko, Richard Albert, Mable Kimble, and J.A. Crum all of the Mobile Home Park.

Those speaking against the Mobile Home Park, declaring it a health hazard and badly neglected were: Joyce Ann Sousa and Bill Bagshaw.

Mr. Wally Johnson, J & V Excavating, Florence, testified as to the work he has recently done at the Mobile Home Park. He stated that he did pump the septic tanks after the storm in November. He also pumped them recently when all of this started. He now has a work permit filed to start work on repairing the system. For the upper part of the system he is waiting for a new drainfield to be designed by the DEQ. He stated that the problem with the lower septic was that they were never waterproofed and that ground water is running in all the time. This won't be able to be resolved until the water level goes down. The Lane County Sanitarian has been out and is working on the problem to resolve it.

The Council asked Mr. Johnson how much it would cost to pump the tanks every day. Mr. Johnson stated that it would be about \$300 per day plus $2\frac{1}{2}$ cents dump fee, per gallon. The job would be about 8000 gallons. Another question asked was how long, in Mr. Johnson's opinion, would it take to remedy this problem. Mr. Johnson stated that possibly 30 days.

E. Passenger stated that if the upper drainfield is to go to the North of the Mobile Home Park, as the plan states, this is on Lane County property and it would have to go before the Lane County Planning Commission. This could take months.

Mrs. Verna Neill, assistant manager of the Mobile Home Park, testified to the problem. She stated that they did have problems with the sewer after the November storm because they did not have any power for five days and the sewer could not be pumped up the hill. The people should come to the management with their problems. She presented to the Council documents from the Water Analysis and a petition from several people, residents of the park, stating that they did not want the park closed. They were satisfied with the management.

E. Passenger gave her report on the findings of her investigation as Police Commissioner for Dunes City. She stated that she investigated the park and in her opinion there is a health hazard and it is in violation of Dunes City Ordinance #51. She stated that Dunes City can not get involved with management and tenants. Lane County has given until February 16 to see about the requirements for the system. Passenger suggested that the City put a moratorium on the park and not allow any more Mobile Homes into the park until the sanitation problem has been corrected.

Action E. Fillman moved that the City declared the Mobile Home Park area a health hazard and a nuisance according to the Dunes City Nuisance Ordinance #51. E. Passenger seconded .

J. Freeland asked if there had been any illness in the park due to the sanitation problem. The answer was no.

Ayes: Fillman, Schmale, Passenger, Baumeister
Nays: Freeland

The motion carried.

J. Baumeister suggested that the City work on getting the DEQ to get things going.

The Council discussed this and decided to put this on the agenda for the special meeting of February 23 to discuss the progress on this issue. Mr. Johnson stated that he would attend this meeting and give a progress report.

Mayor Petersdorf suggested that the hillside where the septicss are running over should be posted "No Trespassing" until this problem is corrected.

VI. ANNOUNCEMENTS AND CORRESPONDENCE

Mr. Gerber announced that he received papers from Mr. Larry Cooley, Mr. Lemke's attorney, stating that Mr. Lemke has filed an appeal with the circuit court stating that Dunes City's order for abating the nuisance was invalid and he is asking for a reverse in the order. Dunes City will be served in the next few days with these papers. Mr. Gerber stated that he would like to discuss this with the Council in an executive session later on in the meeting.

Florence Chamber of Commerce - KPNW - Mr. Hod Johnson from the Florence Chamber of Commerce presented a plan for advertising. He gave some examples that Florence is doing for promoting the Florence Area. He stated that they do include Dunes City in their promotions. He showed some examples of TV and Radio Commercials that Florence is doing. He explained how the Chamber of Commerce is financing these commercials. He was suggesting that Dunes City work with Florence in coordinating advertising for this area. He stated that the chamber of commerce would be holding their next meeting Wednesday, February 17, 9:30 a.m. at the Windward Inn. He invited anyone from Dunes City to attend.

Steve Murray from KPNW in Eugene was present to give some suggestions for some promoting commercials for Dunes City's Coastal Bass Classic, March 6 & 7. The Council discussed the possibilities for promoting Dunes City.

Mr. Murray gave the Council a proposal from KPNW for \$308.00 for 28, 30 second spots on the radio station.

Action E. Passenger moved that the Council accept the proposal from KPNW promoting Dunes City and the Coastal Bass Classic, March 6 & 7 at the

cost of \$308.00 for 28, 30 second spots. E. Fillman seconded and the motion carried.

Mayor Petersdorf appointed R. Schmale to work with Mr. Murray on the commercials. He is to see that all of the correct and necessary information is given.

Councilman Resignation - B. Stocking read into the record Councilman J. Gwilliam's resignation. Council discussed the resignation and decided to advertise the vacancy and take the matter up at the regular March meeting.

Declaring Valentines Day - B. Stocking read into the record the Declaration from Marriage Encounters, declaring Valentines Day, February 14, 1982, "We Believe in Marriage Day". This was signed by Mayor Petersdorf on February 5, 1982.

✓ Pacific Northwest Bell, Rate Change - B. Stocking read to the Council parts of an article from the Siuslaw News concerning the base rate change from PNWB, in our area. There would be no more 4 party lines. In most cases the rates will go down. She gave a brief on how all of this came about.

Mr. John Carlson, Westlake, spoke for the Citizens Association stating that they have been working on this for several years and this change is a result of the Citizens Association's work and Dunes City's involvement in this beginning in March 1980.

LCOG dues- League of Oregon Cities Dues- B. Stocking stated that the City has received correspondence from both the League of Oregon Cities and LCOG stating that their annual dues will be going up. LCOG's will now be \$757 per year and League of Oregon Cities will be \$310.75 per year. This was discussed by the Council. Mr. Gerber stated that he personally, as the City's attorney, used the League of Oregon Cities a lot.

After more discussion the Council decided that this would be a budget decision and should be given to the budget committee for consideration when doing the 1982-83 budget.

VII. REPORTS

Planning Commission Recommendation- The Planning Commission recommended to the City Council, Kevin McMullen to fill the vacancy on the Planning Commission.

Action E. Passenger moved that the City Council accept the Planning Commission's recommendation and appoint Kevin McMullen to the Planning Commission. E. Fillman seconded and the motion carried.

Bus Shelter- D. Stinger gave a report on the Bus Shelter progress. She stated that the shelter at the intersection of Erhart and Clear Lake Road was up. She suggested that the City look into upgrading the rest of the Bus Shelters in the City. There are 9 shelters and only three of those 9 are in good shape. Also Huckleberry Lane is a large neighborhood and they do not have a shelter. Possibly paint and replacing boards to several of these shelters could be done. Council discussed this and decided that D. Stinger could look into this further and find out how many of these

sheds are used a lot and which are no longer used. Possibly some could be moved to other areas where they will be used.

Retaining Wall - Ocean Blvd.- J. Baumeister stated that he looked into the maps of this area and could not come up with a definite City line. He could find nothing that showed where the City property ends and private property starts. There was some discussion about the water level of the lake and where the water line was. Mayor Petersdorf suggested that the committee get a hold of Herb Sauter. He should recall where the line is and also look for some updated maps. This issue will be tabled until it can be looked into further.

Cable T.V. - J. Freeland gave a short report on what the committee has been doing with the negotiations with the Cable T.V. concerning the franchise agreement. They have decided that there is a need for a consultant in the matter. This will involve getting funds from the City. They have also decided that there is a need to advertise for bids on the franchise. The next meeting of the committee will be on February 18, 4:00 P.M. to interview two consultants.

Mr. Gerber gave a brief on what is happening with the negotiations.

John Carlson, spoke out on the issue. He did not feel that a consultant was very necessary and he did not agree with the 20 year franchise. He felt that we should give a chance for competition. He suggested that rather than hire a consultant, the City could pay one of the committee members for their time and expenses to check into this further. The Council felt that this is already being checked into by the committee members but that none of them felt that they knew enough about Cable TV systems. This is why the need for a consultant.

Dave Clark, Attorney for the Florence Cable TV System, spoke out on the subject. He stated that the sale between Florence Cable TV and McCaw Ent. is in jeopardy. There has been bad communication between all parties. McCaw is not getting information that they have asked for and the cities are not getting information that they are asking for. He felt that everyone should get together and talk instead of going through all of these other channels.

Mr. Gerber stated that he has drafted a franchise ordinance for the City to consider. This will not be considered until the special City Council meeting of February 23. The Council is to look over this and be ready for input.

Marilyn Adkins, Central Lincoln PUD, was present to speak on the proposed franchise ordinance. She stated that Central Lincoln PUD is a franchise holder with Dunes City and they felt that they should have a copy of the proposed ordinance and have the opportunity for input. Mr. Gerber stated that all franchise holders would get a copy and have the opportunity for input.

Council felt that the committee was doing a good job and they would wait to hear from them at the next meeting.

Economic Diversification Committee - E. Fillman gave a report on the committee's last meeting. He stated that they worked a lot with the Port of Siuslaw and had talked of a larger tax base to develop some of the Port's property. The next meeting they are to discuss the City of Florence's Industrial Park. That meeting will be on February 16, 1982.

Carolynnda Erskine, Florence Chamber of Commerce President, was present and gave Mr. Fillman the minutes of the last committee meeting. She stated that they have been working hard on ideas to get the community back to work.

E. Fillman mentioned that the recent cancellation of the funds for the jetty extensions, by President Regan, will be causing a lot of problems in this area.

VIII. EXECUTIVE SESSION

Executive session was called by Mayor Petersdorf at 10:20 P.M. to discuss litigation.

The regular meeting reconvened at 10:29 P.M.

IX. UNFINISHED BUSINESS

Ordinance #51-1210 - E. Fillman moved to have the second reading of Ordinance #51-1210 by short title. E. Passenger seconded and the motion carried.

Mr. Gerber gave the second reading of Ordinance #51-1210 by short title.

Action E. Fillman moved to accept the second reading of Ordinance #51-1210 by short title. J. Baumeister seconded and

Ayes: Baumeister, Fillman, Freeland, Passenger, Schmale

The motion carried.

Dunes City - Westlake Post Office - Mr. John Carlson presented a letter to Council with some of his and other citizens concerns about such a change. He also gave Council a petition signed by 47 of 50 citizens surveyed, all against changing the Westlake Post Office to Dunes City Post Office. He also stated that the possibility of the post office being closed down could exist.

Council discussed this and felt that this possibility was very unlikely. After more discussion, it was decided to table the matter for future consideration.

Resolution 2-11-82 - Occupancy Permit - The Council discussed the revised form of the resolution to adopt fees for occupancy permits, road construction permits, and road excavation permits.

It was decided that the first paragraph would be deleted and in the second paragraph the last word "and" should be deleted and the words, "or construction within a public right of way" should be added.

Under the fees, \$15 for issuance of a road construction permit and \$15 for issuance of excavation work permit, would be put in.

Action E. Fillman moved to accept Resolution 2-11-82 with corrections. J. Freeland seconded and the motion carried.

911 Emergency System- Mr. Gerber gave a brief on this issue. He stated that the 3% surtax would be collected by the State and distributed to cities with the system. At this time the money can only be used for expanding the system or buying new equipment. Dunes City may receive about \$3000.

Since Dunes City does not dispatch the system, the money can go to the City of Florence. Mr. Gerber and Mayor Petersdorf gave a brief update on a meeting they had with Police Chief Shaw of Florence concerning this.

Gerber stated that he would draw up another agreement and have it ready for the February 23 special meeting of the Council.

Action E. Fillman moved to continue to New Business since it was past 11:00 P.M.
E. Passenger seconded and the motion carried.

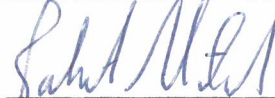
X. NEW BUSINESS

Increase Utility Rates - WPPSS - The Council discussed the WPPSS bonds and the increasing power rates.

John Carlson gave input on this issue. He stated that from his research the Central Lincoln PUD was justified in signing their part in this. They are not bound to taking it to the people for a vote.

Action J. Freeland moved that Dunes City go on record as being opposed to paying any part on the WPPSS bills. E. Fillman seconded and the motion carried.

XI. ADJOURNMENT -- 11:24



MAYOR


JAMES BAUMEISTER

EVELYN PASSENGER


JACK FREELAND


SECRETARY


C. ED FILLMAN


ROGER SCHMALE

RECEIPTS

JANUARY 14-FEBRUARY 10, 1982

BUILDING PERMITS	163.35
BUILDING RENTAL	10.00
CENTRAL LINCOLN P.U.D.	
COPIES	2.20
LIEN SEARCH	10.00
STATE OF OREGON	
CIGARETTE TAX	222.23
HIGHWAY TAX	1,128.26
LIQUOR TAX	
MOTEL TAX	356.55

1,892.59

BILLS

JANUARY 14-FEBRUARY 10, 1982

TOAD-L (Formerly CENTENNIAL)	34.00
READ INS. BOND FOR DEBRA STINGER	35.00
GOVT. SCHG-PERMITS	52.46
SERVE AND SAVE BUS SHED	52.77
P.N.W.BELL	28.33
SIUSLAW NEWS ADVERTISING	8.17
RAY WELLS GRAVEL & GRADING	682.20
P.U.D. LIGHTS	403.20
BLDG.	97.10
EMILE MORTIER BLDG. INSPECTOR	118.75
DIVISION OF AUDITS	30.00
C.U.P. APPLICATION WATTS	75.00
B.STOCKING TRAVEL	9.35

1,626.33

At 10:20 P.M. of the regularly scheduled meeting of Dunes City Council for February 11, 1982, City Attorney Ron Gerber requested an Executive Session to discuss litigation with regard to Don Lemke, and papers received by Mr. Gerber from Mr. Cooley, Mr. Lemke's attorney.

Present for the Executive Session were:

Councilpersons; Freeland, Fillman, Schmale, Passenger, Baumeister Mayor Petersdorf, Attorney Gerber, City Recorder Stocking, City Secretary Stinger, and Jeff Lee, Siuslaw News.

The Meeting was adjourned at 10:25.

Debra Stinger

DUNES CITY COUNCIL

SPECIAL MEETING

AGENDA

FEBRUARY 24, 1982

WEDNESDAY, 7:30 P.M.

I. CALL TO ORDER AND ROLL CALL

II. PUBLIC HEARING

A. Mary J. Watts - Conditional Use Permit

III. UNFINISHED BUSINESS

A. Woahink Trailer Park Progress Report

B. 911 Agreement

C. Franchise Ordinance

Exec. Session

IV. ADJOURNMENT

DUNES CITY, OREGON

MINUTES OF THE CITY COUNCIL

SPECIAL MEETING

FEBRUARY 24, 1982

I. CALL TO ORDER AND ROLL CALL

The special meeting of the Dunes City Council was called to order by Mayor Petersdorf at 7:36 P.M. on the 24th day of February, 1982.

Roll Call

Present: Mayor Petersdorf, E. Fillman, J. Baumeister,
R. Schmale, E. Passenger, Attorney Gerber,
City Recorder B. Stocking, Secretary D. Stinger

Absent: Jack Freeland(excused)
The record shows that there is one vacancy on
the Council.

There were 19 citizens present.

II. PUBLIC HEARING

Mary Watts- Conditional Use Permit
4386 Pacific Ave., Westlake, Oregon
19-12-34-2-1- TL # 1000

The Public Hearing for Mary Watts was opened at 7:38 P.M.

Judy Smith, Dunes City Planning Commission was present to give the Planning Commission's recommendation from the meeting held on Monday February 22, for the Watts Conditional Use Permit request. The Planning Commission's recommendation was that the CUP request for Mary Watts be tabled until further information and recommendations were received from the Lane County Sanitarian and that the Stop Work Order issued February 8, 1982 be enforced effective March 1, 1982, 8:00 A.M. at \$250 per day fine. The Planning Commission also recommended to the City Council that a representative of Surf Mobile Homes be requested to appear at the February 24, 1982 hearing before the City Council.

J. Smith also stated that the Planning Commission felt that as long as someone was staying in the Mobile Home, the Stop Work Order was being violated.

Mr. Elmer Peterson, Westlake, spoke for the Watts CUP. He asked

whether the \$250 per day fine would start from 2-8-82. He didn't feel like all of this fuss was necessary. The Watts' were doing their best to fix things although he realized that they did not go through the proper channels.

There was no one present to represent the Watts'. The Public Hearing was closed at 7:43 P.M.

The Council had a question on whether there was another trailer on the property. J. Smith stated that there was another trailer that the grandmother lives in. The property that this trailer is on was once Hemlock street and it was vacated and became part of the Watts' lot #1000. By today's standards, it would be considered a travel trailer. However, it is lived in full time and the Planning Commission was told at the meeting of 2-22-82, that there was a separate septic for this trailer.

The City Recorder stated that Mrs. Watts had been in that day and said that she had had Wally Johnson of J & V Excavating out to look at the septic. Mr. Johnson was in the audience and was asked to speak on this.

Mr. Johnson stated that he was asked to verify that there was a 1000 gallon capacity in the Watts' system. He stated that they had two 500 gallon metal tanks. He did not feel that they would be passed by the county because they were metal, but this is just his feeling. All he was asked to do was to verify that they had a 1000 gallon capacity, which they do have.

The Public Hearing was reopened at 7:51.

Mr. Mike Watts, Mrs. Watts' son was present to testify. He stated that he had been in contact with the County Sanitarian and was told what had to be done. They told him that they could put in 150' of leach line and 6" of rock with some visquine over the rock before covering with dirt. He was told over the phone that the metal tanks would be OK as long as the metal was in good condition. Although the sanitarian that was down here told his brother that the metal would not be alright that a fiberglass tank would have to be put in.

Council discussed this a length. Also Mr. Watts stated that he felt that his Mother had the right to stay the night in the Mobile Home. Mayor Petersdorf stated that when the Stop Work Order was served the Mobile Home movers were told to move the mobile off of the road and not to be blocked up because it may have to be moved out again. It should not be stayed in. There should be no cooking going on in the mobile.

The Council discussed the septic permit further. D. Stinger stated that the County has issued a permit to repair the system. They are not denying a septic permit, they just want the septic repaired to bring it up to standards. Really, they do have a permit that says a septic system is allowed. The CUP permit could be approved with

the condition that the Mobile Home is not set up until the City has the signed final approval of the Lane County Sanitarian. The City has done this before.

The Public Hearing was closed at 8:15.

After more discussion a motion was made.

Passenger moved that the CUP be tabled until further information on the septic approval from the Lane County Sanitarian was received and that no one live in the Mobile Home until this is received. Fillman seconded.

Attorney Gerber stated that the way the motion was stated, another Public Hearing would be required to approve the CUP.

Passenger withdrew her motion and Fillman withdrew his second.

Action Baumeister moved that the Conditional Use Permit for Mary Watts, 4386 Pacific Ave., 19-12-34-2-1-TL#1000, Westlake, Oregon, be approved contingent on the approval of the Lane County Sanitarian for the septic system with the following conditions:

1. The Mobile Home not be occupied until the CUP has become effective.
2. A Building Permit to install the Mobile Home not be issued until the sanitarian approval has been received by the City.

Passenger seconded and the motion carried.

The record shows that E. Fillman did not vote.

III. UNFINISHED BUSINESS

Woahink Mobile Home Park- The Council was to hear a progress report on the findings from the DEQ on the septic problem with the Mobile Home Park. Mr. Gerber stepped down because of conflict of interest, as stated at a prior meeting. Mr. Duane McCabe, P.O. Box 187, Reedsport, Oregon 97467, stepped in to represent the City as their attorney.

Mr. McCabe asked the Council if the evidence that was submitted at the February 11, 1982 City Council meeting and the signed complaint submitted at that same meeting, was made a part of the City's records.

The City Recorder and the Secretary both stated that the information was given to the Council for review at the February 11th meeting but the information never got to the City Recorder's desk so the file does not have the complaint.

Mr. Skip Garska, the complainant, gave the Council another written complaint.

Mayor Peterdorfs stated that possibly the information had gotten

mixed up in his packet and he took it home. He would leave to go look.

Mr. McCabe stated that as long as the Council saw it and it is in the minutes that it was submitted, the Council could go on with the proceedings.

E. Passenger read parts of a letter from the DEQ into the record. The letter concerned the repair of the system and all that would have to be done.

Mr. McCabe stated that the Council had two alternatives to deal with this. The first would be to go ahead and start abatement proceedings to abate the nuisance or the Council could ask for voluntary compliance from the owner in repairing the system. If the City goes ahead with abatement, the owner would have to comply within the time stated.

Mr. Wally, Johnson, J & V Excavating, stated that he had been up there and dug some ditches and worked on the system some, and the biggest part of the problem had been resolved although there is some more repair that needs to be done. He stated that as far as the DEQ's request, he didn't feel that a whole new system was necessary. The system was there had worked for several years and with some repair it can work for several more years. The new system has been estimated at costing about \$75,00. Mrs. Thompson, the owner, may very well close the place when she hears this figure.

Mr. Garska, Woahink Trailer Park, stated that to insure that the system will be fixed, why not have Mrs. Thompson put up a performance bond on the repair to make sure it gets done and that it is done right.

(The record shows that the tape recorder was not working to this point in the meeting).

Joyce Ann Sousa, Woahink Trailer Park, stated that since the work had been done, the sewage is not backing up in her yard any more. Also she asked if they had to wait until April 15th, as the DEQ letter stated, to know if they will have to move or if the system will be replaced.

Council stated that if they choose to go with abatement proceedings, there will be 10 days that Mrs. Thompson has to let the City know what she will do.

Action Baumeister moved that Dunes City go ahead with proceedings to abate according to the Dunes City Ordinance #51, notifying the owner, Mrs. Alice Thompson, she had ten(10) days from the time the property is posted, to respond to the DEQ's letter of requirements for the system. Fillman seconded. The motion carried.

The question was raised as to whether any more Mobile Homes would be allowed into the park until this is resolved. City Recorder, B. Stocking stated that she has letter from the Building Inspector, Emile Mortier, stating that the Mobile Home Park has not been applying

for Mobile Home Installation Permits when a Mobile Home is moved in. Mr. Mortier has sent a letter to the park stating that he will not issue any permits for the park until the septic system problem is resolved.

Mayor Petersdorf stated that the property would be posted on Friday 2-26-82 and that Mrs. Thompson has ten days from that date to respond to the City.

Mr. Garska also stated that the area where the work had been done and the holes were dug, he had noticed, has been driven through by dune buggies and 4-wheel drive vehicles. He felt that the park had a great risk of liability of someone getting hurt by falling in the holes. He suggested that the City have this posted, "NO TRESPASSING".

The Council stated that they did not have the authority to have this posted. This was up to the management and the owner.

Mr. McCabe stepped down and Mr. Gerber returned.

911 Agreement- Mr. Gerber gave a brief on this intergovernmental agreement to the City Council. It was discussed at length.

Action Passenger moved that the City Council instruct Mr. Gerber to draw up with the City of Florence, an intergovernmental agreement concerning the 911 Emergency System and give the Mayor the authority to sign this agreement after each of the Council members has received a copy and had time to respond. Fillman seconded and the motion carried.

Franchise Ordinance- Mr. Gerber stated to the Council to recall when the City got into this Cable TV business, there was some thought as to how we were going to proceed with the request to transfer the franchise. After we got into it, it appeared to him that it would be easier to draft an overall ordinance that dealt with refranchising, transfer, of franchise and application of franchise and that is what this ordinance is attempting to do. This was drafted and presented to the Council at the last meeting so all of the Council would have a chance to look at it.

Mr. Gerber stated that he heard from Mr. Bruce Hall, the area public relations man for PNWB. He raised certain objections to this ordinance. The point that he was making was that in the franchising business the City's frequently franchise operations which are partially or wholly regulated by State or Federal authorities. Some parts of our ordinance duplicate this and sometimes conflict with these regulations. Mr. Gerber felt that Mr. Hall was correct there. This was discussed with Mr. Hall over the phone and Mr. Gerber stated that he took some of his suggestions and incorporate them into what he has called the preamble of the ordinance and this is what was just handed out to the Council.

The Council discussed the preamble and several other sections of the ordinance at length. There was testimony from Mr. Jack Snock,

Central Lincoln PUD., Newport, Oregon stating Central Lincoln is one of those organizations that are directly controlled under Oregon State Statutes. After going over the City's proposed ordinance if Central Lincoln's Franchise were to expire and we were to try to renegotiate the franchise, it would be impossible under this ordinance, because we would be preempted from probably 99% of this ordinance. If the Council wishes to persue this type of ordinance it is our feeling without talking to our attorney, you would make a direct exception for special service districts. These districts are covered under your Chapter of ORS and because of this they are pre-empted anyway.

The City is going through a whole ritual that could tie things up for future negotiations with the franchise. The Central Lincoln PUD would like a complete copy of the revised ordinance for their attorney to look at. He is on vacation now and has not had the opportunity to look at the ordinance.

Gerber suggested that a resolution drafted at the time of adoption, exempting the PUD, that way if something ever did happend and you deregulated, we could take a look at what we could not see anything wrong with this, but their attorney has not had the opportunity to look at this.

This was discussed further and the special services clause was discussed.

Also Mr. Mike Johnson, Siuslaw Sanitary Service, Florence had some comments as a franchise holder with Dunes City. He directed the Council to several sections of the ordinance that he felt was directed for his competetor and trying to put him out of business.

Mr. Dave Clark, attorney for Florence Cable TV, also viewed some objections with the ordinance. He had objections with Section 4, d, (1) concerning service from volunteering charitable, community, civic or benevolent purposes. This was discussed at length by the Council and Mr. Clark. There were several charges to this paragraph made.

After all of the discussion. Mr. Gerber stated that he would not be prepared to give a first reading of the ordinance at this meeting.

The Council went into Executive Session to discuss an employment contract for an agent of the City, and potential pending litigation and to discuss some confidential memorandums submitted to the City Council. The session was called at 10:55.

The Special Meeting of the City Council reconvened at 11:26 P.M.

Passenger moved that the City of Dunes City participate with the City of Florence in the hiring of Stephen Jolin to be hire as a consultant on the negotiating of the Cable TV Franchise at sharing the cost and Dunes City's cost being \$500. Fillman seconded and the motion carried.

Action Fillman moved that the City authorize the attorney to send the co-authored letter from the joint committee to Mr. Percell. Baumeister seconded and the motion carried.

Mr. Gerber stated that he heard from Jerry Rust of Lane County indicating that he thought that the county would be prepared to join our negotiating agreement if we would agree that:

1. There would be no cost to the County.
2. The committee would meet and make a presentation to the county at their meeting.
3. That any agreement that was reached would not be binding on the county, until the board approved it before the County Commissioners.

He asked the Council for the authority to meet with the attorney's for the City of Florence to draft up some sort of agreement with the county and to have this ready for the next meeting.

Action Fillman moved that the City authorize the City attorney to get with the City of Florence's attorneys and draft an agreement to enter in with Lane County Commissioners as stated by the attorney and report back at the next Council meeting. Baumeister seconded and the motion carried.

Passenger moved that the City authorize the City Attorney to send a letter to Nicholson and Clark as discussed in executive session. Schmale seconded and the motion carried.

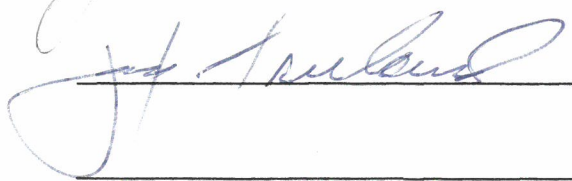
IV. ADJOURNMENT - 11:40 P.M.


MAYOR


SECRETARY


James E. Baumeister


G. Ed Fillman


Jack Ireland


Roger D. Schmale

At the Special Meeting of the Dunes City Council held on February 24, 1982, Attorney Ron Gerber called an executive session of the City Council to discuss employment contract for an agent of the City, potential pending litigation, and to discuss some confidential memorandums submitted to the City Council. Mr. Gerber discussed the hiring of either Mr. Steven Jolin or Mr. Page as the consultant in the Cable TV franchise negotiations. Mr. Jolin was highly recommended to the Council. The cost to Dunes City will be \$500. Also some of the confidential memorandums to the City Council have gotten into other hands. Mr. Gerber stated that this is dangerous and must be watched carefully. A councilmember would be liable.

The executive session was adjourned at 11:26.


Debra Stinger

Secretary

AGENDA
REGULAR MEETING
DUNES CITY COUNCIL

MARCH 11, 1982 7:30 P.M.

- I. CALL TO ORDER AND ROLL CALL
- II. APPROVAL OF MINUTES OF FEBRUARY 11, 1982 and FEBRUARY 24, 1982
- III. BILLS AGAINST THE CITY
- IV. RECEIPTS OF SESSION
- V. CITIZENS INPUT ON UNSCHEDULED ITEMS
- VI. ANNOUNCEMENTS AND CORRESPONDENCE
 - A. GRADUATION CONGRATULATION CARDS.
 - B.
- VII. REPORTS
 - A. 911 AGREEMENT ATTORNEY GERBER
 - B. AGREEMENT WITH COUNTY, CABLE T.V.
 - C. ROAD CHAIRMAN REPORT
 - D. AUDIT REPORT ACCEPTANCE
- VIII. EXECUTIVE SESSION: a) Litigation b) Personnel Matters c) Negotiations
- IX. PUBLIC HEARINGS
 - A. HEGGEN- VARIANCE
- X. UNFINISHED BUSINESS
 - A. LETTER TO RUST, ATTORNEY GERBER
 - B. COUNCIL VACANCY
 - C. FRANCHISE ORDINANCE
- XI. NEW BUSINESS
- XII. ADJOURNMENT

RECEIPTS FEBRUARY 22 THROUGH MARCH 10, 1982

BUILDING PERMITS	673.01
BUILDING RENTAL	11.00
CENTRAL LINCOLN P.U.D.	1,184.82
COPIES	1.20
LIEN SEARCH	15.00
STATE OF OREGON	
CIGARETTE TAX	206.72
HIGHWAY TAX	1,407.99
LIQUOR TAX	1,933.36
	<hr/>
	5,433.10

BILLS FEBRUARY 22 THROUGH MARCH 10, 1982

FOOD TOWN SUPPLIES	5.90
COPELAND	80.00
VALLEY STATIONERY	11.00
P.N.B. TEL CO.	28.67
EMILE MORTIER BUILDING INSP.	337.96
SIUSLAW NEWS	33.20
K.P.N.W.	44.00
SERVE AND SAVE	14.94
CENTRAL LINCOLN P.U.D.	
Street Lights	403.20
Building	76.60
	479.80
FRANK'S OFFICE SUPPLY	14.40
DEBRA STINGER-TRAVEL	7.12
BETTY STOCKING-TRAVEL	14.65
JAMES BAUMEISTER-MAP	1.25
	<hr/>
	\$ 1,072.89

DUNES CITY, OREGON
MINUTES OF THE CITY COUNCIL
REGULAR MEETING
MARCH 11, 1982

I. CALL TO ORDER AND ROLL CALL

The regular meeting of the Dunes City Council was called to order by Mayor Petersdorf at 7:30 P.M. on the 11th day of March, 1982.

ROLL CALL

Present: Mayor Petersdorf, E. Fillman, J. Baumeister, R. Schmale, J. Freeland, City Recorder B. Stocking, Secretary D. Stinger, Attorney Duane McCabe

Absent: E. Passenger (excused) The record shows that the Council has one vacancy.

Mayor Petersdorf stated that Mr. McCabe is sitting in for Attorney Gerber. Gerber will not be to the meeting until later on.

II. APPROVAL OF MINUTES OF FEBRUARY 11 and FEBRUARY 24

ACTION E. Fillman moved that the minutes of February 11 be approved with corrections. J. Freeland seconded and the motion carried.

ACTION J. Baumeister moved that the minutes of the special meeting of February 24 be approved as presented. J. Freeland seconded and the motion carried.

III. BILLS AGAINST THE CITY

ACTION The bills against the City totaled 1,072.89. Mayor Petersdorf asked why the bills from KPNW was not the full 308.00. B. Stocking stated that we were just billed for the days in February. We will be billed for the days in March this month. E. Fillman moved that the bills be paid. Baumeister seconded and the motion carried.

IV. RECEIPTS OF SESSION - 5,433.10

V. CITIZENS INPUT ON UNSCHEDULED ITEMS

Mr. John Carlson, Westlake spoke to the Council about the house over on the old Railroad to the Dunes on the West side of HWY 101. He stated that he found out that the NRA was going to tear down the house and return the land to it's original state. He has been working on an idea for that house because he hates to see it torn down. He got in touch with an organization called the American Youth Hostels. It is an organization that provides housing for bikers and hikers to stay in at night and cook their food and have a shower, etc. The closest one on the Oregon Coast is in Coos Bay in a Church building.

Also there is one in Bandon. This service is offered only to members of the American Youth Hostel and the homes are only open from 8:00 P.M. until 9:00 A.M. Each person staying there is charged a small fee and then is required to put in about a half an hour of their time cleaning up etc.

Mr. Carlson stated that he felt that this house on the NRA property would make a great Youth Hostel. They like to have them about 40 miles apart and this is about 42 miles from Coos Bay. Also it is in a remote area where the kids could not bother anyone. He also stated that the house would need a lot of repair and the cost would be about \$15,000. Also it would require about 60 volunteer hours of labor. He stated that he was here to inform the Council of his findings. He doesn't know if the National Association of Youth Hostels will put up the money for the project and also it has to go before the County for Planning OK.

The Council discussed this and all felt that they also would hate to see this house torn down. Council decided that they would write letters supporting the project to Rick Scott of the NRA, Lane County and the American Youth Hostel Association.

James Flatley and Jim Pearson from the Coastal Bass Club were present to tell the Council thank you for the support before and during the Coastal Bass Classic. They stated that it was a big success and that they would like to have the City's support again next year. Also there was some discussion on the possibility of holding the tournament at the County boat launch in Westlake next year because there is more parking and better docking.

VI. ANNOUNCEMENTS

Congratulation Certificates- Mayor Petersdorf presented to the Council a brochure on some Congratulation to Graduating Seniors, Certificates. He stated that he felt this was a good idea and a personal way to congratulate the High School Seniors. The cost would be \$35 for a box of 100.

ACTION J. Freeland moved to have the City spend \$35 for the Congratulation Certificates, as presented to the Council. Baumeister seconded and the motion carried.

Planning Commission Resignation- The Planning Commission's chairman Bob Camera has submitted his resignation from the Planning Commission effective March 9, 1982.

ACTION J. Freeland moved that the Council accept Bob Camera's resignation. J. Baumeister seconded and the motion carried.

VII. REPORTS

Roads- The Council had a copy of the Road Report for February and March. In the report, the road committee had approved a raise for the road chairman from \$50 per month to \$100 per month.

Mayor Petersdorf stated that the road committee does not have the authority to give the raise. This is something that has to be taken up at budget time in June. He suggested that this be tabled until budget time and until there is a chance to talk to the road committee regarding their reasons for this raise.

Audit Report - Mayor Petersdorf stated that the Council needs to approve the audit report. All Council members should have had the report long ago. A few members stated that they just got it and did not feel that they could approve it until they have studied it further.

ACTION J. Freeland moved that the Council look over the Audit Report further and table the approval until the next City Council meeting. Baumiester seconded and the motion carried.

VIII. PUBLIC HEARING

H.R. HEGGEN - VARIANCE
5492 Little Woahink
Florence, Oregon 97439
19-12-11-4 TL#101

The Public Hearing for H.R. Heggen was opened at 8:05.

D. Stinger gave the Planning Commission's report to the City Council. Also the Findings of Fact and Conclusions of Law were read. The Planning Commission's recommendation was to approve the variance request with the conditions that no trees be removed from the property line. Also D. Stinger stated that the City had received a call from Mortier stating that he needed to have a copy of the recorded deed restriction on the middle Bucko parcel that stated that no building could take place from the west property line to the barn on that parcel. The City now has a copy of the recorded deed in the file.

Mr. Heegen was present and only stated that he would like to have his variance approved.

The Public Hearing was closed at 8:10.

Mayor Petersdorf stated that on the Findings of Fact, the parcel was said to be 2.17 of an acre, however, on the map it states 2.12 of an acre. This should be checked to see which is correct. D. Stinger stated that on one map it is hard to read and it looks to be 2.17 but it should be 2.12.

ACTION E. Fillman moved that the City Council adopt the Findings of Fact and Conclusions of Law found by the Planning Commission and accept recommendation of the Planning Commission and approve the variance request of H. R. Heggen, 5492 Little Woahink, Florence (located in Dunes City), 19-12-11-4 TL #101, with the condition that no trees be removed from the property line. Schmale seconded and the motion carried.

IX. ~~NEW BUSINESS~~ ~~BUSINESS~~

Council Vacancy- Mayor Petersdorf stated that the City has received two applications for the Council vacancy. He appointed a committee to interview the applicants and to come to the next City Council meeting with a recommendation for the vacancy. The committee is J. Freeland, R. Schmale, and Mayor Petersdorf.

Westlake Store - Mayor Petersdorf stated that Mr. Strenke of the Westlake Store has come to the City Office inquiring about having gasoline at his store again. He stated that the previous owner let the license expire and he is trying to get the license again. However, he is supposed to have \$5000 of grocery inventory in his store before the State will grant the license. Also there was some discussion on the fact that Mr. Strenke is thinking about having an above ground gas tank for outboard motor gas. This was discussed by Council and they all felt that this would not be good in a residential area.

B. Stocking stated that she was feeling that maybe if the City had no objection to Mr. Strenke having gasoline at his store again that maybe the process of his license being approved could be hurried. Council stated that they had no objection to having gasoline, but that they did to his having an above ground tank. Mayor Petersdorf said for the City Recorder to get in touch with Mr. Strenke and tell him to Council feelings.

Vacated Streets - Baumeister reported that during his research in the Ocean Blvd. Retaining Wall he has found that the County has no record of any streets in Dunes City being vacated. There have been several streets vacated, but they have no record. He felt that the City needed to do some digging and find the Council action on these streets and get an accurate record recorded. Also he stated that there is a need for an accurate record of private and City owned streets. There seems to be a lot of confusion on this. The road committee is not even sure.

Mayor Petersdorf stated that J. Freeland is the Road Commissioner and should work with the road committee on this.

Mr. Gerber arrived at 8:45.

Mr. McCabe stepped down.

X. OLD BUSINESS

911 Agreement- Gerber stated that all of the Council received copies of this agreement and there were no objections so it was signed by the Mayor. Dunes City is now contributing their percent of the 911 tax to the Western Lane System.

Agreement with County Regarding Cable TV Franchise- Gerber stated that there has been an agreement drafted and approved by Florence and Dunes City and it has been presented to the County Commissioners, however, there has been no word from them at this time.

Franchise Ordinance- Gerber gave a brief on this Ordinance. He also stated that there has been a resolution drafted that will be presented at the second reading of this Ordinance regarding the Franchisees pre-empted from the Ordinance.

Mayor Petersdorf stated that he had spoke to E. Passenger and she had stated that she did not feel that she had a good enough understanding of the ordinance and that she was against any reading taking place at this meeting.

Council went through the Ordinance and made a few more changes in it. It was also stated that this Ordinance would be numbered #73. After more discussion, R. Schmale stated that he also did not have a good understanding of the Ordinance and would not like to have a reading of it yet.

J. Freeland asked Mr. Gerber if he felt that this Ordinance gave the City a good footing. His reply was, yes. Gerber also stated that since the second draft was sent to the franchise holders, there had been no objections viewed from any of them.

ACTION J. Baumeister moved that the first and second reading of Ordinance #73 be tabled until the April City Council meeting. E. Fillman seconded and the motion carried.

XI. EXECUTIVE SESSION

Council went into executive session at 9:28 P.M. This was to discuss a Confidential Memorandum and a settlement from Mr. Lemke's Attorney.

Council reconvened at 9:53 P.M.

Mr. Gerber stated that the settlement offer from Mr. Lemke's Attorney was asking that Dunes City drop \$2500 of their original \$5000 find against Mr. Lemke and leave the total cost against Mr. Lemke at \$2500 in fines and \$3170.76 for costs, for a total of \$5670.76. This is to be paid to the City in monthly installments of \$500 per month and this payment was guaranteed by Herb Robbins. Mr. Gerber went on to say that the first payment would be due by April 1 and if any payments are received after the first of any month, the additional \$2500 fine would be reinstated.

ACTION J. Freeland moved that the City Council accept the settlement proposed by Mr. Lemke with the payment schedule as read into the record by Attorney Gerber. J. Baumeister seconded and the motion carried.

XII. ADJOURNMENT - 9:55 P.M.


MAYOR


SECRETARY

Executive Session of the Dunes City Council

At the regular meeting of the Dunes City Council held on March 11, 1982, Attorney Gerber requested that the Council go into executive session to discuss a confidential memorandum regarding the Cable TV negotiations and a settlement offer from Mr. Lemke's attorney concerning the fines assessed against Mr. Lemke. Executive session was called at 9:28 and adjourned at 9:53.

Debbie Stinger
Debbie Stinger
Secretary

DUNES CITY COUNCIL

REGULAR MEETING

APRIL 8, 1982 7:30 P.M.

AGENDA



- I. CALL TO ORDER AND ROLL CALL
- II. APPROVAL OF MINUTES OF MARCH 11, 1982
- III. BILLS AGAINST THE CITY
- IV. RECEIPTS OF SESSION
- V. CITIZEN INPUT ON UNSCHEDULED ITEMS
- VI. ANNOUNCEMENTS AND CORRESPONDENCE
 - A. P.U.D. ADVERTISEMENT RESPONSE
 - B. EMERALD P.U.D. LETTER
 - C. YOUTH HOSTEL
 - D.
- VII. REPORTS
 - A. AUDIT ACCEPTANCE
 - B. COUNCIL VACANCY COMMITTEE
 - C.
 - D.
- VIII. EXECUTIVE SESSION: a) Litigation b) Personnel matters c) Negotiations
- IX. PUBLIC HEARINGS
 - A. WOAHIK MOBILE HOME RESORT
 - B. CHOATE TEMPORARY PERMIT FOR MOBILE HOME
- X. UNFINISHED BUSINESS
 - A. FRANCHISE ORDINANCE (PUBLICIZE)
 - B. REPORT ON VACATED STREETS
- XI. NEW BUSINESS
- XII. ADJOURNMENT

DUNES CITY, OREGON

MINUTES OF THE DUNES CITY COUNCIL

REGULAR MEETING

APRIL 8, 1982

I. CALL TO ORDER AND ROLL CALL

THE REGULAR MEETING OF THE DUNES CITY COUNCIL WAS CALLED TO ORDER BY MAYOR PETERSDORF AT 7:30 P.M. ON THE 8TH DAY OF APRIL, 1982.

ROLL CALL

PRESENT: MAYOR PETERSDORF, E. FILLMAN, E. PASSENGER, J. FREELAND, CITY RECORDER, B. STOCKING. ATTORNEYS', R. GERBER AND B. LAIRD

ABSENT: R. SCHMALE, J. BAUMEISTER, SECRETARY D. STINGER (ALL EXCUSED)

THE RECORD SHOWS THAT THERE IS ONE VACANCY ON THE COUNCIL.

THERE WERE 12 CITIZENS, 2 ATTORNEYS AND 2 PRESSMEN, PRESENT.

II. APPROVAL OF MINUTES OF MARCH 11, 1982

ACTION E. FILLMAN MOVED THAT THE MINUTES OF MARCH 11, 1982 BE APPROVED WITH CORRECTIONS. J. FREELAND SECONDED AND THE MOTION CARRIED.

III. BILLS AGAINST THE CITY

ACTION THE BILLS AGAINST THE CITY TOTALED \$5,987.31.
E. PASSENGER MOVED THAT THE BILLS AGAINST THE CITY BE PAID.
E. FILLMAN SECONDED AND THE MOTION CARRIED.

IV. RECEIPTS OF SESSION - 6,298.86

V. CITIZENS INPUT ON UNSCHEDULED ITEMS

LOREN PARKER, 2076 16TH STREET, FLORENCE, OREGON, OWNER OF WEST LANE DISPOSAL SPOKE ON DUNES CITY'S SOLID WAST DISPOSAL ORDINANCE.

MR. GERBER DECLARED CONFLICT ON INTEREST AND STEPPED DOWN. MR. BOB LAIRD SAT IN AS THE CITY'S ATTORNEY.

MR. PARKER STATED THAT IN 1977 WHEN THE ORDINANCE WAS APPROVED, HE WAS SURE THAT IT WAS NOT THE INTENT OF THE CITY THAT THE FRANCHISE BE USED AS AN INSTRUMENT TO CREATE AN UNFAIR COMPETATIVE MARKET IN THE GARBAGE BUSINESS. UNFORTUNATELY THIS IS WHAT HAS HAPPENED. HE WENT ON TO EXPLAIN TO THE COUNCIL THAT SIUSLAW SANITARY SERVICE, THE DUNES CITY FRANCHISEE, HAS OFFERED A VERY LOW RATE TO A FEW OF ~~WEST-LANE DISPOSAL'S~~ CUSTOMERS OUT IN THE

UNINCORPORATED AREAS. THIS IS UNDERPRICING. MR. PARKER STATED THAT HE UNDERSTOOD THAT LEGALLY THERE WAS NOTHING THAT DUNES CITY COULD DO ABOUT THIS BUT THAT POSSIBLY IT WAS THE DUTY OF THE CITY TO REQUEST THAT SIUSLAW SANITARY SERVICE OFFER THE SAME LOW RATES TO THE CITIZENS OF DUNES CITY. MR. PARKER ALSO STATED THAT HE IS GOING TO GET A COMMITTEE OF DUNES CITY CITIZENS TOGETHER TO INITIATE A REFERENDUM TO PUT BEFORE THE VOTERS THAT WOULD ASK THAT THE PRESENT SOLID WASTE ORDINANCE BE REPEALED. HE WENT ON TO SAY THAT THE REASON HE WAS PRESENT AT THIS MEETING WAS TO ASK THAT THE COUNCIL TAKE THAT INITIATIVE AND PLACE THAT PROPOSAL ON THE BALLOT YOURSELF.

COUNCIL DISCUSSED ALTERNATIVES OF REPEALING AN ORDINANCE. MR. PARKER STATED THAT THE ONLY RATE BASE STATED IN THE CONTRACT WITH SIUSLAW SANITARY SERVICE WAS FOR RESIDENTIAL CUSTOMERS. THE COMMERCIAL CUSTOMERS WERE TO DEAL WITH SIUSLAW SANITARY ON THE RATE. MR. PARKER STATED THAT WHAT MIKE JOHNSON IS DOING IS USING HIS FRANCHISE TO HOLD UP THE COST IN THE INCORPORATED AREAS AND THEN THERE IS NO JUDGEMENT TO THE COSTS IN THE UNINCORPORATED AREAS. HE IS PROTECTED FROM COMPETITION IN THE CITIES BUT IS ALLOWED TO COMPETE WITH WEST LANE IN THE UNINCORPORATED AREAS.

THE COUNCIL DISCUSSED RESOLUTION 6-12-80 A, AMENDING REFUSE COLLECTION FRANCHISE SERVICE FEE CHARGE.

MAYOR PETERSDORF SUGGESTED THAT THE CITY CHECK TO SEE IF MR. JOHNSON WOULD APPEAR AT A CITY COUNCIL MEETING AND ADDRESS THE QUESTION. THE CITY RECORDER WAS INSTRUCTED TO NOTIFY MR. JOHNSON FOR THE NEXT CITY COUNCIL MEETING.

MR. GERBER RETURNED TO SIT WITH THE COUNCIL.

VI. ANNOUNCEMENTS AND CORRESPONDENCE

P.U.D. ADVERTISEMENT- B. STOCKING STATED THAT THE CITY PUT AN AD IN THE PAPER A FEW MONTHS BACK REGARDING THE HIGH UTILITY BILLS. WE ASKED FOR A RESPONSE FROM CITIZENS. THE CITY RECEIVED 8 RESPONSES AND THESE PEOPLE WERE WILLING TO ATTEND A PUBLIC HEARING OR ADDRESS LETTERS, ANYTHING TO FIGHT THESE UTILITY BILLS, ESPECIALLY WHERE THE WPPSS EXPENSES WERE INVOLVED. THE COUNCIL DISCUSSED THIS AND THE FACT THAT THE CITY DID SEND A LETTER TO CENTRAL LINCOLN PUD, STATING THAT DUNES CITY WAS GOING ON RECORD AS BEING OPPOSED TO PAYING ANY PART OF THE WPPSS EXPENSES. MAYOR PETERSDORF SUGGESTED THAT THE CITY RECORDER WRITE BACK TO THESE CITIZENS INSTRUCTING THEM OF WHERE THEY MAY WRITE, PUD BOARD OF DIRECTORS, CONGRESSMAN, ETC. SO THAT THEIR OPINION MAY BE CONSIDERED.

EMERALD PUD LETTER- THIS LETTER WAS READ INTO THE RECORD. THE LETTER DEALT WITH THE POSSIBILITY OF LANE COUNTY WORKING ON BEING ENERGY SELF SUFFICIENT. THEY FELT THAT THERE WAS ENOUGH POTENTIAL IN LANE COUNTY, TO CREATE ENOUGH ENERGY ALONG WITH CONSERVATION TO BE SELF SUFFICIENT. THE LETTER WAS ASKING IF DUNES CITY WOULD BE INTERESTED IN PARTICIPATING WITH THIS COMMITTEE.

THE COUNCIL DISCUSSED THIS BRIEFLY AND DECIDED THAT THEY WOULD NOT

RESPOND TO THIS LETTER.

YOUTH HOSTELS- B. STOCKING STATED THAT SHE WROTE LETTERS TO THE COUNTY PLANNING, YOUTH HOSTELS HEADQUARTERS AND RICK SCOTT OF THE NRA. THE CITY RECEIVED A RESPONSE FROM RICK SCOTT AND HE STATED THAT THERE HAD BEEN SEVERAL PROPOSALS FOR THE USE OF THE TIMBER DUNES BUILDING AND FORMS HAD BEEN SENT TO THESE PEOPLE AND THE NRA HAS NOT RECEIVED ANY OF THESE FORMS BACK YET. IF THEY DO NOT RECEIVE ANY OF THEM BACK, THEY WILL GO AHEAD AS PLANNED AND DESTROY THE BUILDING AT THE END OF MAY.

VII. REPORTS

AUDIT REPORT- COUNCIL RECEIVED THE AUDIT REPORT IN THEIR LAST PACKET AND WERE TO STUDY IT. IT WAS BROUGHT UP THAT ED FILLMAN'S NAME WAS MISPELLED AGAIN. MR. GERBER STATED THAT HE NEEDED TO TALK TO MR. ENGLISH ABOUT THE MAINTAINENCE GRANT MONEY THAT WAS SPENT AND NOT BUDGETED. HE NEEDS TO FIND OUT IF IT IS NECESSARY TO GO BACK AND DO AN AMENDMENT.

THE AUDIT REPORT ACCEPTANCE RESOLUTION 4-8-82 A, WAS READ INTO THE RECORD BY THE MAYOR.

ION E. PASSENGER MOVED TO ACCEPT THE RESOLUTION AS READ. E. FILLMAN SECONDED AND THE MOTION CARRIED.

COUNCIL VACANCY- J. FREELAND, THE CHAIRMAN OF THE COMMITTEE APPOINTED BY THE MAYOR AT THE LAST MEETING, ANNOUNCED THAT THE COMMITTEE'S RECOMMENDATION FOR THE CITY COUNCIL POSITION. WAS MR. BILL PITTS. MR. PITTS WAS PRESENT AT THE MEETING.

ACTION E. PASSENGER MOVED THAT THE CITY COUNCIL *accept* THE RECOMMENDATION OF THE COMMITTEE AND APPOINT MR. BILLS PITTS TO THE CITY COUNCIL. FREELAND SECONDED AND THE MOTION CARRIED.

GREATER SIUSLAW RIVER ECONOMIC FORUM - E. FILLMAN GAVE A REPORT ON THE ACTIVITIES OF THIS COMMITTEE. THEY ARE WORKING TO GET CITIES TO WORK AS CO-OPERATIVE UNITS. THE DUNES CITY COUNCIL, THE CITY OF FLORENCE, THE FLORENCE CHAMBER OF COMMERCE AND THE PORT OF SIUSLAW.

CYSTIC FIBROSIS BIKETHON- E. FILLMAN STATED THAT HE IS THE CHAIRMAN OF THIS COMMITTEE. HE WAS ASKING THE DUNES CITY COUNCIL TO DECLARE MAY 1, 1982, CYSTIC FIBROSIS DAY. THE DUNES CITY COUNCIL WENT ON RECORD AS ACKNOWLEDGING MAY 1, 1982 AS CYSTIC FIBROSIS DAY.

VIII. EXECUTIVE SESSION

THE CITY COUNCIL WENT INTO EXECUTIVE SESSION AT 8:36 P.M. TO DISCUSS THE BOULDER DECISION IN REGARD TO THE CABLE TV FRANCHISE AND THE FRANCHISE ORDINANCE.

THE CITY COUNCIL RECONVENED AT 9:05 .

ACTION E. FILLMAN MOVED THAT THE CITY ATTORNEY REVIEW ALL OF THE FRANCHISE ORDINANCES THAT DUNES CITY HAS IN RELATIONSHIP TO THE BOULDER DECISION AND GET THESE RECOMMENDATIONS TO THE COUNCIL AT THE NEXT MEETING. J. FREELAND SECONDED AND THE MOTION CARRIED.

IX. PUBLIC HEARINGS

WOAHINK MOBILE HOME PARK RESORT

THE PUBLIC HEARING FOR THE MOBILE HOME PARK WAS OPENED AT 9:09. MR. GERBER STEPPED DOWN BECAUSE OF CONFLICT ON INTEREST AND MR. BOB LAIRD STEPPED IN FOR THE CITY.

MR. LAIRD PRESENTED TO THE CITY RECORDER 4 EXHIBITS TO BE RECORDED AND THEN PASSED ON FOR COUNCIL TO REVIEW. EXHIBIT 1, LETTER OF 2-9-82 TO ALICE THOMPSON FROM JOHN STONER, LANE COUNTY ENVIRONMENTAL HEALTH. EXHIBIT 2, LETTER DATED 2-10-82 TO JOHN WALLACE, (WALLY JOHNSON), J & V EXCAVATING REGARDING THE REPAIR PERMIT, FROM RAY BURNS, LANE COUNTY SANITARIAN. EXHIBIT 3, LETTER DATED 2-23-82 TO LARRY BOSKOW, PLANTS & ASSOCIATES, REGARDING WOAHINK MOBILE HOME PARK FAILING SEWAGE SYSTEM, FROM GARY MESSER, DEQ. EXHIBIT 4, LETTER DATED 4-8-82 TO MAYOR PETERSDORF, DUNES CITY, REGARDING NUISANCE ABATEMENT HEARING ON WOAHINK MOBILE HOME PARK, FROM ANN BUNNENBERG, ATTORNEY FOR ALICE JOHNSON.

ANN BUNNENBERG, 295 W 5TH ST. EUGENE, OREGON SPOKE FOR THE MOBILE HOME PARK. SHE REFERED TO THE EXHIBITS THAT WERE SUBMITTED. SHE STATED THAT THERE WAS SOME QUESTION AS TO WHETHER THE NUISANCE PROCEEDINGS WERE DONE PROPERLY.

MR. LAIRD STATED THAT PROPER NOTICE HAD NOT BEEN GIVEN ACCORDING TO THE NUISANCE ORDINANCE, SO THE COUNCIL IS BACK AT SQUARE ON AS TO DECLARING A NUISANCE.

MS. BUNNENBURG DISCUSSED THE DEQ'S LETTER OF REQUIRMENTS, STATING THAT MRS. THOMPSON HAS COMPLETED PHASE ONE OF THE REQUIRMENTS. DITCHES WERE DUG TO TAKE CARE OF THE OVERFLOW OF THE SYSTEM. ALL OF THE SEWAGE DOWN IN THE MOBILE HOME PARK HAS BEEN TAKEN CARE OF. THEY HAVE CONTACTED PLANTS & ASSOCIATES FOR AN ENGINEERED PLAN OF REQUIREMENTS. THERE IS A POSSIBLITIE THAT THE SYSTEM WILL BE APPROVED TO REPAIR RATHER THAN TO REPLACE THE ENTIRE SYSTEM AT ABOUT \$70,000.

MR. LAIRD STATED THAT COUNCIL NEEDS TO BE CONCERNED WITH WHETHER A NUISANCE DOES EXIST. THE COUNCIL SHOULD BE CONSIDERING SECTION 6, B OF ORDINANCE #51.

E. PASSENGER STATED THAT AS LONG AS THE SYSTEM IS NOT WORKING, APPROVED BY THE DEQ, THEY ARE IN VIOLATION OF THE ORDINANCE.

VERNA NEILL, ASSISTANT MANAGER, OF WOAHINK MOBILE HOME PARK, STATED THAT THE PARTIES THAT STARTED ALL OF THIS COMPLAINING HAVE MOVED FROM THE PARK. THEY DID FIND THAT A LOT OF THE SURFACE SEWAGE IN THE YARDS, WAS FROM THOSE MOBILES. IT WAS THE

FAULT OF THEIR SYSTEMS IN THE MOBILES. MRS. NEILL STATED THAT THE PROBLEM IN THE PARK HAD BEEN CLEARED UP AND THAT THE TANKS ON THE HILL ARE CHECKED DAILY BY HER HUSBAND. ONE TANK STILL DOES OVER FLOW BUT IT NOW GOES INTO THE EMERGENCY DITCHES.

WALLY JOHNSON, J & V EXCAVATING, STATED THE WORK THAT HE DID IN THE PARK, WAS STRICTLY EMERGENCY WORK AND WAS ALL TEMPORARY. THEY ARE WAITING FOR PLANTS & ASSOCIATES TO GET AN ENGINEERING PLAN READY TO BE CONSIDERED BY THE DEQ FOR REPAIR OF THE SYSTEM. COUNCIL ASKED MR. JOHNSON IF HE FELT THAT THE WORK COULD BE COMPLETED BY 7-15-82, THE DEADLINE GIVEN IN THE DEQ'S LETTER OF REQUIREMENTS. HE STATED THAT IT COULD BE DONE DEPENDING ON WHAT NEEDS TO BE DONE. A DRAINFIELD COULD BE REPAIRED TOMORROW.

JEWEL REMLEY, WOAHIK MOBILE HOME PARK, STATED THAT WHEN SHE MOVED TO THIS AREA, THIS PARK WAS THE ONLY ONE THAT WOULD TAKE CHILDREN. IF THE DEQ FORCES MRS. THOMPSON TO CLOSE THE PARK, IF THE REPAIRS ARE NOT DONE, WHERE WILL THE TENANTS MOVE. NO OTHER PARKS TAKE CHILDREN. MR. LAIRD STATED THAT THIS WOULD BE BETWEEN THE TENANTS AND DEQ.

MAYOR PETERSDORF STATED THAT THERE WAS A NOTE FROM THE DUNES CITY BUILDING INSPECTOR STATING THAT THERE WAS A 5TH WHEEL TRAILER PARKED TO THE NORTH OF THE PARK AND IT WAS HOOKED TO ELECTRICITY AND WATER AND WAS BEING OCCUPIED. THIS WAS DISCUSSED AND THE MANAGER STATED THAT SHE DID NOT KNOW IT WAS HOOKED UP AND THERE WAS TESTIMONY THAT SAID THERE WAS NOT ANYONE OCCUPYING THE TRAILER. MRS. NEILL STATED THAT SHE WOULD CHECK INTO IT.

THE PUBLIC HEARING CLOSED AT 9:53.

MR. LAIRD STATED THAT COUNCIL HAD TO DECIDE WHETHER A NUISANCE DID EXIST BASED ON THE 4 EXHIBITS THAT WERE SUBMITTED INCLUDING THE LOGS FROM LANE COUNTY SANITARIAN ON THE WEEKLY CHECKS. HE STATED THAT THE CITY COULD GO AHEAD AND DECLARE IT A NUISANCE, OR TAKE A "WAIT AND SEE" ATTITUDE AND SEE WHAT GETS DONE AS LONG AS THE OWNER IS WORKING WITH THE DEQ. COUNCIL DISCUSSED THIS FURTHER.

ACTION E. PASSENGER MOVED THAT THE NUISANCE ABATEMENT BE TABLED UNTIL THE JULY CITY COUNCIL MEETING. E. FILLMAN SECONDED AND THE MOTION CARRIED.

PUBLIC HEARING (MR. GERBER TOOK HIS SEAT WITH THE COUNCIL)

JAMES CHOATE
REAPPLICATION OF TEMPORARY PERMIT
5290 BERRY LANE
FLORENCE, OREGON

THE PUBLIC HEARING WAS OPENED AT 10:05 P.M.

JUDY SMITH, CHAIRMAN OF THE PLANNING COMMISSION GAVE THE PLANNING COMMISSION'S RECOMMENDATION TO TABLE THE REQUEST UNTIL, 1) THE CHECK FOR \$50 WRITTEN TO THE CITY WAS CLEARED THROUGH THE BANK, AND 2) THAT MR. CHOATE SHOW THE COURTESY OF APPEARING AT A HEARING. THIS MOTION WAS AMENDED TO READ, THAT IF MR. CHOATE DID NOT APPEAR

AT APRIL 8, 1982 CITY COUNCIL MEETING, THAT THE MOBILE HOME BE REMOVED THEREAFTER.

J. SMITH STATED THAT THE CITY RECEIVED INFORMATION ON APRIL 2, 1982 THAT MR. CHOATE HAD LEFT THE AREA AND MOVED TO TEXAS.

MAYOR PETERSDORF STATED THAT HE TALKED TO GREG ANDERSON, WESTERN BANK AND WAS TOLD THAT WESTERN BANK OWNS THE MOBILE HOME ON THE PROPERTY.

COUNCIL DISCUSSED THIS AND STATED THAT THE BANK SHOULD BE NOTIFIED AND TOLD THAT THE CITY WOULD LIKE THEM TO REMOVE THE MOBILE WITHIN THE NEXT 30 DAYS SINCE THE COUNCIL WILL BE CONSIDERING A RECOMMENDATION FROM THE PLANNING COMMISSION AT THEIR MAY MEETING. THERE WAS SOME CONCERN THAT IF THE PROPERTY WERE TO BE SOLD THAT THE PURCHASER MAY THINK THAT THE MOBILE WENT WITH THE PROPERTY. GERBER STATED THAT THE MOBILE COULD NOT EVEN BE PARKED ON THE PROPERTY, UNOCCUPIED, WITHOUT A CONDITIONAL USE PERMIT. THIS IS ACCORDING TO DUNES CITY ZONING ORDINANCE.

THE PUBLIC HEARING WAS CLOSED.

X. UNFINISHED BUSINESS

FRANCHISE ORDINANCE- MR. GERBER STATED THAT HE RECEIVED A LETTER FROM PACIFIC NORTHWEST BELL WITH SOME OBJECTIONS WITH THE ORDINANCE STATING THAT THEY ARE ALMOST TOTALLY REGULATED BY THE STATE. GERBER STATED THAT HE HAD DRAFTED A RESOLUTION TO ADOPT WITH THE ORDINANCE EXEMPTING THE PACIFIC NORTHWEST BELL AND THE PUD.

ACTION

E. FILLMAN MOVED TO ACCEPT THE FINAL DRAFT OF ORDINANCE #73 AND HAVE THE FIRST READING OF THE ORDINANCE BY SHORT TITLE ONLY. J. FREELAND SECONDED.

GERBER GAVE THE ORDINANCE BY SHORT TITLE.

"AN ORDINANCE TO GOVERN THE GRANTING OF FRANCHISES, AND THE TRANSFER OF INTERESTS IN FRANCHISES FROM ON OWNERS(S) TO ANOTHER OWNER(S) WITHIN DUNES CITY, SETTING APPLICATION FEES, AND SETTING FORTH THE GENERAL RESPONSIBILITIES OF A FRANCHISEE THE CITY, AND THE CITIZENS OF THE CITY".

ROLL CALL

AYES: FILLMAN, PASSENGER, FREELAND, PETERSDORF
THE RECORD SHOW THAT THE MAYOR VOTED BECAUSE OF THE THREE ABSENTEES, BREAKING A TIE.

THE MOTION CARRIED.

ACTION

E. PASSENGER MOVED TO HAVE THE SECOND READING OF ORDINANCE #73 BY SHORT TITLE ONLY. E. FILLMAN SECONDED.

GERBER GAVE THE SECOND READING.

AYES: FILLMAN, PASSENGER, FREELAND, PETERSDORF

ORDINANCE #73 PASSED.

RESOLUTION 4-8-82 B - EXEMPTING PACIFIC NORTHWEST BELL

GERBER READ INTO THE RECORD THE DRAFT OF THE RESOLUTION EXEMPTING THE PUD & PACIFIC NORTHWEST BELL.

ACTION E. FILLMAN MOVED TO ACCEPT THE RESOLUTION #4-8-82 B AS STATED.
E. PASSENGER SECONDED AND THE MOTION CARRIED.

RESOLUTION 4-8-82 C- EXEMPTING CENTRAL LINCOLN PUD

ACTION E. FILLMAN MOVED TO ACCEPT RESOLUTION 4-8-82 C AS STATED, PASSENGER SECONDED AND THE MOTION CARRIED.

REPORT ON VACATED STREETS- J. BAUMEISTER WAS NOT PRESENT TO GIVE A REPORT SO THIS WAS MOVED TO THE MAY AGENDA.

MAYOR PETERSDORF STATED THAT THERE HAS BEEN A PROBLEM WITH THE ROAD WORK. THE ROAD COMMITTEE IS NOT GETTING BIDS ON THE WORK OVER \$2000. ACCORDING TO THE CITY'S CONSTITUTION, ANY WORK OVER \$2000 HAS TO GO OUT FOR BIDS. HE INSTRUCTED J. FREELAND, ROAD COMMISSIONER, TO GET WITH THE ROAD COMMITTEE AND TALK THIS OVER.

ACTION E. PASSENGER MOVED TO CONTINUE WITH NEW BUSINESS SINCE IT IS AFTER 10:00 P.M. E. FILLMAN SECONDED AND THE MOTION CARRIED.

XI. NEW BUSINESS

OATH OF OFFICE - BILL PITTS

B. STOCKING GAVE THE OATH OF OFFICE TO MR. BILL PITTS. THE COUNCIL WELCOMED MR. PITTS TO THE COUNCIL.

WESTLAKE STORE LIQUOR LICENSE

MAYOR PETERSDORF STATED THAT IT IS TIME TO RENEW THE LIQUOR LICENSE FOR THE WESTLAKE STORE.

ACTION E. PASSENGER MOVED THAT THE COUNCIL APPROVE THE REQUEST OF MR. STRENKE, OWNER OF THE WESTLAKE STORE FOR A LIQUOR LICENSE. J. FREELAND SECONDED AND THE MOTION CARRIED.

B. STOCKING STATED THAT MR. STRENKE NOW HAS A LICENSE TO SELL BOAT GAS AT THE STORE.

BEACH CLOSURES

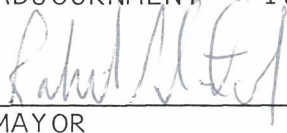
E. PASSENGER STATED THAT THERE IS A GROUP CALLED, CITIZENS FOR UNTREADED BEACHES THAT IS TRYING TO GET THE BEACHES CLOSED TO VEHICLE TRAFFICE. THE AREAS ARE SILTCOOS, UMPQUA TO TEN MILE AND SOUTH JETTY TO THE FIRST PARKING LOT.

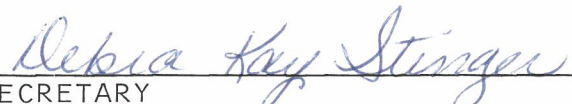
THERE ARE MEETNGS CONCERNING THIS IN REEDSPORT ON APRIL 28 AND APRIL 27 IN EUGENE. SHE FELT THAT THIS IS SO UNNECESSARY. VEHICLES ON THE BEACH ARE AN IMPORTANT PART OF OUR TOURISUM.

THE PETITIONS THAT WERE CIRCULATED WERE PRIMARILY UNIVERSITY OF OREGON STUDENTS. SHE WAS ASKING THE COUNCIL TO SEND LETTERS STATING THAT WE ARE VERY MUCH AGAINST THE CLOSURE OF THESE BEACHES. THE LETTERS SHOULD BE SENT TO THE DEPARTMENT OF TRANSPORTATION AND TO OREGON STATE PARKS & RECREATION.

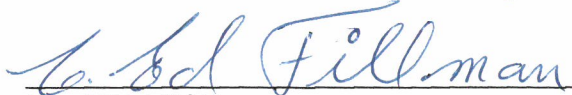
GERBER STATED THAT SINCE THERE IS NO REASON FOR CLOSING THE BEACHES, WE DO NOT HAVE TO JUSTIFY OUR REASONS FOR NOT WANTING THEM CLOSED. JUST STATE THAT WE ARE AGAINST THE CLOSURE OF THE BEACHES.

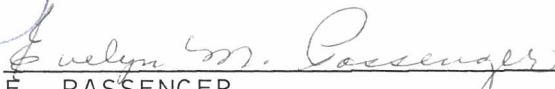
XII, ADJOURNMENT - 10:55 P.M.


MAYOR


SECRETARY


J. FREELAND


E. FILLMAN


E. PASSENGER

RECEIPTS OF SESSION MARCH 12-APRIL 7,1982

BUILDING PERMITS	426.66
BUILDING RENTAL	36.00
CABLE T.V. FRANCHISE	1,088.28
CENTRAL LINCOLN P.U.D.	1,036.02
COPIES	8.20
FEEs C.U.P.	75.00
LIEN SEARCH	20.00
PACIFIC NORTHWEST BELL FRANCHISE	1,002.83
STATE OF OREGON	
CIGARETTE TAX	170.90
HIGHWAY DIVISION	1,125.51
LIQUOR CONTROL	738.74
	570.72

\$ 6,298.86

BILLS OF SESSION MARCH 12-APRIL 7,1982

WILLIAMSON & ANDERSON-AUDIT	1,060.00
P.N.B.TEL. CO	25.65
RONS' PLUMBING-KITCHEN FAUCET	98.60
RAY WELLS EQUIPMENT RENTAL	110.00
ROCK	523.74
GALERIA OFFICE SUPPLIES	10.80
COPELAND BUS SHED MATERIALS	14.80
ROADS	18.90
CENTRAL LINCOLN P.U.D.	
STREET LIGHTS	403.20
BUILDING	63.20
EMILE MORTIER BUILDING INSPECTOR	302.41
SIUSLAW NEWS	18.90
WM. HEWES, ATTORNEY CONSULT ON CABLE T.V.	120.17
RON GERBER ATTORNEY	2,924.34
K.P.N.W.	264.00
SIUSLAW SANITARY SERVICE	17.55
BETTY STOCKING-TRAVEL	11.05

\$ 5,987.31



DUNES CITY, OREGON

REGULAR MEETING

MAY 13, 1982

AGENDA



- I. CALL TO ORDER AND ROLL CALL
- II. APPROVAL OF MINUTES OF APRIL 8, 1982
- III. BILLS AGAINST THE CITY
- IV. RECEIPTS OF SESSION
- V. CITIZENS INPUT ON UNSCHEDULED ITEMS
- VI. ANNOUNCEMENTS & CORRESPONDENCE
 - A. OREGON LIQUOR COMMISSION - RE: LIQUOR STORE IN DUNES CITY
 - B. BEACH CLOSURE LETTERS OF RESPONSE
 - C. LCOG - DUES ROLLED BACK
 - D. INTERGOVERNMENTAL COOPERATIVE FINANCE & SERVICE AGREE.- GERBER
 - E. BALLOT ISSUES
- VII. REPORTS
 - A. ROAD BIDS
 - B. CHAMBER OF COMMERCE - HARRY MCLAIN (Room Tax)
 - C. PLANNING COMMISSION VACANCY - SHARON GRESHAM
 - D. BUILDING MAINTAINENCE PROPOSAL
- VIII. EXECUTIVE SESSION:a)Litigation b)Personnel matters c)Negotiations
- IX. PUBLIC HEARINGS
 - A. ARMENDARIZ - Conditional Use Permit
- X. UNFINISHED BUSINESS
 - A. WESTERN BANK - Choate
 - B. Mike Johnson - Loren Parker / Garbage rates
 - C. Mortier Letter -Lemke- Little Woahink
- XI. NEW BUSINESS
 - A. BUDGET 82-83
 - B. COMP PLAN REVISION & ORDINANCE ADJUSTMENT, page 23 COMP PLAN
 - C. SEA PLANE - Sign
 - D. WESTLAKE TAVERN - Liquor License Renewal
- XII. ADJOURNMENT

DUNES CITY , OREGON
MINUTES OF THE CITY COUNCIL

REGULAR MEETING

MAY 19, 1982

I. CALL TO ORDER AND ROLL CALL

THE REGULAR MEETING OF THE DUNES CITY COUNCIL WAS CALLED TO ORDER AT 7:30 P.M. ON THE 13TH DAY OF MAY, 1982, BY MAYOR PETERSDORF.

ROLL CALL

PRESENT: MAYOR PETERSDORF, E. FILLMAN, J. BAUMEISTER,
R. SCHMALE, B. PITTS, E. PASSENGER, J. FREELAND,
ATTORNEY GERBER, CITY RECORDER B. STOCKING,
SECRETARY D. STINGER

II. APPROVAL OF MINUTES OF APRIL 8, 1982

THE MINUTES OF APRIL 8, 1982 HAD A FEW CORRECTIONS. PAGE 1, AT THE BOTTOM OF THE PAGE, A STATEMENT MADE BY MR. PARKER, THE WORDS, "WEST LANE DISPOSAL CUSTOMERS", WERE STRUCK. PAGE 3, THE WORD "ACCEPT" WAS PUT IN THE SECOND PARAGRAPH, PAGE 3 THE WORD "WORKING" WAS MISPELLED.

J. FREELAND MOVED TO ACCEPT THE MINUTES AS CORRECTED. E. PASSENGER SECONDED AND THE MOTION CARRIED.

III. BILLS AGAINST THE CITY

THE BILLS AGAINST THE CITY TOTALED \$1,310.01. E. FILLMAN MOVED TO PAY THE BILLS AGAINST THE CITY. J. FREELAND SECONDED AND THE MOTION CARRIED.

IV. RECEIPTS OF SESSION - \$4,448.05

V. CITIZENS INPUT ON UNSCHEDULED ITEMS

JOHN CARLSON, WESTLAKE, WAS PRESENT TO GIVE AN UPDATE ON THE YOUTH HOSTELS PROJECT. THE NATIONAL ASSOCIATION WILL MAKE A LOAN ON THE TIMBER DUNES HOUSE. THERE WILL BE A DECISION JUNE 1 BY THE NRA AND THE COUNTY. THE COUNTY WANTS TO REZONE THE AREA TOURIST COMMERCIAL. ALSO THE HOSTEL WILL BE LOCALLY RUN ALSO THE WORK ON THE HOUSE WILL BE LOCALLY PROVIDED.

PHIL TOUT, EAST LAKE, BROUGHT TO THE COUNCIL'S ATTENTION THAT THERE ARE THINGS BEING DONE IN THE AREA WITH SOLAR AND WIND POWER. HE SUGGESTED THAT DUNES CITY START WORKING ON SOME ORDINANCES TO COVER SOME OF THESE AREAS. MAYBE IF IT WERE DONE AHEAD OF TIME, WHEN SOMETHING COMES UP CONCERNING THIS, THE CITY WILL BE PREPARED. MAYOR PETERSDORF ASKED MR. TOUT IF HE WOULD WORK ON GETTING SOME SAMPLE ORDINANCES ON SOLAR AND WIND POWER FOR THE CITY TO WORK FROM AND OBSERVE.

MR. FURBY, LAKE SHORE TRAILER PARK WAS PRESENT STATING THAT HE HAS TORN DOWN THE BUILDING IN THE TRAILER PARK, THAT WAS HIS RESIDENCE. HE WISHES TO PLACE A DOUBLE WIDE MOBILE ON THAT PART OF THE PROPERTY TO USE AS HIS OFFICE AND HIS RESIDENCE. HE STATED THAT WHEN HE CAME TO APPLY FOR A BUILDING PERMIT TO INSTALL THE MOBILE, THE BUILDING INSPECTOR STATED THAT ACCORDING TO THE COMP PLAN AND THE ZONING ORDINANCE, THIS WOULD BE CONSIDERED AN EXPANSION OF THE MOBILE HOME PARK AND WOULD ENTAIL A LOT OF PROCEDURE. MR. FURBY READ FROM PAGE 66 OF THE ZONING ORDINANCE CONCERNING NON CONFORMING USES.

MR. GERBER STATED THAT THE WAY THAT THE ORDINANCE NOW READS, MR. FURBY WOULD HAVE TO GO THROUGH THE PROCEDURE LISTED IN THE ZONING ORDINANCE FOR EXPANDING A MOBILE HOME PARK. HE STATED THAT HE DID NOT THINK THAT THE ORDINANCE WAS INTENDED FOR THIS KIND OF SITUATION. HE FELT THAT THE ORDINANCE NEEDS TO BE REVIEWED AND POSSIBLY AMENDED. THIS IS SOMETHING THAT NEEDS TO BE TAKEN UP BY THE CCI.

MR. FURBY WENT ON AND EXPLAINED TO THE COUNCIL SOME OF THE PROSPECTIVE PLANS HE HAD FOR THE MOBILE HOME. HE STATED THAT THERE IS A 30' SETBACK FROM THE STATE RIGHT OF WAY SO HE WOULD HAVE TO SET THE MOBILE BACK FROM WHERE THE HOUSE WAS. ALSO HE STATED THAT HE WOULD LIKE TO BUILD AN 8 X10 ROOM ONTO THE FRONT OF THE MOBILE TO USE AS THE OFFICE. THIS WOULD COME CLOSER TO THE HIGHWAY THAN 30' BUT THE AREA ALREADY OTHER MOBILES THAT ARE WITHIN THIS SETBACK SO HE DIDN'T FEEL THAT THIS WOULD BE A PROBLEM.

GERBER STATED THAT THE COUNCIL CAN DECIDE TONIGHT TO ALLOW MR. FURBY TO GO AHEAD AND INSTALL THE MOBILE HOME AND EXTEND THE APPLICATION FOR A VARIANCE 60 DAYS AND BY THEN THE ORDINANCE SHOULD BE CHANGED. HOWEVER, MR. FURBY WILL BE TAKING THE CHANCE THAT THE ORDINANCE WILL NOT PASS AND HE WILL HAVE TO GO AHEAD AND APPLY FOR THE VARIANCE.

THE COUNCIL HELD FURTHER DISCUSSION.

ACTION MR. FILLMAN MOVED THAT THE COUNCIL TAKE MR. GERBER'S SUGGESTION AND APPROVE THE ISSUING OF A BUILDING PERMIT TO MR. FURBY, WITH AN EXTENSION OF 60 DAYS ON THE APPLICATION FOR A VARIANCE. J. FREELAND SECONDED AND THE MOTION CARRIED.

LARS LIND WAS PRESENT AND SUBMITTED A LETTER TO THE CITY COUNCIL CONCERNING A TREE THAT HE WOULD LIKE TO REMOVE ON ALDER DR. HE WAS ASKING FOR THE CITY COUNCIL'S REACTION TO HIS LETTER. MAYOR PETERSDORF STATED THAT THE COUNCIL JUST DID RECEIVE THE LETTER AND THAT THEY WOULD NEED TIME. ALSO THEY WOULD HAVE TO GIVE IT TO THE ROAD COMMITTEE FOR INPUT AND ALSO ACCORDING TO THE EROSION ORDINANCE #59, SECT. 1, PARAGRAPH 4, REQUIRES THAT THE CITY COUNCIL SEND OUT THREE PEOPLE FROM THE EROSION COMMITTEE AND AT THIS TIME WE DO NOT HAVE THREE ON THAT COMMITTEE, ALL OF THE TERMS HAVE EXPIRED. AT THE CITY COUNCIL'S NEXT MEETING THREE PEOPLE WILL BE APPOINTED TO INVESTIGATE THIS. IT COULD BE DECIDED AT THE JULY MEETING.

VI. ANNOUNCEMENTS AND CORRESPONDENCE

LIQUOR STORE- MAYOR PETERSDORF STATED THAT THE CITY RECEIVED A LETTER FROM THE OREGON LIQUOR CONTROL STATING THAT DUNES CITY HAS ENOUGH POPULATION THAT THEY ARE ELIGIBLE TO HAVE A LIQUOR STORE IN THE CITY. MAYOR PETERSDORF STATED THAT HE WOULD CALL THE OREGON LIQUOR CONTROL AND FIND OUT WHAT EXACTLY THAT LETTER SAID SINCE HE CAN NOT FIND THAT LETTER.

BEACH CLOSURE- B. STOCKING STATED THAT THE CITY SENT OUT THE LETTER'S PER THE CITY COUNCIL'S ACTION ON THE BEACH CLOSURE AT THE LAST CITY COUNCIL MEETING. WE RECEIVED RESPONSES FROM PETER BOND OF PARKS AND RECREATION AND ALSO FROM SENATOR DELL ISHAM. SENATOR ISHAM WAS FOR THE CLOSURE OF THE SOUTH JETTY TO THE FIRST PARKING LOT CLOSURE, BUT HAD NO COMMENT ON THE OTHER CLOSURES.

LCOG DUNES- B. STOCKING STATED THAT WE RECEIVED CORRESPONDENCE FROM LCOG STATING THAT THEY HAVE ROLLED BACK THE DUES. LAST TIME IT WAS QUOTED AT \$757 AND NOW IT WILL BE \$588 PER YEAR.

THANK YOU- B. STOCKING AND DEBBIE STINGER GAVE A LETTER TO THE CITY COUNCIL CONCERNING A THANK YOU FOR THE FLOWERS ON SECRETARY'S DAY.

THANK YOU- THE CITY RECEIVED A THANK YOU FROM THE KIDS FOR THE BUS SHELTER ON ERHART AND CLEAR LAKE RD.

BALLOT MEASURES- B. STOCKING READ THE TITLES OF THE UPCOMING BALLOT MEASURES.

MEASURE 1- FINANCING MUNICIPAL WATER SYSTEMS

MEASURE 2- STATE BONDS FOR FUNDS TO FINANCE CORRECTIONAL FACILITIES

MEASURE 4- TAXES ON FUELS FOR ROADS

INTERGOVERNMENTAL AGREEMENT- GERBER STATED THAT THE COUNTY HAS WITHDRAWN THEIR PROPOSAL BECAUSE OF THE FALL IN THEIR REVENUE. THEY MAY COME BACK WITH IT AFTER THEY FIND OUT WHAT WILL HAPPEN WITH THEIR REVENUE.

WORKSHOP- B. STOCKING STATED THAT THERE WILL BE A WORKSHOP ON LANE COUNTY DISPOSAL. SHE ALSO STATED THAT SHE HAD POSTED ON THE BULLETIN BOARD A CALENDER LISTING ALL OF THE MEETINGS GOING ON SO EVERYONE MAY HAVE THE OPPORTUNITY TO ATTEND.

VII. REPORTS

ROAD BIDS- J. FREELAND HAD TWO BIDS ON THE UP COMING ROAD WORK. ONE WAS FOR \$2100 AND THE OTHER WAS FOR \$2168. MR. FREELAND STATED THAT THE BIDS ARE NOT IDENTICAL.

THE COUNCIL HAD A LENGTHY DISCUSSION ON THE ROAD BIDS AND FUTURE ROAD BIDS. AFTER SOME DISCUSSION THE COUNCIL DECIDED THAT THIS SHOULD GO BACK TO THE ROAD COMMITTEE SO THAT THEY CAN DRAW UP SOME SPECIFICATIONS SO THAT THE BIDS CAN BE IDENTICAL. ALSO COUNCIL DECIDED THAT SINCE THIS WAS NOT ADVERTISED IT SHOULD

BE. THE CITY RECORDER WAS TO GET THE SPEC'S FROM THE ROAD COMMITTEE AND THEN ADVERTISE FOR BIDS.

J. FREELAND ALSO BROUGHT UP THE FACT THAT IN LITTLE WOAHINK HE FOUND THAT THERE IS A LOT OF EROSION GOING ON. B. STOCKING STATED THAT THE COUNCIL HAS A LETTER FROM MR. MORTIER STATING THAT THE ROADS ARE NOT UP TO PAR AND THAT LEMKE HAS BEEN ADVISED TIME AND TIME AGAIN TO GET THEM DONE. GERBER STATED THAT THE CITY HAS THE POWER TO PUT A DEVELOPMENT FREEZE ON MR. LEMKE UNTIL HE GETS THE ROAD COMPLETED. COUNCIL DISCUSSED THIS FURTHER.

IN MR. MORTIER'S LETTER HE GAVE MR. LEMKE UNTIL JUNE 1 TO REPLY AND UNTIL SEPTEMBER 82 TO COMPLETE THE WORK. GERBER STATED THAT THE COUNCIL CAN WAIT UNTIL THE JUNE MEETING TO SEE WHAT LEMKE COMES UP WITH AND THEN DECIDE.

J. FREELAND STATED THAT THE ROAD COMMITTEE NEEDS A CHAIRMAN. COUNCIL DISCUSSED THIS BRIEFLY AND DECIDED TO ADVERTISE FOR THE ROAD CHAIRMAN .

PLANNING COMMISSION VACANCY- E. PASSENGER MOVED THAT THE CITY COUNCIL ACCEPT THE RECOMMENDATION OF THE PLANNING COMMISSION TO APPOINT SHARON GRESHAM TO THE VACANCY ON THE PLANNING COMMISSION. E. FILLMAN SECONDED AND THE MOTION CARRIED.

BUILDING MAINTAINENCE PROPOSAL- THE COUNCIL HAD BEFORE THEM A PROPOSAL FROM THE STAFF AND THE BUILDING COMMISSIONER LISTING ALL OF THE REPAIRS THAT ARE NEEDED ON THE COMMUNITY CENTER BUILDING. THE COUNCIL DISCUSSED THIS THOROUGHLY AND DECIDED THAT MORE COMPLETE SPEC'S SHOULD BE DRAWN UP AND ALSO THAT THE JOB SHOULD BE ADVERTISED FOR BIDS.

ACTION J. BAUMEISTER MOVED THAT THE CITY ADVERTISE FOR BIDS ON THE PAINTING AND MAINTAINENCE AND THAT THE SPEC'S CAN BE PICKED UP AT THE OFFICE. J. FREELAND SECONDED AND THE MOTION CARRIED.

IX. PUBLIC HEARINGS

ARMANDARIZ- CONDITIONAL USE PERMIT
83706 KIECHLE ARM
FLORENCE, OREGON 19-12-23-4 TL#200

THE PUBLIC HEARING WAS OPENED AT 8:53.

THE PLANNING COMMISSION REPORT WAS GIVEN TO THE CITY COUNCIL BY THE PLANNING COMMISSION SECRETARY D. STINGER. THE PLANNING COMMISSION RECOMMENDED THAT THE CITY COUNCIL APPROVE THE CONDITIONAL USE PERMIT FOR MR. ARMANDARIZ TO HAVE A HORSE ON THE PROPERTY WITH TWO CONDITIONS, THAT THE ARMANDARIZ'S GET A BACTERIA REPORT ON THE CREEK AND THAT THE HORSE BE KEPT 180' FROM THE CREEK.

THERE WAS NO FURTHER TESTIMONY. THE PUBLIC HEARING CLOSED AT 8:55.

THE CITY COUNCIL DISCUSSED THIS PROPOSAL.

GERBER SUGGESTED THAT ANOTHER CONDITION BE PUT ON THE REQUEST THAT NO HORSE BE KEPT ON THE PROPERTY UNTIL THE RESIDENCE IS OCCUPIED.

ACTION E. PASSENGER MOVED THAT THE CITY COUNCIL ACCEPT THE PLANNING COMMISSION'S RECOMMENDATION WITH THE TWO CONDITIONS AND THE ADDED THIRD CONDITION. E. FILLMAN SECONDED AND THE MOTION CARRIED.

X. UNFINISHED BUSINESS

CHOATE MOBILE HOME- GERBER STATED THAT HE HAD TALKED TO GREG ANDERSON AT WESTERN BANK AND THEY ASKED FOR 60 DAYS TO REMOVE THE CHOATE MOBILE. THIS WAS FROM APRIL 28. THE COUNCIL DISCUSSED THIS AT SOME LENGTH.

FILLMAN MOVED THAT THE CITY COUNCIL GRANT WESTERN BANK 60 DAYS FROM APRIL 28, TO SELL AND REMOVE THE MOBILE HOME. E. PASSENGER SECONDED.

AYES: PASSENGER, FILLMAN, SCHMALE, PITTS, BAUMEISTER
NAY: FREELAND

THE MOTION CARRIED.

MIKE JOHNSON-LOREN PARKER/ GARBAGE RATES

MR. MIKE JOHNSON WAS PRESENT TO ANSWER SOME OF THE COUNCIL'S QUESTIONS CONCERNING MR. PARKER'S STATEMENTS AT THE LAST CITY COUNCIL MEETING.

MR. GERBER STEPPED DOWN.

MR. JOHNSON STATED THAT HE WOULD ANSWER THE COUNCIL'S QUESTIONS AND THAT MR. PARKER HAD STATED THAT HE WAS GIVING CUSTOMERS IN THE UNINCORPORATED AREAS A BETTER RATE THAN THOSE IN THE INCORPORATED AREAS. MR. JOHNSON STATED THAT HE HAS ASKED IN THE PAST AND IS ASKING AGAIN FOR THE COUNCIL TO APPOINT A COMMITTEE TO COME AND LOOK AT HIS BOOKS AND CHECK HIS RATES AND HIS COSTS.

THE COUNCIL DISCUSSED AT LENGTH THE CONCEPT OF THE FRANCHISE. PASSENGER STATED THAT THE CITY CAN NOT DICTATE TO MR. JOHNSON WHAT HIS RATES CAN BE, WE HAVE A CONTRACT TO HONOR AND THE CITY SIGNED WITH MR. JOHNSON IN GOOD FAITH. MR. PARKER KNEW WHEN HE CAME TO THIS AREA THAT MR. JOHNSON HAD A FRANCHISE WITH DUNES CITY AND WITH FLORENCE.

MAYOR PETERSDORF STATED THAT HE WOULD GET A COMMITTEE TOGETHER AND GET TOGETHER WITH MR. JOHNSON TO LOOK AT HIS FIGURES. HE WOULD CONTACT MR. JOHNSON AT THAT TIME.

LOREN PARKER, WEST LANE DISPOSAL WAS PRESENT TO GIVE TESTIMONY. HE STATED THAT IN THE PAST MONTH HE HAS OFFERED HIS BUSINESS TO MR. JOHNSON BUT NOT BECAUSE HE IS NOT MAKING IT. HE WAS OFFERED PART OF J & V EXCAVATING AND HE FIGURED IF HE TOOK IT, MR. JOHNSON WOULD BE THE ONLY ONE IN THIS AREA THAT WOULD BE INTERESTED IN THE GARBAGE BUSINESS. HE DID NOT TAKE THE J & V OFFER. HE ALSO GAVE A BRIEF DISCRPTION ON HOW HE RUNS HIS BUSINESS COMPARED TO MR. JOHNSON'S

BUSINESS. HE STATED THAT THE CITY COUNCIL CAN DO SOMETHING ABOUT THIS SITUATION BY STANDING ON THEIR OUR TWO FEET AND DOING SOMETHING AND THE CITY WOULD NOT BE IN VIOLATION OF ANY AGREEMENT. HE STATED THAT MR. JOHNSON CAN NOT COMPETE WITH HIM, IF HE USES COST AS A FACTOR. THIS IS HOW THINGS ARE. THE GUY THAT CAN DO IT THE CHEAPEST SHOULD GET THE JOB.

WOAHINK MOBILE HOME PARK - PASSENGER STATED THAT THERE WAS IN THE PACKET A LETTER FROM MRS. NEIL THAT SHE WILL BE RENTING 4 VACANT SPOTS IN THE PARK. SHE FELT THAT THIS WOULD PUT MORE OF A LOAD ON THE FAILING SYSTEM. B. STOCKING STATED THAT THE SANITARIAN GAVE PERMISSION FOR RENTING THESE SPOTS BECAUSE THEY HAVE JUST BEEN VACATED. NO ADDITIONAL SPOTS ARE BEING FILLED.

LEMKE NEGOTIATIONS - GERBER STATED THAT THE NEGOTIATIONS HAVE BEEN TURNED DOWN BY MR. LEMKE. THIS SETTLEMENTS WAS SENT TO THE CITY BY MR. LEMKE'S ATTORNEY AND MR. ROBBINS. COUNCIL DISCUSSED THIS THOROUGHLY.

ACTION FILLMAN MOVED THAT THE CITY COUNCIL INSTRUCT OUR ATTORNEY TO GO AHEAD WITH THE DEFENDING OR PROPER PROCEEDINGS AGAINST MR. LEMKE. E. PASSENGER SECONDED AND THE MOTION CARRIED.

LEMKE PROPERTY - GERBER STATED THAT HE WAS CONTACTED BY A LOCAL REALTOR ABOUT A PIECE OF LEMKE PROPERTY THAT A 3RD PARTY HAS BEEN BUYING FROM MR. LEMKE FOR A NUMBER OF YEARS. THEY NOW WANT TO MAKE THE PAY OFF. THE CITY HAS THE ORDINANCE FREEZING DEVELOPMENT ON ANY LEMKE PROPERTY UNTIL THE LIEN IS SETTLED WITH THE CITY. COUNCIL DISCUSSED THE POSSIBILITY OF EXCLUDING THIS PARTY FROM THE FREEZE SINCE THE DEAL WAS MADE BEFORE THE ORDINANCE OR THE VIOLATION OCCURED.

ACTION J. FREELAND MOVED THAT THE CITY COUNCIL EXLUDE THE THIRD PARTY IN THE SALE TO BE EXCLUDED FROM ANY LIENS OR FREEZES ON ANY LEMKE PROPERTY. E. PASSENGER SECONDED AND THE MOTION CARRIED.

THE COUNCIL DISCUSSED THIS FURTHER AND ASKED ATTORNEY GERBER THE NAME OF THE PERSON THAT IS THE THIRD PARTY IN THIS DEAL SO THAT THE CITY RECORDER WILL BE INFORMED. HE STATED THAT HE DID NOT KNOW THE NAME BUT WOULD FIND OUT. HE WOULD GET BACK TO THE CITY RECORDER.

ALSO GERBER STATED THAT HE HAS FOUND OUT FROM LCDC THAT THEY OK THE USE OF THE MAINTAINENCE GRANT MONEY TO PAY FOR THE EXPENSES IN THE LEMKE DEALINGS.

XI. NEW BUSINESS

BUDGET 82-83- MAYOR PETERSDORF STATED THAT THE CITY COUNCIL HAS IN THEIR PACKETS THE LIST OF BUDGET MEETINGS TO BE HELD. ALL MEMBERS ARE TO COME TO THOSE MEETINGS. THE FIRST MEETING WILL BE ON MAY 27 ON REVENUE SHARING.

COMP PLAN REVISION - SEA PLANES- GERBER STATED THAT THERE HAS BEEN A LOCAL REALTOR WANTING TO SELL A PIECE OF PROPERTY ON FORD WAY AND THE PROSPECTIVE BUYER HAS A SEA PLANE AND THE COMP PLAN HAS NO

PROVISIONS FOR THE LANDING OF SEA PLANES AND THE STATE HAS NO REGULATIONS FOR SEA PLANES EITHER.

ALSO THE SEA PLANE RIDES WANT TO PUT UP A LARGER SIGN. THE COMP PLAN OR ZONING ORDINANCE HAS NO PROVISION FOR THIS EITHER.

THE CCI COMMITTEE WILL BE ACTIVATED AND HOLD SOME MEETINGS ON BOTH OF THESE ISSUES. GARY DARNELL SHOULD BE NOTIFIED TO ATTEND THOSE MEETINGS. THE COMP PLAN NEEDS TO BE REVISED.

MAYOR PETERSDORF STATED THAT JIM BAUMIESTER IS THE HEAD OF THE CCI AND HE WILL ARRANGE SOME MEETINGS.

WESTLAKE TAVERN LIQUOR RENEWAL-DARLINGS RESORT LIQUORE RENEWAL

ACTION E. FILLMAN MOVED THAT THE CITY COUNCIL APPROVE THE RENEWAL OF BOTH LIQUOR LICENSE. J. BAUMEISTER SECONDED AND THE MOTION CARRIED.

ROAD CHAIRMAN'S RESIGNATION - J. FREELAND MOVED TO ACCEPT THE ROAD CHAIRMAN'S, IRA MANN, RESIGNATION. BAUMEISTER SECONDED AND THE MOTION CARRIED.

THE CITY WILL SEND A CERTIFICATE OF APPRECIATION.

E. FILLMAN STATED THAT THE WATTS MOBILE HAS BEEN IN FOR TWO MONTHS AND STILL HAS NOT SKIRTING. B. STOCKING WAS INSTRUCTED TO CONTACT MR. MORTIER TO CHECK INTO THIS.

J. BAUMEISTER STATED THAT THE CITY OF CRESWELL RECENTLY HAD A PROBLEM WITH THE CITY'S CABLE TV BEING INTERRUPTED BY A CONSTRUCTION CO. CUTTING CABLE AND THE TOWN WAS OUT OF CABLE FOR DAYS BECAUSE OF A FIGHT BETWEEN THE CABLE COMPANY AND THE CONSTRUCTION COMPANY ON WHO SHOULD FIX THE CABLE. MR. BAUMEISTER STATED THAT HE DID NOT FEEL THAT OUR FRANCHISE ORDINANCE HAS US COVERED IN THIS KIND OF SITUATION. GERBER STATED THAT HE WOULD LOOK INTO THIS AND GET BACK TO THE COUNCIL.

XII. ADJOURNMENT - 10:20 P.M.

Robert Petersdorf
MAYOR

Debra Kay Stinger
SECRETARY

William H. Fitts

E. G. Fillman

James E. Baumeister

W. J. Schulz

Jim Freeland

Evelyn M. Cassenger

RECEIPTS OF SESSION APRIL 8, 1982-MAY 12 1982

Building Permits	273.98
Building Rental	36.00
Central Lincoln P.U.D.	942.01
Copies	11.40
Lien	25.00
State of Oregon	
Cigarette Tax	258.75
Highway Division	1,071.00
Liquor Control	723.29
Motel Room Tax	4.62
U.S. Government Revenue Sharing	1,102.00
	<hr/> \$ 4,448.05

BILLS OF SESSION APRIL 8, 1982-MAY 12, 1982

Municipal Awards, Grad. Cards	37.50	
Rons' Plumbing	114.05	
" "	35.00	
Sa-So Street Signs	97.77	
Gov.t Surcharge	25.96	Ck# 142
Galeria Paper & Supplies	122.51	
P.N.B. Tel Co.	28.08	
Key T.V.	53.23	
Central Lincoln P.U.D.		
Lights	403.20	
Bldg	77.60	
Copeland (Roads)	2.10	
Siuslaw News	10.73	
Oregon Wilamette Lumber (roads)	4.45	
Emile Mortier, Bldg Inspection	261.40	
Fair and Square Construction	12.25	
Debra Stinger Travel	1.70	
Betty Stocking Travel/Postage	22.48	
	<hr/> 1,310.01	

DUNES CITY COUNCIL
REGULAR MEETING
JUNE 10, 1982

AGENDA

- I. CALL TO ORDER AND ROLL CALL
- II. APPROVAL OF MINUTES OF MAY 13, 1982
- III. BILLS AGAINST THE CITY
- IV. RECEIPTS OF SESSION
- V. CITIZEN INPUT ON UNSCHEDULED ITEMS
- VI. ANNOUNCEMENTS AND CORRESPONDENCE.
 - A. SECRETARY LEAVE OF ABSENCE
- VII. REPORTS
 - A. BUILDING MAINTENANCE BIDS
 - B. ROAD COMMITTEE CHAIRMAN
 - C. C.C.I. REPORT- COMP PLAN REVISION
- VIII. EXECUTIVE SESSION: A) LITIGATION B) PERSONNEL C) NEGOTIATIONS
- IX. PUBLIC HEARINGS
- X. UNFINISHED BUSINESS
 - A. LEMKE LIEN SEARCH REQUEST
 - B. APPOINTMENT OF SOIL EROSION COMMITTEE
 - C. E.P.W. 2 SECOND SURVEY
- XI. NEW BUSINESS
 - A. VINCENT LA ROCCO RE: BUCKSKIN BOB ROAD
- XII. ADJOURNMENT

DUNES CITY, OREGON

MINUTES OF THE CITY COUNCIL

REGULAR MEETING

JUNE 10, 1982

I. CALL TO ORDER AND ROLL CALL

THE REGULAR MEETING OF THE DUNES CITY COUNCIL WAS CALLED TO ORDER BY MAYOR PETERSDORF AT 7:30 P.M. ON THE 10TH DAY OF JUNE, 1982.

ROLL CALL

PRESENT: MAYOR PETERSDORF, E. FILLMAN, J. FREELAND, R. SCHMALE, J. BAUMEISTER, E. PASSENGER, B. PITTS, ATTORNEY GERBER, CITY RECORDER B. STOCKING, AND SECRETARY D. STINGER.

THERE WERE 10 CITIZENS PRESENT.

II. APPROVAL OF MINUTES OF MAY 13, 1982

E. FILLMAN MOVED THAT THE MINUTES OF MAY 13, 1982 BE APPROVED WITH CORRECTIONS OF MISPELLINGS AND TYPING ERRORS. J. FREELAND SECONDED AND THE MOTION CARRIED.

III. BILLS AGAINST THE CITY

E. PASSENGER MOVED THAT THE BILLS AGAINST THE CITY TOTALING \$874.77 BE PAID. J. BAUMEISTER SECONDED AND THE MOTION CARRIED.

IV. RECEIPTS OF SESSION - \$3,684.49.

V. CITIZENS INPUT ON UNSCHEDULED ITEMS

HARRY MCLAIN, GREEN GATE RD., DUNES CITY, WAS PRESENT TO GIVE THE COUNCIL A BRIEF PRESENTATION ON A GROUP OF BUSINESSMEN THAT ARE WORKING ON ADVERTISING THE FLORENCE AND SURROUNDING AREAS AND WHAT THEY HAVE TO OFFER. HE STATED THAT WITH THEIR PRESENTATION TO THE CITY OF FLORENCE, THEY ASKED FOR 50% OF THE ROOM TAX REVENUE. HE SPOKE OF THE RETIREMENT COMMUNITY IN OUR AREA AND HOW THEY HAVE KEPT US GOING THROUGH THESE HARD TIMES.

MR. HOD JOHNSON, FLORENCE, ALSO WITH THIS SAME GROUP, SPOKE ON HOW THE MONEY IS SPENT ON ADVERTISING. HE PRESENTED CHARTS AND GAVE EXPLANATIONS. HE ALSO STATED THAT THE GROUP WILL BE MEETING JUNE 17, 9:30 A.M. AT WINDWARD INN. THEY WILL BE HOLDING TWO MEETINGS MONTHLY THROUGH OUT THE SUMMER. HE STATED THAT IF DUNES CITY DECIDED TO GIVE 50 % OF THEIR ROOM TAX, THEY WOULD DEFINATELY HAVE INPUT AS FAR AS THE ADVERTISING.

ALSO MR. JOHNSON STATED THAT THE COUNTY HAS DECIDED THAT DRIFTWOOD SHORES ROOM TAX SHOULD NO LONGER GO TO FLORENCE, SINCE IT IS NOT IN FLORENCE AND ALSO DUNES CITY LOT PIER POINT INN'S ROOM TAX AND A FEW OTHER MOTELS IN THEIR AREA. MR. JOHNSON STATED THAT THEY ARE FIGHTING THE COUNTY ON THIS AND WOULD APPRECIATE DUNES CITY'S SUPPORT IN THIS FIGHT.

MAYOR PETERSDORF INSTRUCTED THE CITY RECORDER TO SEND A LETTER TO THE COUNTY COMMISSIONERS CONCERNING THE ROOM TAX. ALSO THE COUNCIL WAS INSTRUCTED TO CONSIDER THIS REQUEST FROM THIS GROUP AND IT WILL BE DISCUSSED AT THE JULY MEETING.

PHIL TOUT, DUNES CITY, SPOKE OUT STATING THAT IF DUNES CITY WANTS TO BE WELL KNOWN AND PUT ON THE MAP, WHY DON'T WE HAVE A POST OFFICE NAMED DUNES CITY. COUNCIL DISCUSSED WITH MR. TOUT THE FACT THAT THIS WAS JUST RECENTLY BROUGHT UP AND IT WAS THE FEELING OF THE MAJORITY OF THE CITIZENS THAT THEY WANTED IT TO BE LEFT THE WAY IT WAS.

COUNCIL DISCUSSED POSSIBLY GETTING THIS ON THE BALLOT FOR NOVEMBER. GERBER STATED THAT HE WOULD LOOK INTO THIS AND GET BACK TO THE COUNCIL.

PHIL TOUT STATED THAT HE HAD THE INFORMATION FOR THE COUNCIL ON SOLAR ORDINANCES. MAYOR PETERSDORF STATED THAT THIS SHOULD GO TO THE CCI FOR REVIEW AND THEN TO THE PLANNING COMMISSION.

VI. ANNOUNCEMENTS AND CORRESPONDENCE

SECRETARY'S LEAVE OF ABSENCE - MAYOR PETERSDORF STATED THAT IN THE COUNCIL'S PACKETS WAS A LETTER FROM THE SECRETARY ASKING FOR A 90 DAY LEAVE OF ABSENCE BEGINNING JULY 1, 1982. COUNCIL DISCUSSED THIS AND ASKED IF THE SECRETARY COULD ATTEND THE JULY MEETING TO TRAIN SOMEONE TO FILL HER SPOT FOR THE 90 DAYS. THIS WAS AGREEABLE.

ACTION J. FREELAND MOVED THAT THE CITY COUNCIL GRANT THE 90 DAY LEAVE OF ABSENCE TO D. STINGER AND GIVE THE AUTHORITY TO BETTY STOCKING TO FIND A 90 DAY REPLACEMENT. J. BAUMEISTER SECONDED AND THE MOTION CARRIED.

VII. REPORTS

BUILDING MAINTAINENCE BIDS - THE CITY RECORDER HAD SEALED BIDS FOR THE PAINTING OF THE INTERIOR AND EXTERIOR OF THE BUILDING

ALONG WITH BIDS FOR THE REPAIRING OF THE ROOF AND ALSO BIDS ON A NEW ROOF. THE BUILDING INSPECTOR STATED THAT THE ROOF ON THIS BUILDING WOULD LAST FOR FIVE MORE YEARS WITH A FEW REPAIRS.

THE BIDS WERE AS FOLLOWS:

RAMSEY CONSTRUCTION:

PAGE ONE SPEC'S	
INTERIOR BUILDING-----	\$ 825.00
PAGE TWO SPEC'S	
EXTERIOR BUILDING-----	\$ 688.50
PUMP HOUSE-----	\$ 75.00
TOTAL -----	\$ 1588.50

PAGE THREE SPEC'S	
NEW ROOF-----	\$ 1200.00
ROOF REPAIR-----	\$ 900.00

ROBERT WILCOX

PAGE THREE SPEC'S	
ROOF REPAIR	
ITEM "A"-----	\$ 256.00
ITEM "B"-----	\$ 110.00
ITEM "C"-----	\$ 40.00
ITEM "D"-----	\$ 72.00
ITEM "E"-----	\$ 36.00
ITEM "F"-----	\$ 142.00
TOTAL-----	\$ 656.00

KEITH CIRCLE

PAGE ONE AND TWO SPEC'S	
INTERIOR AND EXTERIOR PAINTING--	\$ 1500.00
PAGE THREE SPEC'S	
NEW ROOF-----	\$ 2439.00
REPAIR ROOF-----	\$ 500.00

ROBERT MILLER
SEA PINES CONSTRUCTION

PAGE THREE SPEC'S	
NEW ROOF-----	\$ 1671.15
REPAIR ROOF-----	\$ 452.50

FRANK HAWKINS

PAGE ONE SPEC'S	
INTERIOR PAINTING-----	\$ 480.00
KITCHEN-----	\$ 280.00
BATHROOMS-----	\$ 130.00
OFFICE-----	\$ 250.00
TOTAL-----	\$ 1140.00

PAGE TWO SPEC'S

EXTERIOR PAINTING-----\$ 910.00

TOTAL OVER ALL BID-----\$ 2050.00

COUNCIL HAD SOME DISCUSSION ON THE TYPE OF PAINT THESE BIDDERS WOULD BE USING. THIS WAS NOT ON THE BIDS. THE TYPE OF PAINT WAS ON THE SPEC'S BUT NOT THE BRAND. THE SECRETARY WAS INSTRUCTED TO CALL THE BIDDERS AND FIND OUT WHAT KIND OF PAINT THEY WOULD BE USING.

THE COUNCIL WENT ON TO THE ROOF BIDS. THE COUNCIL DISCUSSED THE DIFFERENCE IN THE NEW ROOF BIDS COMPARED TO THE REPAIR BIDS. THERE WAS NOT THAT MUCH DIFFERENCE.

ACTION J. FREELAND MOVED THAT THE CITY HAVE A NEW ROOF PUT ON THE BUILDING. E. FILLMAN SECONDED AND THE MOTION CARRIED.

THE SECRETARY RETURNED AND STATED THAT SHE COULD NOT GET A HOLD OF FRANK HAWKINS, BUT THAT MR. CIRCLE STATED THAT HE WOULD USE OLYMPIC STAIN AND CARL RAMSEY STATED HE WOULD USE TOP QUALITY PAINT, WHATEVER THE CITY WOULD LIKE HIM TO USE.

ACTION R. SCHMALE MOVED THAT THE CITY AWARD THE ROOFING BID TO CARL RAMSEY, AS LOW BIDDER. J. FREELAND SECONDED AND THE MOTION CARRIED.

ACTION R. SCHMALE MOVED THAT THE CITY AWARD THE PAINTING BID THE KEITH CIRCLE, AS LOW BIDDER. B. PITTS SECONDED AND THE MOTION CARRIED.

ROAD COMMITTEE

J. FREELAND STATED THAT THEY HAD BEEN NO RESPONSE TO THE ROAD CHAIRMAN JOB OPENING. ALSO FREELAND STATED THAT VAKE SAMPSON OF THE ROAD COMMITTEE WAS ~~RE~~SUBMITTING THE INFORMATION AGAIN THIS YEAR REQUESTING THE FEDERAL ROAD GRANT.

CCI REPORT

J. BAUMEISTER GAVE A BRIEF REPORT ON THE CCI MEETINGS HELD ON MAY 19 AND JUNE 9, 1982. HE STATED THAT THE ISSUES DISCUSSED WERE ORDINANCES CONCERNING SIGNS IN COMMERCIAL ZONES, REMOVAL OF STICK BUILT STRUCTURES AND REPLACING WITH MOBILE HOME TYPE STRUCTURES IN A MOBILE HOME PARK, AND AN ORDINANCE CONCERNING SEA PLANES IN DUNES CITY. HE STATED THAT MR. GERBER WOULD BE DRAFTING THE RESULTS OF THOSE MEETINGS INTO ORDINANCES AND THAT THEY WOULD HAVE TO GO TO THE PLANNING COMMISSION FOR INPUT AT THEIR REGULAR JUNE MEETING.

MR. BUTCH PATTERSON, WOAHIK DR., DUNES CITY, OPERATOR OF THE SEA PLANE RIDES IN DUNES CITY, ASKED THE COUNCIL WHAT THE ORDINANCE CONCERNING SEA PLANES WOULD MEAN TO HIM. THE COUNCIL STATED THAT HE WAS EXCLUDED FROM THIS ORDINANCE SINCE HIS OPERATION WAS GRANDFATHER. MR. PATTERSON STATED THAT THIS OPERATION

IS MUCH MORE THAT SEA PLANE RIDES. THIS AREA IS A DESIGNATED SEA PLANE PORT. IT IS THE ONLY AREA THAT PLANES CAN LAND AND GET FUEL AND HAVE SIMPLE REPAIRS DONE. AS HE UNDERSTOOD THE DRAFT ORDINANCE, THIS WOULD PROHIBIT THIS. GERBER VERIFIED THIS. HE STATED THAT THE COMMITTEE WAS NOT AWARE OF THE FACT THAT ALL OF THIS WENT ON. IT WAS NOT DISCUSSED AT CCI. GERBER SUGGESTED THAT MR. PATTERSON APPEAR AT THE JUNE 16 MEETING OF THE PLANNING COMMISSION AND DISCUSS THIS WITH THEM SINCE THEY WILL BE WORKING ON THE ORDINANCE .

MR. GERBER GAVE THE COUNCIL A MEMO CONCERNING THE REMOVAL OF STICK TYPE STRUCTURES AND REPLACING THEM WITH MOBILE HOME TYPE STRUCTURES IN A MOBILE HOME PARK.

X. UNFINISHED BUSINESS

LEMKE LIEN SEARCH- MR. GERBER HAD A MEMO IN THE COUNCIL'S PACKET CONCERNING THIS ISSUE. THERE WAS NO DISCUSSION.

APPOINTMENT OF SOIL EROSION COMMITTEE

MAYOR PETERSDORF ASKED COUNCIL FOR NAMES OF THREE PEOPLE TO PUT ON THE EROSION COMMITTEE. E. PASSENGER GAVE THE NAME OF BILL BECK AND E. FILLMAN GAVE THE NAME OF HARLON STRENKE. NEITHER OF THESE PEOPLE HAD BEEN CONTACTED AS TO WHETHER THEY WOULD ACCEPT THE POSITION YET. THERE WAS SOME DISCUSSION ON PUTTING THE PLANNING COMMISSION ON THIS PRO-TEM UNTIL ANOTHER PERSON COULD BE APPOINTED. THESE TERMS WILL RUN THREE YEARS. MAYOR PETERSDORF DISCUSSED WITH DUKE WELLS , WHO WAS IN THE AUDIENCE, WHETHER HE WOULD BE INTERESTED IN A POSITION ON THE EROSION COMMITTEE. THE REASON THE EROSION COMMITTEE NEEDS TO BE ACTIVATED IS BECAUSE MR. LARS LIND ON ALDER DR. , HAS TWO TREES THAT ARE IN THE CITY RIGHT OF WAY, THAT HE WOULD LIKE TO REMOVE AND THIS TAKES A SITE REVIEW AND REPORT BY THE EROSION COMMITTEE. MR. WELLS AGREED TO BE ON THE COMMITTEE. MAYOR PETERSDORF STATED THAT THE CITY WOULD SEND HIM A COPY OF THE EROSION ORDINANCE AND INFORMATION ON THIS ISSUE.

EPW-2

MR. WILKES, EUGENE, OREGON, WAS PRESENT REPRESENTING EPW-2. EPW-2 WAS ASKING FOR A RE-GRANTING OF THEIR PRELIMINARY APPROVAL OF THEIR PLANNED UNIT DEVELOPEMENT. AFTER SOME DISCUSSION IT WAS FOUND THAT THEIR PUD EXPIRED ON MAY 14, 1982. ALSO THERE WAS SOME DISCUSSION ON THE SURVEY THAT EPW-2 SUBMITTED TO THE CITY, CONCERNING THE INCREASE FROM 77 ACRES TO 82 ACRES. MR. WILKES STATED THAT THE COUNCIL HAD IN FRONT OF THEM ANOTHER SURVEY. ALSO THE COUNCIL HAD THE AERIAL PHOTO FROM EPW-2. IT WAS FELT THAT THIS WAS NOT A RELIABLE SURVEY. IT WAS READ FROM THE SEPTEMBER 10, 1981 COUNCIL MINUTES THAT ALL THE COUNCIL ASKED FOR WAS A SECOND OPINION ON THE SURVEY.

COUNCIL DISCUSSED THE RE-GRANTING OF THE PUD FURTHER. MR. WILKES MADE A COMMENT THAT THEY WOULD HAVE TO HAVE ACCESS FROM HWY 101 AFTER ALL. E. PASSENGER STATED THAT THIS WAS NOT ACCEPTABLE PER

THE ORIGINAL 35 CONDITIONS SET ON THE PRELIMINARY APPROVAL. MAYOR PETERSDORF STATED THAT THIS IS NOT WHAT WE ARE CONCERNED WITH TONIGHT. THIS WILL COME UP LATER.

ACTION E. FILLMAN MOVED TO REINSTATED EPW-2 PRELIMINARY APPROVAL WITH THE SAME CONDITIONS AND TERMS.

THE CITY RECORDER BROUGHT UP THE FACT THAT THE ZONING ORDINANCE STATED THAT FOR A RE-GRANTING OF THE PUD, IT MUST BE DONE WITH A RECOMMENDATION FROM THE PLANNING COMMISSION.

FILLMAN WITHDREW HIS MOTION. MAYOR PETERSDORF STATED THAT THIS WOULD GO BEFORE THE PLANNING COMMISSION AT THEIR REGULAR JUNE MEETING.

Watt's
WATT'S MOBILE- COUNCIL BROUGHT UP THE QUESTION ON WHAT THE BUILDING GOING ON OVER AT THE WATT'S MOBILE HOME IS ALL ABOUT. B. STOCKING STATED THAT THE BUILDING INSPECTOR PUT A STOP WORK ORDER ON THE BUILDING UNTIL HE COULD SEE SOME PLANS. HE HAD GIVEN THEM A PERMIT TO BUILD A PORCH OR DECK, BUT THIS BUILDING WAS ENCLOSED. THEY HAVE SUBMITTED PLANS AND ARE BEING CONSIDERED FOR A BUILDING PERMIT. AS FAR AS THE MOBILE BEING SKIRTED, THE BUILDING INSPECTOR STATED THAT THIS WAS NOT A STATE STANDARD. IT DID NOT HAVE TO BE SKIRTED.

XI. NEW BUSINESS

LAROCCO PROPERTY ENCROACHMENT

VINCE LAROCCO, 83397 PARKWAY DR., DUNES CITY, WAS PRESENT AND HAD SUBMITTED A LETTER TO THE COUNCIL CONCERNING THE CITY'S RIGHT OF WAY, BUCKSKIN BOB, ENCROACHING ON HIS PROPERTY ALONG THAT ROAD, BY 10'. HE WAS STATING THAT HE WAS PAYING TAXES ON THIS PROPERTY AND HAD TALKED TO MR. GERBER ABOUT THE SITUATION. MR. GERBER HAD TOLD HIM THAT THE CITY COULD PURCHASE THIS PROPERTY FROM HIM AND GET IT OFF OF HIS TAXES.

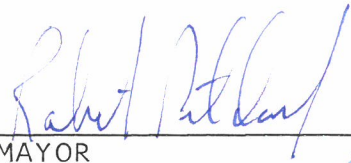
MR. GERBER STATED THAT HE DID NOT SAY THAT AND THAT HE SAID HE COULD RECOMMEND THIS TO THE CITY.

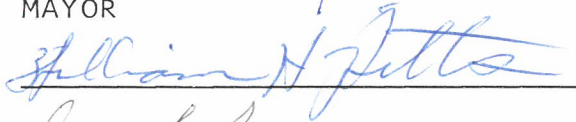
THE COUNCIL DISCUSSED THIS AND ALSO DISCUSSED THE IDEA THAT POSSIBLY THIS ROAD WAS ORIGINALLY 10' AND THROUGH THE YEARS HAS BEEN SLOWLY IMPROVED TO BE 20' WIDE. MAYOR PETERSDORF STATED THAT THE CITY WOULD GET WITH, BERNIE LAFORGE, HERB SAUTER, AND POSSIBLY BOB READ, ALL FORMER CITY OFFICIALS AND DISCUSS WHAT THEY REMEMBER ABOUT THE ROAD. THIS SHOULD BE REPORTED ON AT THE JULY MEETING.

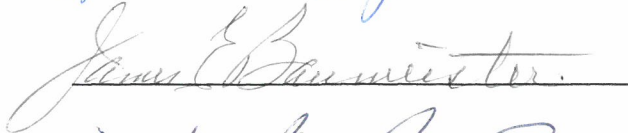
MAYOR'S MEMO

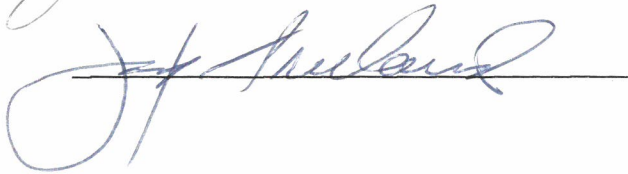
MAYOR PETERSDORF STATED THAT HE HAD A MEMO IN THE PACKETS THAT HE WOULD LIKE EVERYONE TO PAY CLOSE ATTENTION TO. THERE WILL BE NO MATERIAL ACCEPTED FOR THE COUNCIL MEETINGS PAST THE MONDAY BEFORE THE CITY COUNCIL MEETING.

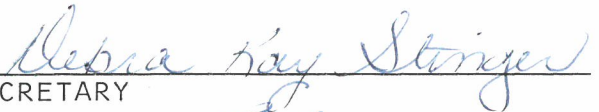
XII. ADJOURNMENT - 10:24

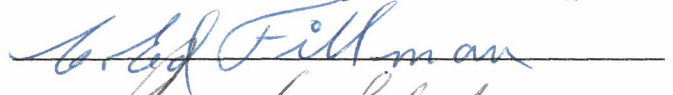

MAYOR









SECRETARY







RECEIPTS OF SESSION MAY 14, 1982 - JUNE 10, 1982

BLDG PERMITS	204.63
BLDG RENTAL	11.00
CENTRAL LINCOLN P.U.D.	908.08
COPIES	.30
LIEN SEARCH	5.00
STATE OF OREGON	
CIGARETTE TAX	196.83
HIGHWAY DIVISION	1,322.17
LIQUOR TAX	1,047.48
	<hr/>
	3,684.49

BILLS OF SESSION MAY 14, 1982 - JUNE 10, 1982

		CK#	
PETTY CASH	24.49	158	PAID, NOT
EDDIE, CLEANING SUPPLIES	3.91	159	REVIEWED
POSTAGE	20.00	160	BY COUNCIL
P.N.B. TEL CO.	26.89		
HIATT FLOWERS	23.50		
FRANK'S OFFICE I.B.M. SERVICE	84.50		
EMILE MORTIER BLDG. INSP.	210.95		
CENTRAL LINCOLN P.U.D.			
STREET LIGHTS	403.20		
BLDG.	49.70		
STUSLAW NEWS.	27.63		
	<hr/>		
	874.77		

Bid Form for Painting Community Center

SPECIFICATIONS

INTERIOR OF BUILDING

A. MAIN HALL:

1. Doors, Mouldings, and Paneling prepared and lacquered using a stain as selected in the lacquer.
2. Cement block walls:
To be prepared so as to accept color as selected. USE LATEX MASONRY/HOUSE PAINT 2 COATS.
Note: Paint around mural on south wall
3. Ceiling:
Do not paint.
4. Work Table:
Enameled
5. Book Shelves;
Lacquered

B. KITCHEN:

1. Paneling prepared and lacquered using stain as selected in the lacquer.
2. Includes ceiling paneling.
3. Includes unfinished cabinet.
4. Cabinets prepared and painted with enamel.
5. Cement blocks prepared so as to accept color selected. 2 COATS LATEX MASONRY PAINT

C. BATHROOMS

1. Paneling prepared and lacquered with stain as selected in lacquer.
2. Ceiling enameled.
3. Cement block wall prepared to accept color as selected. 2 COATS LATEX MASONRY PAINT.

D. OFFICE

1. Prepare and paint woodwork with enamel.
2. Block walls:
Prepare so as to accept color selected. PAINT WITH 2 COATS LATEX MASONRY PAINT.
3. Plaster board walls.
One coat of semi gloss.

PAINTING SPECIFICATIONS PAGE 2

EXTERIOR OF BUILDING

A. WOOD

Prepare and paint with oil base stain with color as selected.

B. CEMENT BLOCK

Prepare and paint with two coats of Latex Exterior Paint.

C. GUTTERS AND DOWNSPOUTS

Use same oil base stain as used on wood.

PUMP HOUSE-EXTERIOR ONLY

- A. Prepare and paint with same color as block wall. Two Coats

TOTAL

NAME OF BIDDER _____

ADDRESS _____

TELEPHONE # _____

BID FORM FOR COMMUNITY CENTER ROOF

ROOF SPECIFICATIONS: NEW ROOF

- A. New Felt
- B. 20 year Fiberglass shingles CLASS C -UL LABEL
AND WIND RESISTANT.
- C. Install new roof jacks and flashing around chimney
and vent pipes.
- D. Metal flashings on gable end to cover exposed plywood
and old roofing.
- E. ROOF JACK TYPE VENTS AT 6 O'CLOCK CLOSE TO RIDGE
ON REAR SIDE SHOULD BE USED.

TOTAL

ROOF SPECIFICATIONS REPAIR OF EXISTING ROOF

- A. REPLACE BROKEN AND MISSING SHINGLES
- B. REPLACE FLASHING AT PLUMBING VENTS. USE PREPAINTED
FLASHING, NOT GALVENIZED METAL. PAINT PLUMBING VENTS.
REMOVE RUST.
- C. REPAIR AND PAINT FLASHING AT CHIMNEY.
- D. REPLACE RIDGE CAP SHINGLES.
- E. SEAL LOOSE SHINGLE TABS WITH ROOFING MASTIC BELOW TABS.
- F. INSTALL VENTS IN GABLE ENDS.

M E M O R A N D U M

TO: DUNES CITY COUNCIL

FROM: DWIGHT RONALD GERBER
City Attorney

RE: SPECIAL DEVELOPMENT STANDARDS
Mobile Home and Travel Trailer Park

DATE: May 13, 1982

The problem faced by Mr. Furby has brought to our attention the fact that stickbuilt structures in mobile home parks are presenting us with some problems. It would be my suggestion that we exclude the replacement of a stickbuilt home, or similar structure, with a mobile home from the requirements of Section 7(I).

The language below would accomplish this, and I tender this proposal to the city for its consideration. I would propose the following language:

SECTION 7(I) (a) (3):

The replacement of any existing stickbuilt structure situated within a mobile home or a travel trailer park, with a mobile home, shall not be subject to the requirements of Section 7(I) (a). Section 7(I) (a) (3) is not intended to excuse a person who would replace such a structure with a mobile home from the normal permits which must be obtained, and, in addition, the project must meet the standards set forth in paragraph (b) immediately below.

The City Council should review the above suggestion, and determine if the proposal is a sound idea, and if the concept is appropriate, the City Council should also review the specific language of the proposed ordinance amendment.

Respectfully,

DWIGHT RONALD GERBER
City Attorney

DRG:lj

MEMORANDUM

TO: DUNES CITY COUNCIL

FROM: DWIGHT RONALD GERBER
City Attorney

DATE: April 30, 1982

RE: Don Lemke

I have received a letter dated April 22, 1982, from Lawrence Cooley, Mr. Lemke's attorney. He indicated that Mr. Lemke was supposed to get back to Mayor Petersdorf and attempt to negotiate a settlement of this matter. In the past, our experiences led us believe that Mr. Lemke is frequently dilatory in attending to his knitting. As things presently sit, Lemke v. City of Dunes City is in limbo. I would request some guidance from the City Council as to whether the City Council wishes to await Mr. Lemke's attempts to resolve this lawsuit, or rather the City Council wishes to vigorously defend, and then pursue the city's remedies as far as collection of the lien goes.

Thank you.



DWIGHT RONALD GERBER
City Attorney

encl.

DUNES CITY COUNCIL

REGULAR MEETING

JULY 8, 1982

AGENDA

- I. CALL TO ORDER AND ROLL CALL
- II. BUDGET HEARING
- III. APPROVAL OF MINUTES OF JUNE 10, 1982
- IV. BILLS AGAINST THE CITY
- V. RECEIPTS OF SESSION
- VI. CITIZEN INPUT ON UNSCHEDULED ITEMS
- VII. ANNOUNCEMENTS AND CORRESPONDENCE
 - A. SECRETARY POSITION FILLED BY EDNA NOYES
 - B. SATISFACTION OF JUDGEMENT LETTER RE: MARTHA JAKOB
 - C. STATE POLICE ON NEIGHBORHOOD WATCH-ART WALKER
 - D. LEMKE
- VIII. REPORTS
 - A. BUILDING MAINTENANCE REPORT: FILLMAN
 - B. PLANNING COMMISSION REPORT: ORDINANCES
 - C. ROAD COMMITTEE: BIDS FOR ROAD REPAIR
 - D. EROSION COMMITTEE REPORT RE: ALDER DRIVE TREES
 - E. GREATER SIUSLAW ECONOMIC FORUM REPORT: FILLMAN
- IX. EXECUTIVE SESSION A) Litigation B) Personnel C) Negotiations
- X. PUBLIC HEARINGS
 - A. EPW₂ REGRANTING OF PUD
- XI. UNFINISHED BUSINESS
 - A. MOTEL TAX AND ADVERTISING REQUEST
 - B. CHOATE MOBILE HOME
- XII. NEW BUSINESS
 - A. PARK AND RECREATION ORDINANCE
- XIII. ADJOURNMENT

DUNES CITY, OREGON
MINUTES OF THE CITY COUNCIL
REGULAR MEETING
JULY 8, 1982

I. CALL TO ORDER AND ROLL CALL

THE REGULAR MEETING OF THE DUNES CITY COUNCIL WAS CALLED TO ORDER BY MAYOR PETERSDORF AT 7:30 P.M. ON THE 8TH DAY OF JULY, 1982.

ROLL CALL

PRESENT: MAYOR PETERSDORF, E. FILLMAN, J. FREELAND, E. PASSENGER, R. SCHMALE, B. PITTS, J. BAUMEISTER, ATTORNEY GERBER, CITY RECORDER B. STOCKING, SECRETARY D. STINGER

II. BUDGET HEARING

MAYOR PETERSDORF OPENED THE PUBLIC HEARING FOR THE 1982-83 BUDGET. THE HEARING WAS LEFT OPEN FOR COMMENT FOR ONE HOUR. THE MEETING PROCEEDED PER THE AGENDA.

III. APPROVAL OF MINUTES OF JUNE 10, 1982

E. FILLMAN MOVED THAT THE MINUTES OF JUNE 10, 1982 BE APPROVED WITH CORRECTIONS. J. BAUMEISTER SECONDED AND THE MOTION CARRIED.

IV. BILLS AGAINST THE CITY

THE BILLS AGAINST THE CITY TOTALED \$6,286.13. PASSENGER MOVED THAT THE BILLS BE PAID. E. FILLMAN SECONDED AND THE MOTION CARRIED .

V. RECEIPTS OF SESSION - \$3,903.61

VI. CITIZEN INPUT ON UNSCHEDULED ITEMS

SKIP GARSKA, 83570 101 S, DUNES CITY, WAS PRESENT TO SPEAK ON THE WOAHIK MOBILE HOME PARK. HE STATED THAT THERE HAS BEEN NO WORK DONE AS FAR AS SOLVING THE SEWAGE PROBLEM. HE STATED THAT HE UNDERSTANDS THAT MRS. THOMPSON IS TRYING TO GET FINANCING FOR THE REPAIR OF THE SYSTEM, BUT HAS BEEN UNABLE TO GET IT. HE FELT THAT WE ARE APPROACHING THE RAINY SEASON AND SOMETHING NEEDS TO BE DONE BEFORE THAT TIME.

COUNCIL DISCUSSED THEIR OPTIONS CONCERNING THE MOBILE HOME PARK. THE COUNCIL HAD TABLE THIS ISSUE UNTIL THEIR JULY MEETING. THE DEQ GAVE THE MOBILE HOME PARK UNTIL JULY 15, 1982 TO COMPLETE THE SYSTEM. THE COUNCIL FELT THAT THEY SHOULD AT LEAST WAIT UNTIL THAT

DATE BEFORE THEY TOOK ANY ACTION CONCERNING THIS.
THERE WAS SOME DISCUSSION CONCERNING THE DEQ GIVING MRS. THOMPSON
A 30 DAY EXTENTION ON FINISHING THE SYSTEM. THE CITY DID NOT
RECEIVE A COPY OF THIS LETTER. THE COUNCIL FELT THAT DEQ SHOULD BE
NOTIFIED AND INFORMED OF THE FACT THAT DUNES CITY SHOULD HAVE A COPY
OF ALL CORRESPONDENCE CONCERNING WOAHIK MOBILE HOME PARK.

MR. GERBER SUGGESTED THAT THE COUNCIL TAKE NO ACTION TONIGHT AND
WAIT TO SEE IF NOTHING IS DONE BY JULY 15, 1982, THE MAYOR POST THE
PROPERTY AND START ABATEMENT PROCEEDING AND SCHEDULE A HEARING FOR
THE REGULAR AUGUST CITY COUNCIL MEETING.

E. PASSENGER SO MOVED. E. FILLMAN SECONDED .

AYES: FILLMAN, PASSENGER, SCHMALE, BAUMEISTER, PITTS
NAYES: FREELAND

THE MOTION CARRIED.

VII. ANNOUNCEMENTS AND CORRESPONDENCE

- A. SECRETARY POSITION: B. STOCKING STATED THAT THE SECRETARY WILL
BE STARTING HER LEAVE OF ABSENCE AFTER JULY 9 AND THE POSITION
WILL BE HELD BY EDNA NOYES, FORMER COUNTY ANNEX EMPLOYEE.
- B. SATISFACTION OF JAKOBS: B. STOCKING STATED THAT THE CITY HAD
SENT MARTHA JAKOB'S ATTORNEY A CHECK FOR \$100 FOR SATISFACTION
OF JUDGEMENT. THIS CHECK HAD NEVER BEEN CASHED SO HER ATTORNEY
WAS CONTACTED. A NEW CHECK WAS ISSUED AND THE CITY RECIEVED
A LETTER FROM MARTHA JAKOB'S ATTORNEY ACKNOWLEDGING RECEIPT OF
THE CHECK AND VARIFYING SATISFACTION OF JUDGEMENT.
- C. NEIGHBORHOOD WATCH: ART WALKER, STATE POLICE, RON TRACEWELL,
COUNTY SHERIFF, AND LEONARD BENICASSA OF THE NEIGHBORHOOD
WATCH WERE PRESENT TO GIVE A PRESENTATION REGARDING THE NEIGHBOR-
HOOD WATCH PROGRAM.

MR. WALKER PRESENTED TO THE COUNCIL THE FUNCTION OF THE PROGRAM.
HE STATED THAT THE NEIGHBORHOOD WATCH IS A GROUP OF CITIZENS
THAT WATCH OTHER PEOPLES PROPERTY WHILE THEY ARE AWAY AND JUST
PATROL NEIGHBORHOODS LOOKING FOR ANYTHING UNUSUAL GOING ON. IF
SOMETHING IS SPOTTED, THEY IMMEDIATELY REPORT THIS TO THE POLICE
OFFICIALS AND WAIT FOR AN OFFICER TO GET TO THE SCENE. THEY
ARE DEFINATELY NOT SUPPOSED TO TRY TO APPREND THE SUSPECT OR
GET INVOLVED IN ANY WAY ECCEPT TO OBTAIN INFORMATION.

THIS PROGRAM IS ESPECIALLY HELPFUL SINCE THERE HAS BEEN SO
MANY CUTBACKS IN LAW ENFORCEMENT AND THERE JUST ARE NOT ENOUGH
OFFICERS IN THE AREA TO PATROL.

MR. TRACEWELL GAVE A SHORT PRESENTATION ON SOME OF THE OTHER
THINGS THAT A NEIGHBORHOOD WATCH GROUP DOES.

MR. BENICASSA, GAVE A BRIEF OUTLINE OF WHAT HIS GROUP DOES. ALSO HE PRESENTED TO THE COUNCIL A SIGN THAT INDICATES THAT A CERTAIN NEIGHBORHOOD IS UNDER THE NEIGHBORHOOD WATCH PROGRAM.

MR. TRACEWELL ANNOUNCED THAT THERE WOULD BE A COUNTY REPRESENTATIVE WHO COORDINATES THE WATCH GROUPS AT THE COUNTY ANNEX, JUSTICE COURT ROOM, ON JULY 20, 1982, AT 7:30.

MAYOR PETERSDORF STATED THAT HE FELT THAT THE CITY SHOULD RUN AN AD IN THE PAPER BEFORE THE JULY 20TH MEETING ENCOURAGING DUNES CITY RESIDENTS TO ATTEND THIS NEIGHBORHOOD WATCH MEETING. ALSO POSSIBLY AFTER THE JULY 20 TH MEETING THE CITY COULD RUN AN AD ASKING CITIZENS TO ATTEND A HEARING BEFORE THE CITY COUNCIL FOR INPUT ON THIS SUBJECT.

THE CITY RECORDER WAS INSTRUCTED TO DO SO.

LEMKE - ATTORNEY GERBER STATED THAT A FEW WEEKS AGO SOME PEOPLE CAME INTO THE CITY AND ASKED ABOUT A PIECE OF PROPERTY THAT BELONGED TO MR. LEMKE . THEY WERE CONSIDERING BUYING THE PARCEL BUT WANTED TO KNOW ABOUT BUILDING PERMITS ETC. THE CITY TOLD THEM THAT WE HAD A DEVELOPEMENT FREEZE ON ANY LEMKE PROPERTY AND A BUILDING PERMIT WOULD NOT BE ISSUED . MR. LEMKE CLAIMED THAT THIS PROPERTY WAS NOT IN HIS NAME. THE TITLE COMPANY SENT A LIEN SEARCH TO THE CITY AND THE CITY INFORMED THEM THAT IF THE PROPERTY WAS IN LEMKE'S NAME ANYTIME AFTER JUNE 12, 1982, THE CITY COULD DENY A BUILDING PERMIT. THROUGH RESEARCH, IT SEEMS THAT THE PROPERTY WAS NOT IN LEMKE'S NAME AT THAT TIME, SO IT APPEARS THAT THIS PROPERTY WOULD NOT BE LIABLE UNDER THE DEVELOPMENT FREEZE.

BUDGET HEARING

MAYOR PETERSDORF INTERRUPTED THE COUNCIL TO CONCLUDE THE BUDGET HEARING. IT WAS CLOSED AT 8:30 P.M.

MAYOR PETERSDORF READ INTO THE RECORD THE RESOLUTION TO ADOPT THE 1982-83 CITY BUDGET.

E. PASSENGER MOVED TO ADOPT RESOLUTION 7-8-82 ACCEPTING THE 1982-83 DUNES CITY BUDGET. J. FREELAND SECONDED AND THE MOTION CARRIED.

VIII. REPORTS

BUILDING MAINENANCE- ED FILLMAN STATED THAT THE OUTSIDE OF THE BUILDING HAS BEEN PAINTED AND THE ROOF HAS BEEN PUT ON. ALSO THE CITY HAD NEW GUTTERS AND DOWN SPOUTS PUT ON THE BUILDING. THE INTERIOR PAINTING IS NOW BEING DONE.

DRAFT ORDINANCES- PLANNING COMMISSION REPORT- D. STINGER GAVE THE RECOMMENDATIONS OF THE PLANNING COMMISSION TO THE CITY COUNCIL. THE PLANNING COMMISSION RECOMMENDED TO THE CITY COUNCIL APPROVAL OF THE ORDINANCE CONCERNING REMOVAL OF STICK STRUCTURES IN A MOBILE HOME PARK. THE PLANNING COMMISSION ALSO RECOMMENDED TO THE CITY COUNCIL THE APPROVAL OF THE SIGN ORDINANCE WITH CHANGES AS DRAFTED

WITH THE ADDITION OF A PURPOSES CLAUSE. D. STINGER STATED THAT THE PLANNING COMMISSION DID NOT CONSIDER A SEA PLANES ORDINANCE, SINCE MR. GERBER IS STILL RESEARCHING THE ISSUE.

MR. FILLMAN STATED THAT IN THE PLANNING COMMISSION MINUTES OF JUNE 16, 1982, PAGE 2 IT READS "SILTCOOS MOBILE HOME PARK" THIS SHOULD BE "LAKESHORE".

THE COUNCIL DISCUSSED THESE ORDINANCES BRIEFLY.

ACTION E. FILLMAN MOVED THAT THE CITY COUNCIL PUT THE SIGN ORDINANCE ON THE DOCKET FOR THE AUGUST 12 MEETING. J. BAUMEISTER SECONDED AND THE MOTION CARRIED.

ACTION E. FILLMAN MOVED THAT THE CITY COUNCIL PUT THE MOBILE HOME PARK ORDINANCE ON THE DOCKET FOR THE AUGUST 12, MEETING. BAUMEISTER SECONDED.

SOME OF THE COUNCIL MEMBERS STATED THAT THEY DID NOT HAVE COPIES OF THIS ORDINANCE. GERBER STATED THAT THE COUNCIL MEMBERS SHOULD HAVE THIS ORDINANCE AHEAD OF THE AUGUST MEETING TO STUDY FOR ANY CHANGES.

FILLMAN WITHDREW HIS MOTION.

MAYOR PETERSDORF STATED THAT THIS WOULD BE PUT ON THE AUGUST MEETING FOR CONSIDERATION.

EROSION COMMITTEE REPORT RE: ALDER DRIVE TREES

DUKE WELLS, WOAHINK DR., DUNES CITY WAS PRESENT AS THE CHAIRMAN OF THE EROSION COMMITTEE. HE GAVE A BRIEF DESCRIPTION OF HIS EXPERIENCE WITH TREES AND LAND WORK. HE STATED THAT HE AND HIS COMMITTEE, CALVIN AND DEBBIE STINGER, LOOKED OVER THE AREA. IT WAS THE FEELING OF THE COMMITTEE THAT THE TREES COULD NOT BE REMOVED, ALONG WITH THE STUMPS, WITHOUT CAUSING EROSION OF THE HILLSIDE. IT WAS THE RECOMMENDATION OF THE COMMITTEE THAT THE TREES NOT BE MOVED. MR. WELLS STATED THAT MR. LIND COULD HAVE A UTILITY POLE ON THE OTHERSIDE OF THE ROAD MOVED A FEW FEET AND HAVE BETTER ACCESS ON ALDER DR.

HARRY MCLAIN, GREEN GATE, DUNES CITY, WAS PRESENT REPRESENTING MR. LIND. HE STATED THAT MR. LIND JUST WANTED TO REMOVED THE LOWER TREE AND NOT THE STUMP. HE WAS GOING TO HAVE THE STUMP CUT BACK FLUSH. ALSO HE STATED THAT MR. LIND WAS WILLING TO PUT UP A RETAINING WALL TO HOLD BACK THE HILLSIDE. MR. MCLAIN STATED THAT THE REASON MR. LIND NEEDS THE ROAD WIDENED IS BECAUSE AT THE POINT WHERE THE TREES ARE LOCATED IT IS ONLY 10' WIDE AND HE CAN NOT GET AN RV THROUGH THERE.

STEVE REITERMAN, HUCKLEBERRY LN, DUNES CITY, WAS PRESENT TO TESTIFY AGAINST THE REMOVAL OF THOSE TREES. HE STATED THAT THE TREES ARE DIRECTLY IN FRONT OF HIS HOUSE AND THAT HE DID NOT WANT THEM MOVED

MOSTLY BECAUSE OF THE EROSION THAT WOULD TAKE PLACE AND THE HILLSIDE IS VERY CLOSE TO HIS HOME. HE STATED THAT THESE TREES ARE VERY OLD AND THE POSSIBILITY OF THOSE ROOTS BEING VERY ENTWINED IN THE HILLSIDE, IS GREAT. HE FELT THAT ONE TREE COULD NOT BE REMOVED WITHOUT KILLING THE OTHER TREE. HE ALSO STATED THAT MR. LIND IS ONLY A PART TIME RESIDENT AND THAT HE IS A FULL TIME RESIDENT AND FEELS THAT THERE IS NOT REASON FOR THOSE TREES TO BE REMOVED. HE FELT THAT SOME OF THE OTHER TREES COULD BE TRIMMED AND GAVE A FEW FEET. HE DEFINATELY DID NOT WANT THE TREES MOVED.

AFTER LENGTHLY DISCUSSION, THE MAYOR RECOMMENDED TO THE CITY COUNCIL THAT THIS ISSUE BE TABLED UNTIL THE AUGUST CITY COUNCIL MEETING SO MR. LIND COULD BE HERE TO ANSWER QUESTIONS.

ROAD BIDS

MAYOR PETERSDORF GAVE THE CITY RECORDER THREE SEALED BIDS FOR THE CITY'S ROAD WORK. THEY WERE FROM, ART CONING CONSTRUCTION, RAY WELLS CONSTRUCTION AND J & V EXCAVATING.

THE CITY RECORDER STATED THAT THE COUNCIL HAD IN FRONT OF THEM A COPY OF THE SPEC'S THAT EACH OF THESE COMPANIES MADE THEIR BIDS FROM. THE BIDS WERE OPENED.

ART CONING -----	\$ 3,894.90
J & V EXCAVATING-----	\$ 3,320.50
RAY WELLS-----	\$ 2,659.50

THE COUNCIL DISCUSSED THE BIDS. THE CITY RECORDER STATED THAT ON THE BIDS THERE WAS SOME DIFFERENCE IN THE CULVERT LENGTHS AND THAT ON THE RAY WELLS BID, "WRIGHT ROAD" WAS LEFT OFF. HOWEVER, EACH OF THE BIDDERS RECEIVED THE SAME SPEC'S.

COUNCIL DECIDED THAT THE CITY WOULD START WITH THE LOW BIDDER. MAKE SURE THAT THEIR BID INCLUDES ALL OF WHAT IS ON THE SPEC'S. RAY WELLS IS TO BE CONTACTED AND QUESTIONED ON THEIR DIFFERENCES. IF THEY FEEL THAT THEY CAN NOT DO THE WORK FOR WHAT THEY BID, THEN GO TO THE NEXT LOWEST BIDDER.

ACTION E. PASSENGER MOVED THAT THE CITY ACCEPT THE RAY WELLS BID FOR \$2,659.50, AS PER THE CITY SPEC'S. R. SCHMALE SECONDED AND THE MOTION CARRIED.

E. PASSENGER MOVED THAT IF RAY WELLS REFUSES THE BID, THE MAYOR HAS DIRECTION TO ACCEPT THE NEXT LWEST BIDDER. J. BAUMEISTER SECONDED AND THE MOTION CARRIED.

MAYOR PETERSDORF STATED THAT THE PRESS WAS NOT AT THIS MEETING BECAUSE THEY HAVE A NEW MANAGER THAT IS MAKING CUTBACKS AND THEY ARE CUTTING THE REPORTERS HOURS. THEY ARE GOING TO TRY TO MAKE JUST THE REAL IMPORTANT MEETINGS.

ROAD COMMISSIONERS REPORT

J. FREELAND GAVE A BRIEF REPORT ON THE BUCKSKIN BOB-LAROCCO ISSUE. HE STATED THAT HE TALKED TO BERNIE LAFORGE, HERB SAUTER AND GENE COCKERAM ABOUT BUCKSKIN BOB.

HE STATED THAT BERNIE LAFORGE SAID THAT THE ROAD USED TO BE A 10' ROAD. MR. COCKERAM ALSO STATED THAT THE ROAD USED TO BE MUCH NARROWER AND ABOUT FIVE YEARS AGO WAS WIDENED WITH THE IMPROVEMENTS. HERB SAUTER SAID THAT THE ROAD HAS ALWAYS BEEN ABOUT 15' WIDE.

MR. GERBER STATED THAT HE HAS BEEN TRYING TO GET AHOLD OF THE COUNTY ASSESSOR BUT HAS NOT BEEN ABLE TOO. HE WAS GOING TO ASK HIM ABOUT GETTING SOME TAX RELIEF FOR MR. LAROCCO.

COUNCIL DISCUSSED THIS WITH MR. LAROCCO WHO WAS PRESENT. HE STATED THAT HE IS PAYING FOR 10' OF PROPERTY THAT IS IN THE MIDDLE OF THE ROAD.

MR. GERBER STATED THAT HE WOULD TALK TO THE COUNTY ASSESSOR TOMORROW WHEN HE WAS IN EUGENE AND HE WOULD GET BACK TO THE COUNCIL.

GREATER SIUSLAW ECONOMIC FORUM REPORT

E. FILLMAN GAVE A BRIEF REPORT ON THIS COMMITTEE. HE STATED THAT THEY ARE JUST NOW FINISHING THEIR BY-LAWS. THE ONLY THING HE WANTED TO BRING UP WAS THAT ONE OF THE BY-LAWS WAS THAT WHEN A REPRESENTATIVE IS SENT TO A MEETING, AN ALTERNATE SHOULD ALWAYS BE SENT ALSO TO KEEP CONTINUITY.

X. PUBLIC HEARING

EPW-2
SOUTH SHORE WOAHIK
19-12-27-1

RE-GRANTING OF THE PUD

THE PUBLIC HEARING WAS OPENED AT 9:59 P.M.

THERE WAS NO TESTIMONY TAKEN.

THE PUBLIC HEARING WAS CLOSED AT 10:00 P.M.

THE COUNCIL HAD BEFORE THEM THE RECOMMENDATION OF THE PLANNING COMMISSION WHICH WAS THAT THEY RECOMMENDED TO THE COUNCIL THAT THE EXTENSION BE GRANTED IF ALL CONDITIONS OF THE PREVIOUS P.U.D. ARE MET.

THE COUNCIL HAD SOME DISCUSSION ON THE FACT THAT MR. WILKES SAID THAT THEY WOULD NOT BE ABLE TO GET ACCESS FROM CLEAR LAKE ROAD BECAUSE OF THE SILTCOOS LAKE CLUB PLAT. IT WAS THE CITY'S FEELING THAT THEY DID NOT WANT ACCESS FROM HWY 101 AND THIS WAS IN THE ORIGINAL CONDITIONS. COUNCIL DISCUSSED THIS FURTHER AND DECIDED THAT WHEN THIS ISSUE WAS BROUGHT TO THE COUNCIL FORMALLY, IT WOULD BE DISCUSSED.

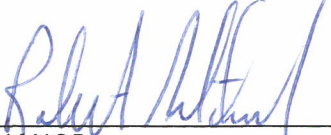
E. PASSENGER MOVED THAT THE CITY COUNCIL ACCEPT THE PLANNING COMMISSION'S RECOMMENDATION TO REGRANT THE PUD FOR ONE YEAR STARTING JULY 8, 1982, WITH A RENEWAL FEE OF \$250. J. FREELAND SECONDED AND THE MOTION CARRIED.

XI. UNFINISHED BUSINESS

THERE WAS A SHORT DISCUSSION ON THE LITTLE WOHINK ROADS. THERE HAD BEEN A LETTER SENT OUT CONCERNING THE EROSION DUE TO THE CONSTRUCTION OF THE ROADS THAT HAVE NEVER BEEN COMPLETED. THE CITY NEVER DID GET A RESPONSE TO THIS LETTER. J. FREELAND STATED THAT HE THINKS THAT ELSON SHIELDS IS MANAGING THIS PROPERTY AND HE DID CALL HIM ONE DAY ASKING ABOUT WHAT NEEDS TO BE DONE. MR. GERBER STATED THAT HE WOULD GET AHOLD OF MR. SHIELDS AND DISCUSS THE ROADS IN LITTLE WOHINK.

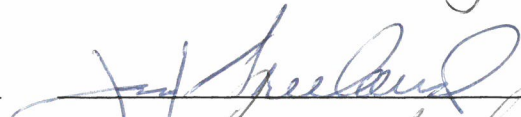
THE COUNCIL DECIDED NOT TO MOVE ON TO NEW BUSINESS BECAUSE OF THE LATE HOUR. THE PARKS AND RECREATION ORDINANCE (PROPOSED) WAS TO BE PLACED ON THE AUGUST AGENDA.

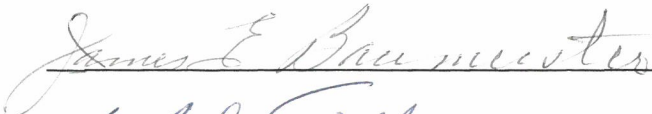
III. ADJOURNMENT - 10:45


MAYOR

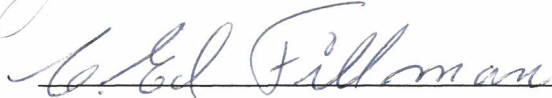

SECRETARY













MOTEL TAX REQUEST

THE COUNCIL WAS TO CONSIDER THE REQUEST OF THE FLORENCE AREA CHAMBER OF COMMERCE REGARDING THEIR RECEIVING 50% OF THE CITY'S MOTEL TAX FOR ADVERTIZING OF THE AREA.

MAYOR PETERSDORF STATED THAT ALL OF THE BROCHURES AND ADS THAT HE HAD SEEN HAVE NOT ONCE MENTIONED DUNES CITY. E. FILLMAN STATED THAT THE REASON FOR THIS WAS BECAUSE WE HAVE NOT GIVEN ANY MONEY FOR ADVERTIZING.

COUNCIL DISCUSSED THIS AT SOME LENGTH.

ACTION E. FILLMAN MOVED THAT THE CITY GIVE THE FLORENCE AREA CHAMBER OF COMMERCE 50% OF THE MOTEL TAX, WHATEVER THE AMOUNT IS, FOR ONE YEAR. R. SCHMALE SECONDED.

AYES: PASSENGER, SCHMALE, FREELAND, FILLMAN, BAUMEISTER
NAYES: PITTS

THE MOTION CARRIED.

CHOATE MOBILE

WESTERN BANK WAS CONTACTED OF THE FACT THAT THEIR 60 DAY EXTENTION FOR REMOVING THE MOBILE HOME EXPIRED ON JUNE 28, 1982. THEY WROTE BACK AND STATED THAT THEY WERE NOT NOTIFIED OF THAT EXTENTION AND WOULD LIKE TO HAVE ANOTHER 90 DAY EXTENTION.

COUNCIL DISCUSSED THIS ISSUE AT SOME LENGTH. J. FREELAND STATED THAT HE LIVES IN THAT NEIGHBORHOOD AND THAT SEVERAL OF THE NEIGHBORS WERE VERY UNHAPPY WITH THE MOBILE BEING THERE. MAYOR PETERSDORF STATED THAT THESE COMPLAINTS MUST BE IN WRITING.

ACTION E. FILLMAN MOVED THAT THE CITY CONTACT WESTERN BANK AND INFORM THEM THAT THE MOBILE MUST BE MOVED FROM THE PROPERTY AT 5290 BERRY LANE, DUNES CITY, WITHIN 15 DAYS OR THE CITY WILL START ABATEMENT PROCEEDINGS. J. FREELAND SECONDED AND THE MOTION CARRIED.

LEMKE VS DUNES CITY

MR. GERBER STATED THAT THE TRANSCRIPTS ARE READY FOR FILING EARLY NEXT WEEK. HOPEFULLY SOMETHING WILL BE RESOLVED FROM THIS.

THE COUNCIL HAD A BRIEF DISCUSSION ON THE STATE LAW CONCERNING THE SKIRTING OF MOBILE HOMES. MR. GERBER STATED THAT THE COUNCIL WILL HAVE TO BE SURE TO INCLUDE THIS IN ANY FUTURE CONDITIONAL USE PERMITS FOR MOBILE HOMES, SINCE IT APPEARS THAT THIS IS NO LONGER A STATE LAW.

THERE WAS ANOTHER SHORT DISCUSSION ON SOME INFORMATION CONCERNING THE EPW-2 AERIAL SURVEY. THE ENTIRE COUNCIL DID NOT HAVE THE INFORMATION SO THIS WAS TO BE PUT ON THE AUGUST AGENDA.

DUNES CITY COUNCIL

REGULAR MEETING

AUGUST 12, 1982

AGENDA

- I. CALL TO ORDER AND ROLL CALL.
- II. APPROVAL OF MINUTES OF JULY 8, 1982
- III. BILLS AGAINST THE CITY
- IV. RECEIPTS OF SESSION
- V. CITIZEN INPUT ON UNSCHEDULED ITEMS
- VI. ANNOUNCEMENTS AND CORRESPONDENCE
- VII. REPORTS
 1. POLICE COMMISSIONER-NEIGHBORHOOD WATCH
 2. ROAD COMMISSIONER
 3. Choate Mobile Home
 4. Greater Siuslaw River Economic Forum
 5. LaRocco, GERBER REPORT
- VIII. EXECUTIVE SESSION a) Litigation, b) Personnel, c) Negotiations
- IX. PUBLIC HEARINGS
- X. UNFINISHED BUSINESS
 1. WOAHIK MOBILE HOME RESORT
 2. SIGN ORDINANCE
 3. MOBILE HOME ORDINANCE
 4. LARS LIND RE: ALDER DRIVE TREES
 5. EPW₂ CHICKERING AERIAL SURVEY
- XI. NEW BUSINESS
 1. NUCLEAR FREEZE-COUNCILWOMAN PASSENGER
 2. PARK ORDINANCE
 3. INSPECTION OF LAKESHORE DRIVE (19-12-22 01 TL 1000.
- XII. ADJOURNMENT

DUNES CITY, OREGON
MINUTES OF THE CITY COUNCIL
REGULAR MEETING
AUGUST 12, 1982

- I. CALL TO ORDER AND ROLL CALL AT 7:30 P.M. by Mayor Petersdorf. PRESENT: Mayor Petersdorf, W. Pitts, J. Baumeister, R. Schmale, J. Freeland, E. Fillman, E. Passenger, City Recorder, Betty Stocking, Acting Secretary Edna Noyes.
Jim Hilborn, Attorney at Law, P.O. Box 187, Reedsport, OR.
- II. APPROVAL OF MINUTES
E. Passenger moved that the minutes of July, 1982 be approved with spelling corrections. J. Freeland seconded. Motion carried.
- III. BILLS AGAINST THE CITY \$1,286.21
E. Passenger moved that the bills presented be paid.
The motion was seconded by E. Fillman
There was a question on the bill for E. Mortier. Betty Stocking stated this was to investigate a complaint.
Motion carried.
- IV. RECEIPTS OF SESSION- \$5,001.50
- V. CORRESPONDENCE AND ANNOUNCEMENTS.
City Recorder, Betty Stocking referred all questions on the Urban Growth Boundary changes be referred to Attorney Gerber.

A letter was read announcing the opening and dedication of the new Oregon Dunes Overlook on August 15, 1982.

Two art groups now meet at the Dunes City Community building on Tuesday and Wednesday.

New custodian will be Merne Lorenz.

- VI. UNFINISHED BUSINESS
Woahink Mobile Home Resort.
Attorney Hilborn reported that the July 15, 1982 deadline has passed and that no excavation or renovation of the SDS system has started.

Ann Bunningberg, 259 E. 5th, Eugene, OR., stated that we are behind schedule. Finance has been a problem as they needed to assure the bank of payment. Loan papers are drawn and could start construction at the end of the following week. They have been working with the contract installer and he has approved the contract of \$67,590.00, the bid to install the system. The preconstruction meeting has been held with D.E.Q., Lane County officials, including the installer. Repaired septic system is now functioning. Part of the time delay is due to the recording of the mortgage. There is no problem with the water system as it has been checked by State Officials. The contract calls for a forty day time for installation, but could be done in thirty days.

E. Passenger feels abatement procedure should remain intact.

Attorney Hilborn stated an option would be to table this action until the September meeting.

Woahink Mobile Home Resort Cont.

W. Pitts asked if construction started and the water table raises, then what? Council feels the weather will hold out for two months.

C. A. Garska, 8370 Hwy. 101, Dunes City, stated he will withdraw his complaint if the work is started by September 15, 1982.

J. Baumeister asked if the present system will operate during replacement of the new system. Attorney Bunnenberg replied she thought it would.

E. Passenger stated that D.E.Q. would close the park if the system is not finished.

ACTION J. Freeland moved to table any action until the September meeting. This motion was seconded by E. Passenger. Motion carried by unanimous vote.

VII. NEW BUSINESS- Initiative Petition Attorney Jim Hilborn representing Dunes City

Attorney feels that part of the problem is this is the first petition filed with the City. Some directives are needed.

Mayor Petersdorf asked if any action was needed by the Council on the petition. Attorney Hilborn, presented options to the Council, they can reject the petition, take no action and/or educate the people on the existing franchise.

Mayor Petersdorf was concerned with the legal ramifications, who is libel, the City or the petition signors?

Attorney Hilborn feels the City could be as they have a valid contract with Siuslaw Sanitary Service.

R. Schmale feels the books should be checked, as Mike Johnson has stated before the Council that no profit had been made.

Much discussion on the procedure of the initiative petition, as to election dates and filing time. Also concern if Dunes City Initiative and Referendum Ordinance no. 36 has precedence over the Oregon State Ordinance on dates, time and ballot title form.

Betty Stocking reported that as per conversation with Mr. Hoehnie, Lane County election official, that the ordinance could be placed on the March ballot.

Dave Clark, Attorney at Law, stated the Council could either pass a new ordinance or the petition would go before a vote of the people. He also understands all ballot measure titles should be in form of a question.

E. Passenger requested City Recorder, Betty Stocking inquire if City Ordinance no 36 overrules Oregon State Statute.

J. Baumeister feels the books of Siuslaw Sanitary Service should be examined.

E. Fillman moved that the Council reject the petition ordinance.
Motion seconded by W. Pitts.

ROLL CALL:

Ayes: E. Fillman, R Schmale, E. Passenger, J. Baumeister, W. Pitts

Abstaining: J. Freeland

Motion Carried

ACTION

Mayor Petersdorf will set up a committee of two to check the books of Mike Johnson and appoint a private accountant to accompany them.

Betty Stocking, City Recorder, showed concern if the vote taken was valid as she had phoned Mike Johnson and L. Parker advising them that no action would taken at tonights meeting.

9:10 p.m. Attorney Hilborn stepped down and Attorney Gerber assumed his duties as legal council.

VIII. REPORTS

1. Police Commissioner, E. Passenger reported on a meeting she attended on the Neighborhood Watch. Five residents from Dunes Ci ty did attend. Mr. Kesfer did recommend that Dunes City set up their own Neighborhood Watch group. Passenger stated that a decrease in crime is noticable where a neighborhood watch is used. A report on crime would be available every thirty days.

J. Smith feels that more people would have attended the meeting if it had been held at night.

Betty Stocking, City Recorder, was asked to work on publicity and write Sheriff Burks.

2. Road Commissioner, J. Freeland reported Wells agrees to adhere to the bid submitted on the culverts. He also would like bids toward paving Park Way. He recommends paving instead of patching.

Mayor petersdorf suggested estimates to be called for the paving and Council members could check this road.

3. Choate Mobile Home has been removed.

4. E. Fillman reported on the last meeting of Greater Siuslaw Economic Forum. A revised section of bylaws have been submitted.

E. Passenger asked about Mapleton People, how are represented?
E. Fillman stated they have members in the Florence Chamber of Commerce.

Some concerns of the Council were stated. Hired help, how will they be paid? Passenger felt they are getting broad powers , also concerns on page 5 as to selection of officers.

Mayor Petersdorf requests that E. Fillman report the concerns of the Council back to the Forum.

REPORTS-cont.

5. Property of John Larocco
Attorney Gerber reported that he had mailed a letter to the Department of Assessment and Taxation in Lane County regarding tax relief for the portion of his land being used as a City Street.

X. Unfinished Business Cont.

1. Attorney Gerber will report back to the Council on Little Woahink road problems.
2. Sea Plane Ordinance
Attorney Gerber stated that the ordinance needs to be redrafted to reflect existing use but prohibit further expansion of sea plane parking and hangers and still remain a sea port to satisfy the Oregon State Aeronautics Board.

3. Sign Ordinance # 74
J. Baumeister pointed out corrections -under A to be Penants and page 1, C-2 should read not attatched.

E. Fillman moved they have the first reading of Ordinance # 74 by short title with typo errors corrected. Motion seconded by E. Fillman.
Motion carried. *J. Baumeister*

Reading- This is an ordinance amending Section 5-11-W, of Ordinance No. 50, and places limitations upon erection of new signs, and some limits on replacement of existing signs, in a Community Commercial District.

E. Passenger moved the Council accept the first reading by short title. Motion seconded by E. Fillman. Motion carried

ACTION

4. Mobile Home Ordinance No. 75
J. Baumeister moved to have the first reading by short title. E. Fillman seconded the motion. Motion carried.

Ordinance No. 75 reading
This is an ordinance amending ordinance No.50 and will allow stick-built structures in mobile home parks to be replaced by mobile units by applying for permit.

ACTION

E. Fillman moved to accept the reading of Ordinance No. 75 by short title. J. Baumeister seconded. Motion carried unanimously.

5. Lars Lind - Alder Drive
Lars Lind, 84344 Alder Drive, Dunes City, presented the Council with a preliminary survey showing the location of the trees in the right of way. Also shows a dwelling in the right of way.

Robert Manseth, 88493 Hwy. 101, Florence, reported that he had made the preliminary survey showing the location of trees and Dwelling.

Lars Lind presented photos of the area showing erosion along the road, a bank cut 90° and some of the dangers existing. Lind stated the bank

Lars Lind-cont.

is undercutting and children are digging caves and playing there. A DANGER sign is constantly knocked down and destroyed. L. Lind feels this is an attractive nuisance. L. Lind also referred to a letter refusing delivery of freight to his place because of the condition of the road. L. Lind had checked with P.U. D. about moving the power pole. This would be prohibited because of terrain and cost. Professional tree fallers suggest trees to be removed. They are dangerous. Mr. Lind stated he is willing to assume all cost to remove the trees, contour bank and replant the bank.

Stan Rieterman, 5441 Huckleberry Lane, Dunes City, stated he was unaware that his house was in the road right of way. He feels by trimming the trees a twelve foot road could be attained. He is opposed to cutting the trees as it would open his house to non privacy. He also stated he has seen large trucks use the road.

Lars Lind in rebuttal stated Mr. Reiterman was in full accord to cut the trees when he first was approached. Also, feels this is a dangerous road and bank and that Dunes City could be liable. After question, L. Lind stated it would be fair for him to sell the trees to offset cost of rebuilding the road.

E. Passenger moved to allow Lars Lind to remove two trees and grade the road. The banks to be replanted in natural vegetation within sixty days after removal of trees. E. Fillman seconded the motion.

Roll Call:

Ayes: E. Passenger, E. Fillman, R. Schmale, W. Pitts, J. Baumeister

ACTION Nays: J. Freeland Motion Carried

7. EPW₂ W.L. Wilkes

Discussion on Mr. Wilkes failure to submit fees for the regranting of EPW₂. Betty Stocking is to notify Mr. Wilkes that his extension could be revoked if fee is not paid.

X. NEW BUSINESS

1. Davis - Bacon Act

After a short discussion on the Davis-Bacon Act, E. Passenger moved to send a letter urging the repeal of this act. Motion seconded by E. Fillman.

ACTION Motion carried.

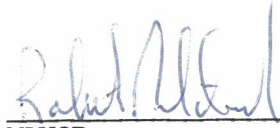
2. Nuclear Freeze

Brad Passenger, 3900 Coberg Road, sp 16, Eugene, OR,, spoke on the advisability of a nuclear freeze. He stated that 202 representatives of Congress, Medical Society, Eugene City Council, Senator Mark Hatfield and others endorsed the Nuclear Freeze.

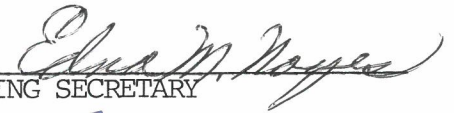
J. Baumeister stated he did not wish to speak for Dunes City in this matter. He feels this is an individual decision. Other Members seemed to feel the same.

ACTION 11:00 P.M. Motion made by E. Passenger and seconded by E. Fillman to continue new business. Motion failed.

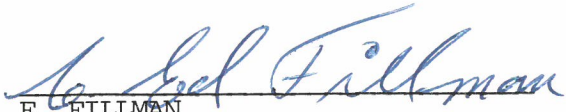
XI. ADJOURNMENT 11:10 P.M.



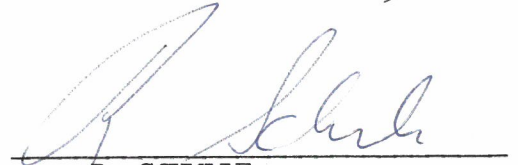
MAYOR



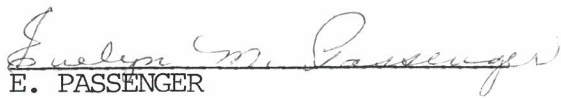
ACTING SECRETARY



E. FILLMAN



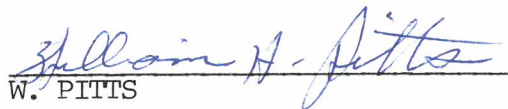
R. SCHMALE



E. PASSENGER



J. BAUMEISTER



W. PITTS



J. FREELAND

RECEIPTS OF SESSION JULY 8-AUGUST 11,1982

Building Permits	927.71
Central Lincoln P.U.D.	619.61
Copies	10.40
Lien Search	30.00
State Of Oregon	
Cigarette Tax	209.88
Highway Department	1,378.57
Liquor Control	723.33
United States Govt. Revenue Sharing	1,102.00
	<hr/> 5,001.50

BILLS OF SESSION JULY 8-AUGUST 11,1982

Central Lincoln P.U.D.	July	29.60	53.80
	August	24.20	
Postmaster Stamps			20.00
Galeria Office Supplies			11.44
P.N.B. Telephone Co			26.50
Copeland Lumber,Building			4.60
Siuslaw News			45.15
Central Lincoln P.U.D. Street Lights			403.20
Emile Mortier Bldg. Inspector			619.24
American Bus. Machines			68.23
Betty Stocking Travel	25.45		
Misc.	8.60		34.05
			<hr/> 1,286.21

DUNES CITY COUNCIL

REGULAR MEETING

SEPTEMBER 9, 1982

AGENDA

- I. CALL TO ORDER AND ROLL CALL
- II. APPROVAL OF MINUTES OF AUGUST 12, 1982
- III. BILLS AGAINST THE CITY
- IV. RECEIPTS OF SESSION
- V. CITIZEN INPUT ON UNSCHEDULED ITEMS
- VI. ANNOUNCEMENTS AND CORRESPONDENCE
 1. LETTER RE. YOUTH HOSTEL-JOHN CARLSON
 2. 911
 3. LETTER TO RICK SCOTT NRA
- VII. REPORTS
 1. ROAD COMMISSIONER
 2. PLANNING COMMISSION
 3. LEGAL COUNCIL REPORT-LEMKE
 4. NEIGHBORHOOD WATCH
- VIII. EXECUTIVE SESSION a) Litigation, b) Personnel, c) Negotiations
- IX. UNFINISHED BUSINESS
 1. WOAHINK MOBILE HOME RESORT
 2. SIGN ORDINANCE SECOND READING #74
 3. MOBILE HOME ORDINANCE SECOND READING #75
 4. BUILDING CODE ORDINANCE
 5. SEAPLANE ORDINANCE REDRAFT
 6. NUISANCE COMPLAINT LAKESHORE DRIVE
 7. ROADS IN LITTLE WOAHINK
- X. NEW BUSINESS
 1. INSURANCE-BOB READ
 2. DOG COMPLAINT
 3. COPY MACHINE
- XI. ADJOURNMENT

DUNES CITY, OREGON
MINUTES OF THE CITY COUNCIL

REGULAR MEETING

SEPTEMBER 9, 1982

I. CALL TO ORDER AND ROLL CALL

The regular meeting of the Dunes City Council was called to order by Mayor Petersdorf on the 9th day of September, 1982 at 7:30.

ROLL CALL

Present: Mayor Petersdorf, J. Baumeister, R. Schmale, E. Fillman, E. Passenger, J. Freeland, W. Pitts, Ron Gerber, Attorney at Law, Jim Hilborn, Attorney at Law, P.O. Box 187, Reedsport, OR., City Recorder B. Stocking, Acting Secretary E. Noyes.

- II. APPROVAL OF MINUTES
ACTION Motion made by E. Fillman to approve the minutes of August 12, 1982 with corrections. Motion was seconded by J. Baumeister. Motion Carried.

Corrections to be made on page 4, item 3, should read, "motion made by E. Fillman and seconded by J. Baumeister."

Page 3, under Neighborhood Watch, the name should be Mr. Kester instead of Kesler.

- III. BILLS AGAINST THE CITY-\$2,165.17
J. Baumeister feels that the bill of \$200.00 to Greater Siuslaw Economic Forum should not be paid.
ACTION E. Passenger moved the bills be paid deleting the bill of \$200.00 Motion was seconded by E. Fillman. Motion carried.

IV. RECEIPTS OF SESSION-\$2,620.22

V. ANNOUNCEMENTS AND CORRESPONDENCE

1. Letter was read from John Carlson stating the Youth Hostel will not be built at this time.
2. Letter was written to Rick Scott, NRA thanking him for the invitation to the opening of Oregon Dunes Overlook. This letter also expressed Mayor Petersdorf's concern that Dunes City was not on the maps.
3. Letter read from Emergency Services Division, 911. H. Latham reported they now have a full time Coordinator and a Clerical Specialist to assist us.

4. Invitation to attend a meeting from Oregon Parks and Recreation regarding beach closure. Meeting to be in Reedsport, September 16, 1982 at 1 p.m.

E. Passenger and J. Freeland will attend.

5. Ron Gerber reported on a letter from Oregon Division of State Lands regarding estuaries. This does not impact Dunes City. Council concurs. No action taken.

6. Attorney Gerber reported on bill 2172 before Congress transferring cable television to Federal regulation instead of local control. L.C.O.G. opposes this legislation and advise all to write their representatives in Congress.

J. Baumeister moved that City Recorder respond to this resolution and write our representatives in Congress opposing this pending bill. Motion seconded by E. Fillman. Motion carried.

ACTION

Attorney Gerber stepped down from the Council table at 7:45 p.m. and Attorney Jim Hilborn remained as legal Council for the City.

7. Attorney Hilborn read a letter from Attorney David Clark, stating that the correct procedure was not followed by the petitioners and the Council.

Mayor Petersdorfs was concerned that the right procedure was followed and the people who signed the petition were aware of what they signed.

Attorney Hilborn feels the right procedure was followed and that it is now up to the Courts to decide if the petition is invalid as to ordinance #36. He stated the petitioners complied with the information they had.

E. Passenger asked if Council Members as a private citizen could state their positions. Could they call a public meeting on the issue to state their positions. She feels the citizens should be aware that litigation is possible if the ordinance passes, and that a tax base is possible if judgement could not be met by Dunes City.

Attorney Hilborn stated that the Council can educate the electorate if no city funds are used.

E. Fillman asked if their position could be stated in the voters pamphlet. He was told not as Dunes City population is too small.

David Clark, Attorney at Law, P. O. Box 146, Florence, OR., reiterated his concerns as stated in his letter. He has done much research on this issue and feels this could be challenged in the Courts. Attorney Clark feels if the existing franchise is not repealed the City will have two ordinances on the book. This could have dire effects on Dunes City.

W. Pitts asked Attorney Hilborn what options the Council has. Attorney Hilborn feels they do not have the option to take back the petition. He feels the Council has been fair. Council need take no further action.

Ann Bunnenberg, Attorney at Law, representing L. Parker, stated there was substantial compliance with Dunes City ordinance # 36. She encourages the petition be left on the ballot. Procedural difficulties can be resolved through the Courts.

Loren Parker, 2076 16th, Florence, OR., stated he only wants to know what the people of Dunes City want.

9:35 p.m. discussion closed and Attorney Gerber resumed his duties as legal council.

VII. REPORTS

1. Road Commissioner J. Freeland is calling a meeting for the road committee September 16, 1982 at 7:00 p.m.
2. Attorney Gerber reported he has filed a transcript of records on Lemke property.
3. E. Passenger, Police Commissioner reported that a meeting was held on the Neighborhood Watch. Four people attended plus two Council members. Has called another meeting Sept. 14th, 1982 to organize. Hopes to have Ron Tracewell and Sgt. Walker present. Meeting place to be at the home of E. Passenger.

Mayor Petersdorf changed the agenda to hear former Mayor Bob Read at this time under New Business.

Bob Read, of Read Insurance, Florence, OR., explained options available for the insurance renewal. He advises that the building value be increased to \$65,000.00 and the equipment value be increased to \$30,000.00. He advised this would be 90% of value for replacement costs. Also explained risk coverage.

ACTION E. Fillman moved to instruct the insurance agent to raise values on the building to \$65,000.00 and equipment to \$30,000.00 and to add risk coverage. Motion seconded by E. Passenger. Motion Carried.

ACTION J. Baumeister moved to pay additional fees for this coverage.
E. Fillman seconded this motion. Motion carried.

9:10 p.m.. Attorney Gerber left the Council table and Attorney Hilborn remained as Legal Council.

IX. UNFINISHED BUSINESS

1. Woahink Mobile Home Resort

Attorney Bunnenberg, representing Alice Thompson reported that they now have a signed contract with the contractor and work started today. The whole crew and equipment will be on the job by next monday. The job should be finished by thirty days.

E. Passenger said she did not see any construction done today.

B. Pitts thought the contract had been signed with the contractor a month ago. Attorney Bunnenberg answered that they had a letter of intent.

J. Freeland moved to table this issue until next month as it appears work has begun. Motion seconded by E. Fillman.

ACTION AYES: J. Baumeister, R. Schmale, E. Fillman, J. Freeland
W. Pitts.

NAYES: E. Passenger.

C.A. Garska, 83570 Hwy. 101, Dunes City, stated it was not fair that he could not speak and that the Council just gave them another thirty days.

2. SIGN ORDINANCE # 74

John Carlson, P.O. Box 126, Westlake, OR. spoke before the Council advising them of changes that he feels should be made. Page 1 A-1 would eliminate "directional signs." Under F-page 3 Off premises signs shall be a conditional use permit shall be changed to "Off premises signs shall require a conditional use permit." He also stated that the first reading of this ordinance was invalid as the action was not advertised. According to the Charter he feels the changes could be read in tonights reading.

E. Fillman moved that the first and second reading of the sign ordinance with corrections be read tonight. Motion was seconded by J. Baumeister. This motion was withdrawn.

Sign Ordinance # 74 cont.

- ACTION E. Fillman moved that they have the first reading of sign ordinance by short title with housekeeping corrections. Motion seconded by J. Baumeister. Motion passed.
- Reading by Attorney Gerber of Ordinance No. 74 THIS IS AN ORDINANCE AMENDING SECTION 5-11-W, OF ORDINANCE NO. 50, AND PLACES LIMITATIONS UPON ERECTION OF NEW SIGNS, AND SOME LIMITS ON REPLACEMENT OF EXISTING SIGNS, IN A COMMUNITY COMMERCIAL DISTRICT.
- ACTION E. Fillman moved the Council accept the first reading of this ordinance by short title. Motion seconded by J. Baumeister. Motion carried unanimously by roll call.
- ACTION 3. Mobile Home Ordinance # 75
E. Fillman moved to have the first reading by short title of Mobile Home Ordinance # 75. Motion was seconded by R. Schmale. Motion Carried.
- Ordinance No. 75 reading THIS IS AN ORDINANCE AMENDING ORDINANCE NO. 50 AND WILL ALLOW STICK BUILT STRUCTURES IN MOBILE HOME PARKS TO BE REPLACED BY MOBILE UNITS BY APPLYING FOR PERMIT.
- ACTION E. Fillman moved to accept the first reading by short title of ordinance # 75. Motion was seconded by R. Schmale. Motion carried unanimously by roll call.
- ACTION J. Baumeister moved to have the second reading of Ordinance No. 75. Motion seconded by E. Passenger. Motion Carried.
- Attorney Gerber read the complete ordinance. see attached.
- ACTION Motion made by E. Fillman to accept the second reading of Ordinance # 75. J. Baumeister seconded the motion. Motion carried unanimously by roll call.
4. Building Code Ordinance
This was tabled until the October meeting.
5. Sea Plan Ordinance
This ordinance was discussed by Attorney Gerber. No action taken. Attorney will redraft this ordinance for the first reading at the October meeting
6. Nuisance Complaint on Lakeshore Drive.
This complaint exists on 4929 Lakeshore Drive, 19-12-22-01 Tax lot 1,000. According to the E. Mortier report the condition of the property is a public nuisance. J. Baumeister and E. Passenger have visited the site and both feel it is a hazard. City Recorder is instructed to notify the owner of the property giving them thirty days notice to clean up the

Nuisance Complaint cont.

mess, if not, abatement procedures will be commenced.

X. NEW BUSINESS

1. Dog complaint.
Police Commissioner, E. Passenger reported that the McFarlands do not wish to pursue the complaint. There are no problems at this time.
2. Copy Machine
Betty Stocking gave a report on the need for a new machine and the cost involved from different companies. She reported that the loaner was well liked and that the cost from ABM was the best price offer.
New Olivetta \$2,995.00
trade in 1495.00
Cost \$1500.00

ACTION

R. Schmale made a motion to purchase this copier. Motion seconded by E. Fillman. Motion carried.

Betty Stocking is to check on the funds to use for this purpose.

ACTION

4. State Revenue Sharing Resolution 9-9-82B.
Motion was made by E. Fillman to adopt the resolution that four or more of the required services are being provided to make the city eligible for state sharing revenue. Motion seconded by J. Freeland. Motion carried.

Council instructed Betty Stocking to invite Dale Libby jr. to attend the October Council meeting. As a fire consultant, to check the building and talk on some needs of the Fire Department.

E. Passenger discussed the possibility of some police coverage by Police Officers from the Florence Police Department. E. Passenger will report back.

Attorney Gerber reported that the Council should be giving some pre-meeting thought on the Cable TV franchise. This should be on the October agenda for discussion.

E. Fillman asked when a representative to LCOG would be appointed.

Mayor Petersdorf stated he was waiting until after the next Council election.

XI. ADJOURNMENT. 10:38 p.m.

Robert Pitts

MAYOR

Ed Fillman

E. FILLMAN

Evelyn M. Passenger

E. PASSENGER

William H. Pitts

W. PITTS

Page 7.

Edna M. Noyes

ACTING SECRETARY

R. SCHMALE

J. BAUMEISTER

J. Freeland
J. FREELAND

DUNES CITY COUNCIL
REGULAR MEETING
OCTOBER 14, 1982

AGENDA

- I. CALL TO ORDER AND ROLL CALL
- II. APPROVAL OF MINUTES OF SEPTEMBER 9, 1982
- III. BILLS AGAINST THE CITY
- IV. RECEIPTS OF SESSION
- V. CITIZEN INPUT ON UNSCHEDULED ITEMS
- VI. ANNOUNCEMENTS AND CORRESPONDENCE
 1. Letter from Rick Scott, N.R.A.
 2. Letter of resignation from Debbie Stinger
 3. Letter to Mr. Shirley RE: Turning Lane from Hwy. 101
 4. Certified letter to Mr. Reiterman RE: Alder Drive
 5. Communication with Carol Hughes RE: L.C.O.G. Representative
 6. Letter RE: League of Oregon Cities Conference
 7. Letter from Senator Mark Hatfield
- VII. REPORTS
 1. ROAD COMMISSIONER
 2. PLANNING COMMISSION
 3. LEGAL COUNCIL REPORT-LEMKE
 4. POLICE COMMISSIONER
 5. GREATER SIUSLAW ECONOMIC FORUM
 6. FIRE PROTECTION AND INSPECTION-DALE LIBBY JR,
- VIII. EXECUTIVE SESSION a) Litigation, b) Personnel, c) Negotiations
- IX. UNFINISHED BUSINESS
 1. Woahink Mobile Home Resort
 2. Sign Ordinance, corrected, SECOND READING
 3. Building Code Administration Ordinance FIRST READING
 4. Building Code Implementation Ordinance FIRST READING
 5. Seaplane Ordinance FIRST READING
 6. NUISANCE COMPLAINT- Lakeshore Drive
 7. Roads in Little Woahink- Attorney Gerber
 8. CABLE T.V. FRANCHISE REVIEW
- X. PUBLIC HEARINGS
 1. WEST LANE DISPOSAL
- XI. NEW BUSINESS
- XII. ADJOURNMENT

DUNES CITY, OREGON
MINUTES OF THE CITY COUNCIL

REGULAR MEETING

OCTOBER 14, 1982

I. CALL TO ORDER AND ROLL CALL

The regular meeting of the Dunes City Council was called to order by Mayor Petersdorf at 7:30 P.M. on the 14th day of October, 1982.

ROLL CALL

Present: Mayor Petersdorf, E. Fillman, B. Pitts, E. Passenger, J. Freeland, Attorney Gerber, City Recorder B. Stocking, D. Stinger.

Absent: R. Schmale, J. Baumeister (both excused)

There was one citizen present in the audience. There were no members of the press present.

II. APPROVAL OF THE MINUTES OF SEPT. 9, 1982

J. Freeland moved that the minutes of Sept. 9 be approved with normal corrections. E. Fillman seconded and the motion carried.

III. BILLS AGAINST THE CITY

The bills against the city totaled \$2991.42. Council had a question on the Ray Wells bill. J. Freeland suggested that the bill be paid subject to inspection as he had not finished inspecting all of the work that had been done.

E. Passenger moved that the Bills Against the City be paid with the exception of the Ray Wells bill which will be paid subject to final inspection of the work from J. Freeland. J. Freeland seconded and the motion carried.

IV. RECEIPTS OF SESSION - \$8184.55

V. CITIZENS INPUT ON UNSCHEDULED ITEMS - NONE

VI. ANNOUNCEMENTS AND CORRESPONDENCE

1. City Recorder read a letter from Rick Scott, NRA, stating that they left Dunes City off the new maps on the look-out point. They apologized and stated that they will be putting the city on the map.

2. City Recorder read into the record the letter of resignation from D. Stinger, secretary.
3. City Recorder read into the record the letter that the City sent to Mr. Shirley of the State Highway Division thanking him for the left turn refuge at the intersection of Highway 101 and Pacific Ave.
4. City Recorder stated that the City sent a letter to Mr. Reiterman on Alder Dr. regarding the encroachment of his home on the right of way. She stated that this letter was sent registered mail.
5. There was a letter from L-COG concerning a representative from Dunes City. Mayor Petersdorf instructed the City Recorder to send a letter to L-COG stating that the City would wait to appoint a representative until after the new council takes over in January.
6. There was a letter from L-COG stating that they will be holding a conference Monday, November 8.
7. There was a letter from Mark Hatfield and Bob Packwood answering the City's letter regarding their feelings on House Bill S-2172, Regulating Cable TV Franchise.

Gerber stated at this time that he has found that the City's date for reviewing the Cable TV Franchise rates is in November, 1983, instead of November, 1982. He felt that the Council should be thinking about what they will be asking for at that time.

Also, Gerber discussed with the Council the Senate's reactions to the house bill.

J. Freeland suggested that the City write another letter to the Senate giving it's objections. This bill has passed the committee but has not yet gone to the floor.

The Mayor instructed the City Recorder to send a letter giving the City's further objections on this bill to Weaver, Hatfield and Packwood.

VII. REPORTS

1. Roads. J. Freeland stated that the culverts are all in. He also stated that at the last Road Committee meeting Ira Mann was voted as Road Chairman, again. Freeland also stated that there is a lot of patching being done on City streets. The committee would like to know if they could store some cold mix asphalt out here in the yard of the center. They would build some sort of container to keep it in. The Council had no objection to this. Freeland brought up the fact that the road committee would like to purchase a brush cutter for brushing out the

streets. There was a question on insurance, however. Would the City be liable if one of these volunteers were out using the machine and was injured. Mr. Gerber stated that the City would be liable. He also stated that he would have to look into the City's insurance to see if the volunteers were covered.

Also, the Council stated that they needed from the road committee a list of the streets and a list of the members of the road committee.

Planning Commission Report. E. Passenger stated that in the minutes of the Planning Commission they discussed the computer map. They found that the map was incorrect as it did not list the Bob Jackson property as commercial.

The Council discussed this and, according to the Comp. Plan, this property is zoned commercial. The computer map is incorrect and will be sent back with the corrections noted.

Legal Council Report. Lemke -- Gerber stated that there was a memo in the packets concerning this and he did not feel that he wanted to discuss this in an open meeting at this time.

Public Hearing. Mayor Petersdorf moved the agenda down to Public Hearings. He stated that there would not be a Public Hearing because Mr. Parker of West Lane Disposal was unable to get his material read in time for the Council to review it. Mr. Gerber stated that the Public Hearing will be held at the next Council meeting. Mr. Parker will have filed by then.

Dave Clark was present to represent Mike Johnson.

Police Commissioner Report. E. Passenger stated that she had gone out on a dog complaint over on Ocean Blvd. She said that no one was home, but she found that there were five (5) hunting dogs on the property and four (4) puppies. She felt that it was not only a nuisance but a health hazard. There was an odor and a lot of flies.

Council discussed this and found that the Zoning Ordinance, page 71, defines a "KENNEL" as any lot on which three or more dogs over the age of four months are kept. A Kennel is a Home Occupation so this would require a Conditional Use Permit.

Council discussed this further and decided that proceedings for abating the nuisance would begin. They felt that the letter should come from Mr. Gerber's office, but it would be hand delivered by the Police Commissioner, E. Passenger.

Neighborhood Watch Report. E. Passenger and B. Pitts gave a brief report on the happenings with the Dunes City Chapter of Neighborhood Watch. B. Pitts was elected interim President for 90 days, E. Passenger the secretary, E. Fillman the Vice-President and B. Smith the Treasurer.

They stated that they have filed their papers for incorporation and have applied for a group radio license. They are working on their by-laws.

They requested of the City that, since the City does have a budget for Police Protection but does not have police protection, possibly some of the money could go to the Neighborhood Watch. They were asking for \$1000 of that budgeted money.

E. Passenger gave a list of costs for the signs needed in the City. The cost for the signs would run about \$336. Council discussed the fact that maybe they should wait until the Neighborhood Watch completed all of their paper work before the money was allotted.

ACTION

J. Freeland moved that the City grant \$500 to the Dunes City Chapter of Neighborhood Watch so that they may order the signs and that the second \$500 be allotted after the paperwork is finished. Petersdorf seconded and the motion carried.

Siuslaw Forum. E. Fillman gave a brief report on the happenings with this committee. The Council had in their packets the by-laws of the forum. E. Fillman stated that he felt that the City should pay the \$200 annual membership fee to this group. He had put in a lot of time for this group and felt that at least it is helping all of these different bodies work together instead of against one another.

ACTION

J. Freeland moved that the \$200 fee to the Greater Siuslaw Economic Forum be paid. Passenger seconded and the motion carried.

Fire Protection. Mr. Libby did not show up.

Committee for Hiring Planning Commission Secretary. Mayor Petersdorf stated that the committee 's four members met on the evening of Oct. 13 and interviewed five (5) applicants for the position. The committee was made up of E. Passenger, J. Smith, D. Stinger and the Mayor. Their recommendation to the City Council was Mrs. Kay Bacon for the position. Mrs. Bacon was in the audience.

ACTION E. Fillman moved that the City Council accept the recommendation of the committee and hire Kay Bacon for the position of Planning Commission Secretary. J. Freeland seconded and the motion carried.

Mayor Petersdorf stated that the salary would start at \$3.50 per hour and then will be reviewed in three (3) months.

IX. UNFINISHED BUSINESS

Woahink Mobile Home Resort. Council discussed the fact that lots of work is going on over there. They are making an effort to comply.

ACTION J. Freeland moved that the Council table this issue for another 30 days. Passenger seconded. Council discussed this further and then the motion was carried.

Sign Ordinance.

ACTION E. Fillman moved that the Council have the second reading of Ordinance #74 by short title. Freeland seconded and the motion carried.

Gerber gave the short title of the ordinance.

"THIS IS AN ORDINANCE AMENDING SECTION 5-II-W OF ORDINANCE NO. 50 AND PLACES LIMITATIONS UPON ERECTION OF NEW SIGNS AND SOME LIMITS ON REPLACEMENT OF EXISTING SIGNS, IN A COMMUNITY DISTRICT".

ACTION E. Fillman moved that the second reading of Ordinance #74 be accepted as read by short title. J. Freeland seconded.

Aye: Fillman, Freeland, Passenger, Pitts
There were two absent Councilmembers
The Ordinance passed by a majority vote.

Building Code, Ordinance #77.

ACTION E. Fillman moved that the City Council have the first reading of Ordinance #77 by short title. J. Freeland seconded and the motion carried.

Gerber gave the first reading by short title.

"AN ORDINANCE TO PROVIDE CITY ADMINISTRATION OF THE STATED BUILDING CODES".

The Council had a short discussion on this ordinance.

ACTION E. Fillman moved that the City accept the first reading of Ordinance #77 by short title. J. Freeland seconded.

Aye: Pitts, Freeland, Fillman
Nay: Passenger

Mayor voted to break tie because of lack of quorum. His vote was Aye. The motion carried.

Ordinance #76, Implementing State Building Code.

ACTION E. Fillman moved that the City have the first reading of Ordinance #76 by short title. J. Freeland seconded and the motion carried.

Gerber gave the first reading by short title.

"AN ORDINANCE IMPLEMENTING THE STATE BUILDING CODE THROUGH LOCAL ENFORCEMENT".

ACTION E. Fillman moved to accept the first reading of Ordinance #76 by short title. Freeland seconded.

Ayes: Freeland, Fillman, Passenger, Pitts

The motion carried.

Seaplane Ordinance #78

ACTION E. Fillman moved that the City have the first reading of Ordinance #78 by short title only. J. Freeland seconded and the motion carried.

Gerber gave the first reading by short title.

"THIS IS AN ORDINANCE AMENDING ORDINANCE 51 BY PROVIDING THAT THE LANDING OR TAKING OFF OF SEAPLANES UPON THOSE PORTIONS OF WOAHIK LAKE WHICH LIE WITHIN THE CITY LIMITS OF DUNES CITY SHALL CONSTITUTE A PUBLIC NUISANCE UNLESS OTHERWISE SPECIFICALLY EXCEPTED BELOW".

ACTION J. Freeland moved that the first reading of Ordinance #78 by short title be accepted. E. Fillman seconded.

Ayes: Fillman, Freeland, Passenger, Pitts

The motion carried.

NUISANCE COMPLAINT--LAKESHORE DR.

B. Stocking stated that she received a report from Mr. Mortier stating that the nuisance had been taken care of.

E. Passenger stated that she and Mr. Baumeister had been instructed by the Council at the last meeting to inspect the property and they, too, found that the nuisance had been taken care of.

ROADS. LITTLE WOHINK. The road commissioner, J. Freeland, stated that nothing has been done to finish the road work needed in that subdivision. There has been no change in that since last year.

Gerber stated that he recommended to the Council that they start proceedings for a building freeze for that subdivision until the roads are brought up to par.

Council instructed Mr. Gerber to send a letter to the developers and that the issue would be put on next month's agenda.

CABLE TV REVIEW. Gerber stated again that he found that this is to be reviewed in 1983 instead of 1982. He felt that the Council should have a committee start thinking about what they would like to ask the cable tv company for. He gave the Council a memo on some of the fees that are paid by neighboring communities for their cable service. He felt that their systems were superior to ours. The Council decided that they would have their committee look into this and they would set the January meeting as a target to discuss this.

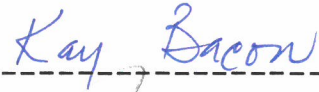
NEW BUSINESS

City Recorder asked if the City would hold their regular November meeting since it fell on Veterans Day. The answer was yes.

ADJOURNMENT-- 9:26 !!!!!!!!!!!



MAYOR

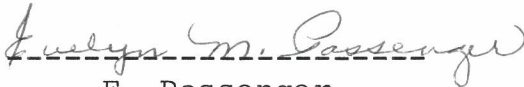


SECRETARY

E. Fillman




R. Schmale



E. Passenger

J. Baumeister



W. Pitts



J. Freeland

DUNES CITY COUNCIL

REGULAR MEETING

NOV. 11, 1982

7:30 P.M.

AGENDA

- I. CALL TO ORDER AND ROLL CALL
- II. APPROVAL OF MINUTES OF OCT. 14
- III. BILLS AGAINST THE CITY
- IV. RECEIPTS OF SESSION
- V. CITIZEN INPUT ON UNSCHEDULED ITEMS
- VI. ANNOUNCEMENTS AND CORRESPONDENCE
 - 1. Gerber's letters to Hatfield and Packwood.
 - 2. Letter from state office of rural health.
 - 3. Letter from Mr. Wilkes with fee for regranting EPW 2
- VII. REPORTS
 - 1. Roads
 - 2. Neighborhood Watch--Bill Pitts
- VIII. EXECUTIVE SESSION a) Litigation, b) Personnel, c) Negotiations
- IX. UNFINISHED BUSINESS
 - 1. Building Code Administration, second reading.
 - 2. Building Code Implementation, second reading.
 - 3. Seaplane Ordinance, second reading.
 - 4. Dog complaint.
 - 5. Ternyik contract Lemke property.
 - 6. Woahink Mobile Home Trailer Park.
- X. NEW BUSINESS
 - 1. West Lane Disposal Ordinance
- XI. ADJOURNMENT

DUNES CITY, OREGON
MINUTES OF THE CITY COUNCIL
REGULAR MEETING

NOVEMBER 11, 1982

I. CALL TO ORDER AND ROLL CALL

The regular meeting of the Dunes City Council was called to order by Mayor Petersdorf on the 11th day of November, 1982, at 7:30 p.m.

ROLL CALL

Present: Mayor Petersdorf, R. Schmale, E. Passenger, J. Freeland, W. Pitts, Ron Gerber, Attorney at Law, Jim Hilborn, Attorney at Law, P. O. Box 187, Reedsport, OR., City Recorder B. Stocking, Secretary K. Bacon.

J. Baumeister and E. Fillman were excused.

There was one representative of the press and 17 citizens present in the audience.

II. APPROVAL OF MINUTES

ACTION

Motion was made by W. Pitts and seconded by E. Passenger to approve the minutes of October 14, 1982, with corrections. Motion carried.

Corrections to be made on Pg. 3 under Police Commissioner's Report. The letter was written by B. Stocking rather than from Mr. Gerber's office.

Correction on Pg. 5 Building Code Ord. #77. E. Passenger asked that the minutes show that there had been no discussion of this ordinance in the September meeting because it had been tabled until the October meeting.

Correction on Pg. 7 there was a typographical error in the word "Cable" in the Cable TV Review heading.

III. BILLS AGAINST THE CITY -- \$1, 057.82

ACTION

Motion was made by E. Passenger and seconded by J. Freeland to pay the bills against the city. Motion carried.

IV. RECEIPTS OF THE SESSION -- \$3,466.07

E. Passenger noted that the council had previously agreed to pay 50% of the Room Tax (which totaled \$1,169.46 for this session) to the Chamber of Commerce for advertising. Mayor Petersdorf said the City is holding off paying this because "the Chamber has been leaving the City out of their activities".

X. NEW BUSINESS

The Mayor moved the Agenda down to New Business to take care of the West Lane Disposal ordinance so that Mr. Hilborn could be excused. J. Hilborn presented the proposed short and long titles of Ordinance #51 as proposed by West Lane Disposal. He stated that this was the beginning of the initiative petition process.

ACTION

Motion was made by J. Freeland and seconded by R. Schmale that the council accept the language of the short and long titles of Ordinance #51 as prepared by J. Hilborn. E. Passenger asked if they would be accepting the ordinance if the council voted to approve the language and was assured they would not; they would just be accepting the titles.

J. Hilborn did not read the titles, but copies of the proposed titles were given to the council members at the meeting.

"AN ORDINANCE CREATING MULTI-LICENSEES INSTEAD OF EXCLUSIVE REFUSE FRANCHISE."

"THE ORDINANCE BEFORE THE CITY CHANGES THE EXISTING METHOD OF REGULATING REFUSE AND GARBAGE PICK-UP. PRESENTLY, THE CITY IS ALLOWED TO ENTER INTO AN EXCLUSIVE FRANCHISE WITH ONE REFUSE COLLECTION SERVICE. THE PROPOSED ORDINANCE ALLOWS MULTIPLE LICENSEES TO ENGAGE IN THIS BUSINESS. THE PROPOSED ORDINANCE REQUIRES THE CITY TO LICENSE, KEEP RECORDS AND INSPECT REFUSE VEHICLES. LICENSEES MUST PAY A YEARLY FEE AND PROVE INSURANCE. FEES ARE SET BY THE LICENSEE OR CITY COUNCIL."

J. Hilborn explained that it is his understanding that the proposed ordinance would not affect any existing contracts until their normal termination, but it does away with the Council's authority to grant exclusive franchises if it is approved by the public.

Mike Johson, representing Siuslaw Sanitary Service, read a letter to those present and gave copies of the letter to the council members.

B. Stocking read a letter to the Council that had come into the office from Mr. Loren Parker of West Lane Disposal. Mr. Parker came into the meeting in the middle, and J. Hilborn recapped for him what had been done.

David Clark, Attorney at Law, representing Siuslaw Sanitary Service, stated he felt the ballot title should reflect that the ordinance would not affect the current franchise until its conclusion and merely replaced Ordinance #38.

J. Hilborn will discuss with B. Stocking what she needs to do now about Mr. Parker's petition.

8:15 p.m. The discussion was closed, Mr. Hilborn was excused And Mr. Gerber resumed his duties as legal counsel.

V. CITIZEN INPUT ON UNSCHEDULED ITEMS -- NONE

VI. ANNOUNCEMENTS AND CORRESPONDENCE

1. Mr. Gerber has not sent the letters to Hatfield and Packwood regarding the cable tv franchise. He asked that they not be discussed in open meeting yet and suggested they have an executive session to discuss the letters in case the Council wants to change anything in them before they are sent out.

2. B. Stocking read a letter she had written to the State Office of Rural Health regarding a survey of the health care needs in Dunes City.

3. B. Stocking referred the Council to an item in their packets showing that Mr. Wilkes had paid his fee for regranting EPW 2.

VII. REPORTS

1. Greater Siuslaw Economic Forum. Mayor Petersdorf thanked the Council on behalf of Carolynnda Erskine of the Greater Siuslaw Economic Forum for paying their dues.

2. Neighborhood Watch. W. Pitts announced to the audience that Neighborhood Watch meets every third Tuesday at the Dunes Community Building. The bank account has been established. The sign order will be going in within the next few days; and after the next meeting, they will be setting up regular patrols of some sort.

VIII. EXECUTIVE SESSION

Because of the number of people waiting in the audience to testify about the upcoming ordinances, the council did not go into executive session about the two letters to Hatfield and Packwood.

IX. UNFINISHED BUSINESS

1. Building Code Implementation Ordinance #76

R. Gerber said the intent of the ordinance is to adopt the state building code and permit the City of Dunes City to enforce the building code, issue permits and inspect the work.

ACTION

Motion was made by W. Pitts and seconded by J. Freeland to accept the second reading of Ordinance #76 by short title.

"AN ORDINANCE IMPLEMENTING THE STATE BUILDING CODE THROUGH LOCAL ENFORCEMENT."

AYES: Mayor Petersdorf, W. Pitts, R. Schmale, J. Freeland

NAYES: E. Passenger

Motion carried with Mayor Petersdorf voting to break the tie.

2. Building Code Administration Ordinance #77

ACTION

Motion was made by J. Freeland and seconded by W. Pitts to accept the second reading of Ordinance #77 by short title.

"AN ORDINANCE TO PROVIDE CITY ADMINISTRATION OF THE STATE BUILDING CODE."

AYES: Mayor Petersdorf, W. Pitts, R. Schmale, J. Freeland

NAYES: E. Passenger

Motion carried with Mayor Petersdorf voting to break the tie.

Judy Smith, Planning Commission Chairman, said she felt this would be a hard ordinance to enforce; and she would have a hard time supporting it.

E. Passenger said she can see the need for the ordinance regarding new construction or major reconstruction but not for minor repairs or maintenance.

R. Gerber stressed that if the City did not pass the ordinance, the state would take over administering the state building codes; and he felt that it was to the City's advantage to supervise the code itself.

3. Seaplane Ordinance #78

Before the Council heard public testimony on this ordinance, R. Gerber explained why the ordinance was drafted; i.e., to restrict intense development around the lake's edge and to discourage the use by seaplanes of the lake.

Mr. Joseph Holden, Assistant Administrator in charge of Air Operations and Safety from the Aeronautics Division of the State Department of Transportation presented a lengthy opinion prepared by his office and consulted with the State Attorney General's office. In his presentation he indicated that the proposed city ordinance would be in violation of existing state law. A copy of his remarks are included with the packet.

Mr. Dave Wiley of the Columbia Seaplane Pilot's Association was at the meeting. He wanted to object to being considered a public nuisance and asked for clarification of how a seaplane is a public nuisance. He argued that seaplanes are highly maneuverable and have a high safety record throughout the nation.

Butch Patterson from the Seaplane Rides was concerned that the ordinance would affect the operation and expansion of his business.

ACTION

Motion was made by E. Passenger and seconded by J. Freeland to table the ordinance until the next meeting to give Attorney Gerber time to research the information presented by Mr. Holden. Motion carried.

4. Dog Complaint. E. Passenger delivered the letter to Mr. Anderson about the number of dogs he was keeping on his property. She found that he is in the process of moving out of the area.

5. Ternyik Planting on Lemke Property. Wilbur Ternyik is scheduled to start planting on November 15th on the Lemke property. The Council agreed that they would take action if he failed to start by the 15th.

6. Woahink Mobile Home Park. R. Gerber and Mayor Petersdorf stopped and talked to the contractor about a week before the meeting. They said the work seems to be moving right along there. Mayor Petersdorf said he would like the council to be thinking before next month's council meeting about getting back from Woahink Mobile Home Park the considerable amount of money the City has spent on attorney's fees for this matter.

XI. ADJOURNMENT

The meeting was adjourned at 10:15 p.m. by Mayor Petersdorf.

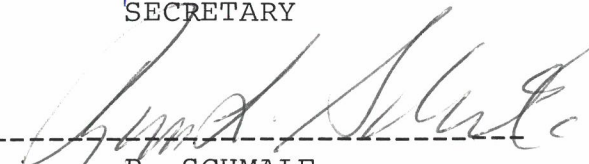


MAYOR



SECRETARY

E. FILLMAN

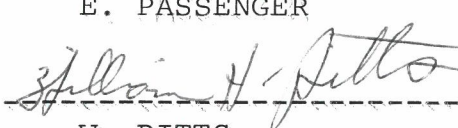


R. SCHMALE

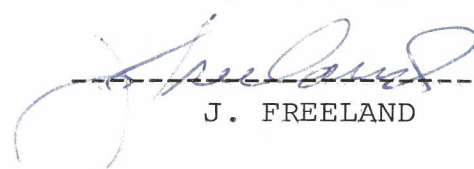


E. PASSENGER

J. BAUMEISTER



W. PITTS



J. FREELAND

DUNES CITY COUNCIL

REGULAR MEETING

DECEMBER 9, 1982

AGENDA

- I. CALL TO ORDER AND ROLL CALL
- II. APPROVAL OF MINUTES OF NOVEMBER 11, 1982
- III. BILLS AGAINST THE CITY
- IV. RECEIPTS OF SESSION
- V. CITIZEN INPUT ON UNSCHEDULED ITEMS
- VI. ANNOUNCEMENTS AND CORRESPONDENCE
 1. Sister Cities International
 2. Bernie La Forge passed away. Dunes City sent flowers to the hospital and a floral arrangement to the funeral.
 3. Letter to the County Commission regarding lights in Westlake at the County Dock.
- VII. REPORTS
 1. Dale Libby, Jr., of the Fire Department.
 2. Betty Stocking on the League of Oregon Cities.
- VIII. EXECUTIVE SESSION a) Litigation, b) Personnel, c) Negotiations
- IX. UNFINISHED BUSINESS
 1. Seaplane Ordinance. Gerber, Aeronautics letter.
 2. Re-seeding Lemke property.
- X. NEW BUSINESS
- XI. ADJOURNMENT

DUNES CITY, OREGON
MINUTES OF THE CITY COUNCIL
REGULAR MEETING
DECEMBER 9, 1982

I. CALL TO ORDER AND ROLL CALL

The regular meeting of the Dunes City Council was called to order by Mayor Petersdorf at 7:30 P.M. on the 9th day of December, 1982.

ROLL CALL

All the council was present as well as Ron Gerber, Attorney at Law; Jim Hillborn, Attorney at Law, P.O. Box 187, Reedsport, OR., City Recorder B. Stocking and Secretary K. Bacon.

There were two citizens present in the audience.

II. APPROVAL OF MINUTES OF NOVEMBER 11, 1982

ACTION Motion was made by E. Passenger and seconded by J. Freeland that the minutes of November 11 be approved. Motion carried.

III. BILLS AGAINST THE CITY -- \$1,472.54

ACTION Motion was made by E. Passenger and seconded by E. Fillman to pay the bills against the City totaling \$1,472.54. Motion carried.

IV. RECEIPTS OF THE SESSION -- \$2,434.45

V. CITIZEN INPUT ON UNSCHEDULED ITEMS -- NONE

VII. REPORTS

The Mayor moved the agenda to reports to take care of Mr. Dale Libby from the Siuslaw Rural Fire Department. Each year the City allocates \$600 in its budget for the Siuslaw Rural Fire Department. The Council wanted to ask Mr. Libby how he could use the money in his department. Libby said the Department is willing to do home fire inspections again if that is what the Council would like to see done. E. Passenger said she would also like to see the Department do the Tot Finder program with a decal put on children's bedroom windows. Capt. Don Brown from the Siuslaw Rural Fire Department was present and said that in the past the home inspections alone have cost over \$600.

ACTION E. Passenger made the motion and J. Freeland seconded to give \$600 to the Siuslaw Rural Fire Department which is in the City's 1982-83 budget. Motion carried.

V. ANNOUNCEMENTS AND CORRESPONDENCE

1. Sister Cities International. B. Stocking referred the Council to a letter from Sister Cities International asking if Dunes City would be interested in having a sister city in another country. J. Freeland suggested the Council forget the idea. Council agreed.
2. Bernie LaForge. B. Stocking announced that Bernie LaForge had passed away and Dunes City had sent a floral arrangement to his funeral and had received a thank you card from his widow, Lucille.
3. Light at County Dock. B. Stocking referred Council to a copy of a letter she had written at the Mayor's request to Mr. Vance Freeman, Lane County Commissioner, about the County Dock at Westlake. The City had been notified by Central Lincoln P.U.D. that the County was no longer going to pay for the light at the County Dock. Mayor Petersdorf had instructed Betty to write to the County and offer to buy the property for \$1. Mayor reported that he had received a call that day from Greg Star, a coordinator for the County on parks, saying that they had received our letter; and he had just gotten the information that day from Mr. Freeman. He was going to look into it and get back to the City in a couple of weeks. E. Passenger felt it was a good idea to buy the property, but she felt the Council should have been consulted before an offer was made to buy it. She also suggested that if it was purchased and made into a park it be named the Bernie LaForge Memorial Park. Council felt the City should check the cost of maintaining the property and the liability involved.

ACTION J. Freeland made the motion and R. Schmale seconded to table the matter until the January meeting when the new council is seated but to pay the light bill on the light at the County Dock effective December 1. Motion carried.

4. League of Oregon Cities Biennial Workshops. B. Stocking referred the Council to an announcement in their packets about the League of Oregon Cities Biennial workshops coming up in January.

ACTION E. Passenger made the motion to pay the \$5 registration fee for any Planning Commission members, City Council members, staff or the attorney to attend the workshop on January 28 in Eugene. B. Pitts seconded and the motion carried.

B. Stocking will poll the Council at the January meeting.

VIII. EXECUTIVE SESSION

The meeting was recessed at 8:03 to go into Executive Session on the Alice Thompson matter. Mr. Gerber was excused and Mr. Hillborn entered the meeting.

The Council reconvened at 8:30. Mr. Hillborn was excused and Mr. Gerber resumed his duties as legal counsel.

ACTION

Motion was made by E. Passenger that under Section #5 of Ordinance #51 as amended the City direct the City Recorder to send a certified letter to Alice Thompson and her attorneys assessing the costs of the attorneys' fees and costs of the abatement of a nuisance and 15% of administrative costs on procedures the City has taken on Woahink Trailer Park. E. Fillman seconded. Motion carried.

IX. UNFINISHED BUSINESS

1. Seaplane Ordinance. Mr. Gerber reported that he had talked with Ed Sullivan about some of the contentions that Mr. Holden of the State Aeronautics Board had raised at the November 11 Council meeting. He suggested the most sensible way the City could approach the problem is in terms of making it a zoning law. It would necessitate redrafting the ordinance. Gerber felt it would be best to meet with the Council next month after the new members have been seated and decide if they still want to continue with an ordinance. If so, he would have an ordinance ready for the first reading at the February meeting.

Gerber said he had received a letter from the Army Corps of Engineers saying that Woahink Lake is not a navigable waterway.

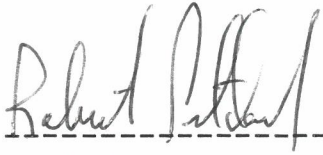
2. Re-Seeding Lemke Property. Mrs. Barbara Garrison said that she had visited the property, and the work had been done. She was satisfied.
3. Road at Little Woahink. Mr. Gerber said this problem should be carried over to the January meeting so that he could discuss this with the new council members, too.

X. NEW BUSINESS

1. Bus sheds. B. Pitts asked where the sheds came from that the school children use to wait for the school bus. He was told that they are homemade. He had noticed that many of them were in need of repair. He was told that if money is given to individuals to build them it comes from the road committee's budget.

XI. ADJOURNMENT

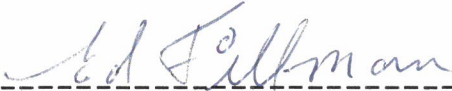
J. Freeland made the motion and R. Schmale seconded that the meeting be adjourned at 8:45 P.M.



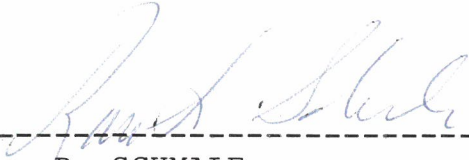
MAYOR



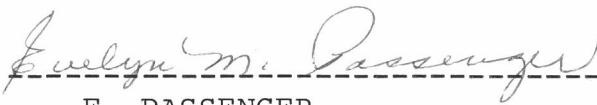
SECRETARY



E. FILLMAN



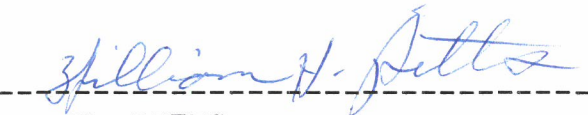
R. SCHMALE



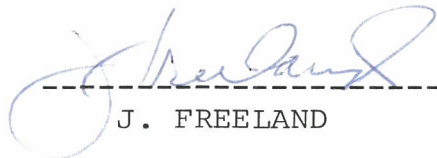
E. PASSENGER



J. BAUMEISTER



W. PITTS



J. FREELAND

DUNES CITY COUNCIL

EXECUTIVE SESSION

December 9, 1982

The Executive Session began at 8:03 p.m. on the Alice Thompson project.

Attorney Jim Hilborn announced that he had advised both Thompson and Larry Gildais, her attorney, that the Council would be discussing this item, but neither was present.

Mayor Petersdorf told Hilborn that the City would like to get back from Alice Thompson the amount of the attorney fees and the office time spent on the nuisance abatement for Woahink Mobile Home Resort.

Hilborn said that under Section #5 of Ordinance #51 the City may recover all the costs of an abatement of a nuisance plus 15% of administrative costs. Section #7 of Ordinance #51 gives the Council authority to fine \$500 a day for each day they are in violation.

Hilborn suggested that if the Council decided to fine Thompson, they would have to fine her specific amounts for specific days that Thompson was in violation.

E. Passenger suggested she would like to see the Council assess Thompson for attorney fees plus 15% of administrative costs rather than fine her \$500 per day. J. Freeland did not want to assess punitive damages.

Hilborn advised the Council to direct Thompson and her attorneys by certified mail that the City was assessing costs. After she is notified, she has ten (10) days to object. Then she can be put on the City Council agenda to rebut. A lien will be issued against her property in 30 days if she does not object within ten (10) days.

ADJOURNMENT

The Executive Session adjourned at 8:30 p.m.

DUNES CITY, OREGON
MINUTES OF THE CITY COUNCIL
EMERGENCY SESSION

DECEMBER 23, 1982

I. ROLL CALL

The emergency session of the Dunes City Council was called to order at 2 p.m. by Mayor Petersdorf.

Present: J. Baumeister, R. Schmale, E. Passenger and B. Petersdorf.

Absent: W. Pitts, J. Freeland and E. Fillman. Mr. Fillman was excused.

Attorney R. Gerber was also present.

The secretary was instructed that in case of a tie vote (constituted by three members voting in unison) the Mayor could vote to break the tie.

II. NEW BUSINESS

Attorney Gerber brought the Council up to date on why the Mayor had called for a special session to consider the offer to settle made by Don Lemke with regard to the lien the City had assessed against him.

The Mayor had polled the Council earlier when it was learned Mr. Lemke wanted to settle. The consensus was that the Council would consider settling for \$5670.76. Mr. Gerber had relayed the information to Mr. Cooley, Lemke's attorney; and had told him the Council would not consider settling as long as their lawsuit against the City was pending.

R. Schmale disclosed a potential conflict of interest. Mr. Gerber said that his potential conflict of interest would not disqualify him unless he felt he could not approach the matter with an open mind.

Mr. Gerber announced that paying the lien would be a disbursement out of escrow. When the sale of the property closes, the escrow company will issue a check to Dunes City for the sum of \$5,670.76. The City will not accept that check, Mr. Gerber said, until we have in hand a stipulation signed by Mr. Lemke's lawyer to the effect that the lawsuit should be dismissed.

J. Baumeister requested that the City not accept the check until the courts dismiss the case.

Secretary K. Bacon told the Council that the Dunes City office had received a lien search on the property in question and asked how the office should handle it. Mr. Gerber said that the stipulated order should arrive at the escrow office that afternoon (December 23). Mr. Gerber was going to go to the office and review it to make sure it was in the proper order and instruct Mr. Lemke to have it signed by a judge December 24. He would tell Lemke that the City will not release a clear lien search until it is done. Then Mr. Gerber's office will release the lien search.

E. Passenger made the motion which was seconded by J. Baumeister to adopt resolution 12-23-82. All three council members voted in favor. The mayor also voted in favor. Motion carried. A copy of the resolution is attached.

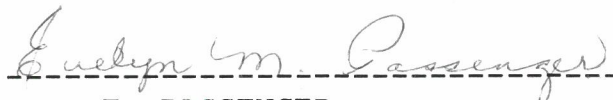
III. ADJOURNMENT

The meeting was adjourned at 2:35 p.m.



MAYOR

E. FILLMAN



E. PASSENGER

W. PITTS



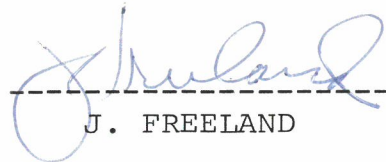
SECRETARY



R. SCHMALE



J. BAUMEISTER



J. FREELAND